

# SpeakingUp Policy

<b>Policy Owner:</b>	Executive Director of Governance
<b>Policy Lead:</b>	Head of Governance
<b>Approved by:</b>	Audit & Risk Committee
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## Purpose and scope of the policy

This policy applies to you if you work for us as a 'worker' (employee, contractor, trainee or through an agency). It also applies to you if you're working with us as a consultant, non-executive board member or partner.

The purpose of the policy is to:

- a) set out how you can report concerns about risk, malpractice or wrongdoing that are in the public interest (i.e. that affect others, for example, the general public) for example:
  - Criminal activity (such as theft or fraud)
  - Miscarriages of justice
  - Dangers to health and safety
  - Damage to the environment
  - Breaching legal requirements
  - Concealing any of the above
- b) encourage you to speak up as soon as possible if you have concerns and
- c) reassure you that, if you do, you won't be treated unfairly or lose your job because you 'blow the whistle', and your concerns will be taken seriously and investigated appropriately.

Like other organisations, we face the risk of things going wrong sometimes or of unknowingly allowing illegal or unethical conduct. We recognise that you may be best placed to identify this. So, it's vitally important that we have arrangements in place that allow you to speak up so we can take corrective action and improve how we operate.

We understand you may feel worried about raising a concern. However, we commit to maintaining an open, honest, and accountable culture, meaning we'll look into concerns raised and support you.

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. Please report any concerns about these matters in accordance with our Grievance, Bullying and Harassment Policy.

### 1. What concerns can be raised and by who?

You can raise concerns about any **risk, malpractice or wrongdoing** that may be harming the service we deliver. The Public Interest Disclosures Act 1998 (the Act) sets out some examples:

- criminal activity (including theft or fraud)
- miscarriages of justice
- dangers to health & safety
- damage to the environment
- breaching legal requirements
- concealing any of the above.

The Act covers 'workers', which includes employees, contractors, trainees, and agency staff. If you are a worker and raise a genuine concern relating to any of the above, you are referred to as a *whistleblower* by the Act and are entitled to certain protections. Under the Act, if you're a 'worker' (which includes employees, contractors, trainees and agency staff) who raises a genuine concern about any of the above, you're a *whistleblower* and are protected by law. In accordance with the law, and our own values, we'll treat you fairly and you won't lose your job because you 'blow the whistle'.

We recognise the value of receiving, investigating, and addressing concerns no matter who they come from, so we'll also apply the principles of the Act to any consultants, non-executive board members, and partners working with us.

If you're a colleague and have concerns about your employment with us that only affect you, please raise your concerns in accordance with our Grievance, Bullying and Harassment Policy.

If you're concerned about the safety and wellbeing of a child, or an adult with support needs, who is or may be experiencing or at risk of abuse or neglect, please report your concerns in accordance with our Safeguarding Children Policy or Safeguarding Adults at Risk Policy.

## **2. Confidentiality and anonymity**

You can report concerns anonymously if you want to (i.e. without giving your name) but doing so might make it harder for us to investigate thoroughly and to provide updates, advice, and support. The person you report your concern to may know your identity, but we won't reveal your identity without your agreement unless required by law (e.g. to the police). We'll assume all matters are raised in confidence unless you tell us otherwise.

Everyone involved (including you) must treat the matter as confidential, both during and after any investigation. Any colleague who breaches confidentiality may be subject to disciplinary action – you can get independent advice from any of the organisations listed in section 3.

We'll investigate all matters raised, whether openly, confidentially, or anonymously.

## **3. How to raise a concern**

Please report your concerns to a suitable manager – your line manager if you're employed by us.

If you feel that it would be more appropriate, or that you need to escalate your concern, please report your concern to any of the following people:

- Company Secretary
- Chief Executive
- Any Executive Director
- Head of People and Organisational Development
- Audit & Risk Committee Chair
- Moats anonymous reporting line: 01753 555180

Concerns relating to harassment can be raised to: ConfidentialReporting@Moat.co.uk

We aim to use internal routes for raising concerns. However, if you feel that it would be more appropriate, you can also raise concerns externally through:

- Internal Audit: Lee Cartwright (0330 910 411 or [LCartwright@beeverstruthers.co.uk](mailto:LCartwright@beeverstruthers.co.uk))
- External Audit: Liz Kulczycki (07989 240 702 or [liz.kulczyckido.co.uk](mailto:liz.kulczyckido.co.uk))
- Regulator of Social Housing (0300 124 5225 or [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk))

Concerns can be reported verbally or in writing using the contact details above.

You can get independent advice at any stage, by contacting:

- The independent charity Protect (formerly Public Concern at Work) 0203 117 2520 or [protect-advice.org.uk](http://protect-advice.org.uk)
- A lawyer of your choice at your own expense
- The Citizens Advice Bureau ([Citizens Advice](http://Citizens%20Advice))
- ACAS ([Work and employment law advice | Acas](http://Work%20and%20employment%20law%20advice%20%7C%20Acas))
- Your professional body (if you're a member)

We hope you can raise concerns with us. However, we recognise that there may be circumstances where you should properly report matters to outside bodies, such as our regulator or the police. It will very rarely be appropriate to alert the media. If you're unsure as to whether this is appropriate and don't feel able to discuss the matter with us, please seek independent advice from Protect (see above).

