

Policy Owner	HoGRA	Business Area	Governance
Document Type	Operational Policy – Level 1		

## Whistle Blowing – Confidential Reporting

### 1.0 Aim / Purpose of the Policy

#### 1.1 The aims of this policy are to:

- Encourage and empower colleagues, Non-Executive Directors (NEDs) and Independent Committee Members (ICMs) to speak up and report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected;
- Provide colleagues, NEDs and ICMs with guidance as to how to raise those concerns;
- Reassure colleagues, NEDs and ICMs that they will be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken;
- Encourage a culture of openness; and
- Ensure compliance with the relevant legislation.

Any reference to an ‘individual’ in this policy means either a colleague, a NED or an ICM.

### 2.0 Background / Introduction

#### 2.1 Coastline is committed to the highest standards of customer service, probity, openness and accountability in line with our values

As a part of that commitment, Coastline expects individuals with serious concerns about any aspect of our work to come forward and express those concerns. In many cases, concerns or complaints will be dealt with through the normal procedures such as mechanisms for resolving grievances, disciplinary matters, or concerns relating to equal opportunities.

#### 2.2 However, in some cases Coastline recognises that individuals will need to come forward on a confidential basis. This statement of policy is intended to underline Coastline’s commitment to them, and support for those who come forward to express their concerns.

#### 2.3 A key aspect of ensuring and maintaining Coastline’s commitment to conducting business with such integrity and in an open and fair manner is providing a robust whistleblowing policy and reporting channel for whistle-blowers feel able to report any wrongdoing in confidence.

#### 2.4 Anyone with concerns is encouraged to report these as soon as they arise, including any matters in connection with colleagues, NED, ICM, customers, suppliers and other third parties.

### 3.0 Legislation

3.1 Whistle-blowing law is contained in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle' ([Whistleblowing: Guidance for Employers and Code of Practice](#))

3.2 To be covered by whistleblowing law, a colleague who makes a disclosure must reasonably believe two things. Firstly, that they are acting in the public interest (this excludes matters relating to a personal situation such as an employment grievance which is dealt with under the grievance policy). Secondly, they must reasonably believe that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following;

- Criminal offences (this may include, for example, types of financial impropriety such as fraud);
- Failure to comply with an obligation set out in law;
- Miscarriages of justice;
- Endangering of someone's health and safety;
- Damage to the environment; and
- Covering up wrongdoing in the above.

3.3 General guidance for colleagues is available; [Whistleblowing for employees, www.gov.uk](#)

### 4.0 Main Principles

4.1 For the purposes of this Policy a whistle-blower is someone who speaks up against suspected wrongdoing by a fellow colleague, NED or ICM, making a protected disclosure which they reasonably believe to be factually accurate and to be in the public interest.

4.2 For the purposes of this Policy the following list provides examples of the types of misconduct or behaviour that could give rise to a report. However, this is not an exhaustive list and those with concerns are encouraged to report any behaviour or incidents which they have concerns about;

- Criminal activity or offences, including fraud, theft, and embezzlement;
- Corruption, bribery or blackmail;
- Financial malpractice, impropriety or mismanagement;
- Facilitating tax evasion;
- Failure to comply with any legal or professional obligation or regulatory requirements;
- Conduct likely to damage Coastline's reputation or financial wellbeing;
- Actions which endanger the health and safety of colleagues, customers or the public;
- Actions which cause damage to the environment;
- The deliberate provision of false information;

- A miscarriage of justice;
- Unauthorised disclosure of confidential information;
- The deliberate concealment of information relating to any of the above matters; and
- Any retaliation against someone for speaking up or “whistleblowing”.

4.3 Everyone has a responsibility to report any such misconduct or potential misconduct as soon as they become aware of it. If you are uncertain whether something is within scope of this policy, it is preferable that any concerns are reported rather than kept to oneself.

## 5.0 Communication and Awareness

5.1 This Policy is available to all colleagues at the Policies & Strategies Sharepoint homepage and to NEDs and ICMs via Convene.

5.2 At induction and periodic refresher training, Coastline will support colleagues, NEDs & ICMs on how to recognise the following problems, and to understand the effects they may have on Coastline, their job, and the service Coastline provide.

- Fraud, corruption and malpractice;
- Abuse or neglect of vulnerable people;
- Failure to deliver proper standards of service;
- Damaging personal conflicts at senior level; and
- Bullying, discrimination, harassment, or victimisation in the workplace.

5.3 Coastline will support colleagues, NEDs and ICMs to know what is expected of them, and what practices Coastline regard as unacceptable. They should study the Group Code of Conduct and any guidance on confidentiality carefully, and discuss anything that seems unclear with their manager (for colleagues), the Group Board Chairman (for NED’s) or relevant Committee Chair (for ICMs). If they are not sure what to do in a given situation, they should ask before taking any action.

5.4 When a problem arises, Coastline will always deal with it seriously. It is understood that Coastline cannot expect colleagues, NEDs or ICMs to practice higher standards than those Coastline apply. Coastline will always pursue fraud and serious abuse as vigorously as possible through the disciplinary procedures or, if necessary, through the courts, frauds are also always reported to the police. Coastline wants employees to feel confident in coming forward and in the fact that Coastline will share the same sense of right and wrong, and act on what the individual tells the company.

## 6.0 Confidential Reporting

6.1 All reports will be handled in complete confidence and the identity of the individual reporting the issue will be kept confidential and only disclosed to those who need to know it for purposes of any investigation

6.2 Whilst it is preferable for individuals’ whistleblowing to make themselves known to the appropriate person it is also acceptable to raise concerns anonymously in writing. If doing

so then it may not always be possible to clarify details needed to undertake a thorough investigation and so individuals are encouraged to make themselves known and in confidence to the relevant contact.

- 6.3 Coastline understands that it is never easy to report a concern, particularly one which may relate to fraud or corruption. Coastline ask individuals to come forward with any concerns at an early stage, and before problems have a chance to become serious.
- 6.4 Coastline is happy for individuals to come forward with another colleague, a friend, trade union representative, another NED, ICM or other advisor (in fact anybody the individual may wish to have to support them) to report a concern.
- 6.5 Coastline will support concerned individuals and protect them from reprisals or victimisation. If a colleague comes forward with a concern, they can be confident that this will not affect their career or their enjoyment of their position. This applies equally if the colleague comes forward in good faith with a concern which turns out not to be justified. Support will be provided by the People & Culture Team and the Employee Assistance Programme upon their return to work.
- 6.6 Coastline will not tolerate harassment, victimisation or retaliation towards any person for raising concerns on the basis of a reasonable belief or objecting or refusing to participate in any act or practice that they honestly believe to be in violation of law or misconduct. Coastline will treat this as a disciplinary offence or breach of the Non-Executive Director or Independent Committee members Service Agreement.

## 7.0 Whom to Contact

- 7.1 In most cases the individual should be able to raise (verbally or in writing) any concerns with their line manager for colleagues, the Board Chairman for NEDs or relevant Committee Chair for ICMs.
- 7.2 In the case of a colleague, if for some reason this is not possible, the employee should speak to another senior manager, or to the Chief Executive Officer and ask for a confidential meeting.
- 7.3 Where a colleague feels unhappy or feels it is inappropriate to raise a concern with their line manager, senior manager or CEO, they can contact Mrs Karen Harris, the Chair of the Audit, Risk and Assurance Committee or Coastline's Internal Auditor, to express their concerns.
- 7.4 Concerns raised by a NED regarding the Board Chairman should be raised with the Vice Chair, Chief Executive Officer or the Company Secretary.
- 7.5 In all cases the Chair of the Audit, Risk and Assurance Committee will be informed of the concerns, unless the concern relates to the individual in that role.
- 7.6 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases individuals should not find it necessary to alert anyone externally.
- 7.7 However, Coastline recognises that there may be circumstances where an individual may feel they wish to report matters to outside bodies such as a regulator or the police. It will never be appropriate to alert the media. Coastline strongly encourages individuals to report

such concerns internally first and to seek advice before reporting a concern to anyone externally (refer to Section 8.1 for useful contacts).