#### **4. When you report a concern to us**

We're committed to listening to you, learning lessons, and improving our services. If you report a concern to us, the person you report it to (in accordance with section 3) will (if they have your details) contact you within 2 working days to confirm that they've received it.

Where necessary, we'll arrange for a suitable, proportionate, and independent investigation to be undertaken. The Executive Director of Governance and the Head of People and Organisational Development will make the necessary arrangements. If the concern relates to either of those roles that role will not be consulted. Additionally:

- If the concern relates to the Chief Executive, the Chair of the Board will be consulted.
- If the concern relates to the Chair of the Board, the Audit & Risk Committee chair and another Board member will be consulted.

Where appropriate conclusions from any investigation will be shared with you within a timescale that you will be notified of (where you're not anonymous). The investigation will be objective, and a report will be produced which outlines the issues identified and any actions needed to prevent problems recurring. Who the report is shared with will depend on the nature of the concern, but the Audit & Risk Committee will maintain oversight of all whistleblowing reports – see 'Monitoring' below.

We'll treat you with courtesy, empathy, fairness, and respect and keep you informed on progress (while respecting the confidentiality of others). During the investigation, we may need you to provide further assistance. Any meetings with a colleague can include a colleague forum representative or colleague not involved in the area of concern.

You should not investigate matters yourself or attempt to obtain evidence. You should store any evidence you already have securely and provide it to the investigator along with any further background information relating to the concern.

We understand that you may be worried about possible repercussions. If anyone tries to discourage you from coming forward to express a concern, or treats you unfairly because you have, please report this to us so that we can address the behavior in accordance with our Disciplinary Policy and Procedure. We'll take a zero-tolerance approach to all forms of discrimination, harassment, victimisation, and bullying.

If you raise a concern, or have concerns raised about you that are found to be unjustified, we'll support you and protect you from any form of reprisal or victimisation and ensure that your career and employment prospects aren't adversely affected.

If you report a concern to us whilst subject to disciplinary or redundancy procedures, those procedures will continue.

False allegations, made in bad faith may be subject to disciplinary action. And speaking up won't guarantee you immunity from relevant action being taken in relation to any malpractice or wrongdoing you've been involved in.

## **5. What to do if you're unsatisfied with our response**

We'll deal with the concern(s) you've raised fairly and in accordance with this policy. If you're unhappy with how the concern(s) you've raised has been handled, please raise your concerns with a member of the Executive Team or People Services Team, within 5 days of receiving feedback. You should clearly state why you consider that your original concern(s) has not been dealt with satisfactorily.

## **6. Monitoring**

All confirmed whistleblowing concerns will be captured in a whistleblowing register to ensure monitoring and reporting of concerns and key lessons learnt.

Our code of governance requires Board to have oversight of this policy. This will be achieved through Audit & Risk Committee being notified of all whistleblowing cases and regularly reviewing the policy. Audit & Risk Committee will be advised of any learning points arising from the disclosure, recommendations made, and actions to improve existing procedures.

## Definitions

- **Whistleblowing (or speaking up)** – reporting concerns about wrongdoing (including things you've seen at work) in the public interest, for example:
  - criminal activity (including theft or fraud)
  - miscarriages of justice
  - dangers to health & safety
  - damage to the environment
  - breaching legal requirements
  - concealing any of the above.
- **Whistleblower** – a person who raises a genuine concern relating to the above.

## Equality, Diversity and Inclusion

This policy will be delivered in accordance with our Equality, Diversity and Inclusion Policy. An Equality Impact Assessment was completed for this policy and considered as part of the approval process.

## Data protection

This policy will be delivered in accordance with our Data Protection Policy. A Data Impact Assessment was completed for this policy and considered as part of the approval process.

## Related legislation and regulations

- Public Interest Disclosures Act 1998

## Related policies and procedures

- Anti-Fraud, Tax Evasion and Bribery Policy and the Fraud Response Plan
- Anti-Money Laundering Policy and Procedures
- Code of Conduct
- Complaints Policy
- Data and Technology Acceptable Use Policy
- Data Protection Policy
- Disciplinary Policy and Procedure
- Equality, Diversity and Inclusion Policy
- Grievance, Bullying and Harassment Policy and Procedure

- Health and Safety Management Policy
- Performance Management Policy and Procedure
- Policy on Payments and Benefits to Board members and staff
- Procurement Policy
- Recruitment, Selection and Appointment Policy
- Risk Management Policy
- Safeguarding Adults at Risk Policy
- Safeguarding Children Policy
- Tenancy Fraud Policy
- Training and Development Policy

#### **Customer engagement**

We didn't seek customers' views when developing this policy.

#### **Document Revision History (Record of any changes made to the policy)**

<b>Date</b>	<b>Changes approved by</b>	<b>Details of changes made</b>
3 March 2025	Head of Risk & Assurance / ED Governance	Hotline number added and Director of People & Organisational Development changed to Head of People & Organisational Development following re-structure.