7.8 In exceptional or in urgent circumstances, it may be more appropriate to contact an external agency. It is not possible to give precise examples but, for instance, relevant situations might be:

- In the case of a criminal offence, the Police;
- In the case of abuse of public funds, the Regulator of Social Housing which is responsible for regulating all registered social landlords; or
- In the case of any fraud, the Association's External Auditors and/or the Regulator of Social Housing.
- In the case of safeguarding, Cornwall Council Safeguarding Adults, Care Quality Commission or the Police if immediate danger to life.

It is Coastline's hope that none of these will ever prove necessary. If an individual is unsure which route to use for reporting, [Protect.org.uk](https://www.protect.org.uk) provide gives very clear independent guidance to what is whistleblowing and where to go.

7.9 Performance Audit staff in the relevant regional office of the Regulator of Social Housing who are also able to advise on a confidential basis if the employee is not sure whom to contact about a particular problem. As regulators, they may need to follow up any potential problems identified.

7.10 The Chair of the Audit, Risk & Assurance Committee, in liaison with the Company Secretary, will seek advice on whether the matter requires further disclosure to the Charity Commission.

## 8.0 Useful Contacts

8.1 [Protect.org.uk](https://www.protect.org.uk) – an independent whistleblowing charity, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Telephone - 020 3117 2520

Regulator of Social Housing -

Referrals and Regulatory Enquiries team  
Regulator of Social Housing  
Level 2  
7-8 Wellington Place  
Leeds  
LS1 4AP  
United Kingdom

Email: [enquiries@rsh.gov.uk](mailto:enquiries@rsh.gov.uk) or call: 0300 124 5225

Care Quality Commission – [www.cqc.org.uk](https://www.cqc.org.uk)

The CQC Whistleblowing Helpline offers free advice to both workers and employers in the NHS and social care

Telephone - 08000 724 725.

[Whistleblowing guidance for CQC registered providers, 2013 v5](#)

Charity Commission – [www.gov.uk/government/organisations/charity-commission](http://www.gov.uk/government/organisations/charity-commission)

[Charity Commission guidance on reporting serious wrongdoing at a charity](#)

Cornwall Council Safeguarding Tel. 0300 1234 131 (Out of hours 01208 251300)

Internal Auditors – Alastair Campbell, Bishop Fleming, Tel: 0117 9100256

External Auditors – Duncan Leslie Francis Clark, Tel: 01752 264809

## **9.0 Responding to Concerns**

- 9.1 If an individual raises a concern, Coastline will look into it carefully, thoroughly and impartially. Coastline have to be fair to the individual and also to any others that may be involved or impacted. In all cases, Coastline will undertake a thorough investigation, while respecting any concerns the individual has expressed about their own safety or career.
- 9.2 Investigations will be undertaken as promptly as possible, the aim being to complete in 10 working days, if this is not possible timescales will be communicated clearly to the individual and where appropriate those impacted by any ongoing investigation.
- 9.3 After the investigation a representative of Coastline will provide confidential feedback to the individual on the findings from the investigation and action taken, while if appropriate respecting any others that have been highlighted as being involved. This confidential feedback will be given whether the concern was found to be justified or not. However, sometimes the need for confidentiality may prevent Coastline giving the individual specific details of the investigation or any disciplinary action taken as a result. The individual should treat any information about the investigation as confidential.
- 9.4 If the individual has abused the confidential reporting process, for instance by maliciously raising unfounded allegations, Coastline will treat this as a disciplinary matter.

## **10.0 Monitoring and Review of this Policy**

- 10.1 The Audit, Risk & Assurance Committee will be updated on any cases and actions taken under this Policy and all reasonable steps will be taken to ensure the individuals confidentiality.
- 10.2 The Chief Executive and Board will ensure that this Policy is implemented, maintained and reviewed. All modifications to this policy must be agreed by the Audit, Risk & Assurance Committee.

## **11.0 Cross reference to other Policies**

- 11.1 Policies relevant to the conduct of colleagues, Non-Executive Directors and Independent Committee Members include;



Date Approved 2/15/2024

Review Date 2/14/2027

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Group Code of Conduct

Probity Standard

Dignity at Work Policy

Disciplinary Policy