50 YEARS OF Reidvale Housing Association

WHISTLEBLOWING POLICY AND PROCEDURE

September 2026

Document Identifier:	GOV08
Adoption Date:	October 2026
Review Date:	October 2029

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1. POLICY SCOPE

1.1 This policy applies across Reidvale Housing Association and covers current and former employees, workers, agency workers, apprentices, consultants, contractors and other people carrying out work for or on behalf of Reidvale. It also covers Management Committee members and volunteers who raise a concern about wrongdoing connected with Reidvale.

1.2 The statutory protection available under whistleblowing law depends on whether a person falls within the legal definition of a worker and whether the disclosure meets the legal tests. Management Committee members and volunteers are not generally protected by the Public Interest Disclosure Act 1998. Reidvale will nevertheless handle their concerns under this policy and apply the same commitments on confidentiality, fair treatment and protection from reprisal so far as it is able.

1.3 This policy concerns suspected wrongdoing that is in the public interest. A personal complaint about an individual's own employment should normally be raised under the Grievance Procedure. Tenant and service-user complaints should be raised under Reidvale's Complaints Handling Procedure. A matter may contain both personal and wider public-interest elements, in which case Reidvale may use more than one procedure.

1.4 This policy does not form part of any contract of employment. Reidvale may amend it following appropriate approval and consultation.

2. POLICY OBJECTIVE

2.1 The objective of this policy is to provide safe, clear and accessible ways to raise genuine concerns about wrongdoing, risk or malpractice at the earliest opportunity, without fear of dismissal, detriment, harassment, victimisation or other reprisal.

2.2 Reidvale will take concerns seriously, assess and investigate them fairly, protect the interests of tenants and other service users, meet its legal and regulatory duties, address substantiated wrongdoing and learn from concerns whether or not they are ultimately substantiated.

3. GOVERNANCE

3.1 The Employment Rights Act 1996, as amended by the Public Interest Disclosure Act 1998 and subsequent legislation, protects eligible workers from detriment for making a protected disclosure. Employees are also protected from unfair

dismissal because they made a protected disclosure. Legal protection is determined by the facts and, ultimately, by an Employment Tribunal.

3.2 A worker must reasonably believe that the information disclosed tends to show a qualifying type of wrongdoing and that making the disclosure is in the public interest. Additional legal tests apply to disclosures made outside Reidvale, particularly disclosures to a prescribed person or to the media or another third party.

3.3 The Scottish Housing Regulator's Regulatory Framework requires landlords to have effective whistleblowing arrangements for staff and governing body members which are easily available and promoted. Regulatory Standard 5 requires Reidvale to conduct its affairs with honesty and integrity. Guidance 5.6 requires clear procedures for employees and governing body members to raise concerns about fraud, corruption or other wrongdoing.

3.4 The Scottish Housing Regulator is a prescribed person for disclosures about social landlords' housing activities, registration, financial well-being and standards of governance. Staff and Management Committee members may report concerns to the Regulator whether or not they have first used Reidvale's internal procedure.

3.5 Reidvale will process personal information arising from a concern in accordance with the UK General Data Protection Regulation, the Data Protection Act 2018, Reidvale's data protection policies and applicable privacy notices. Information will be limited to those who need it to assess, investigate or act on the concern.

3.6 Reidvale will apply this policy consistently with the Equality Act 2010, its equality and human rights duties, its Rules, Codes of Conduct, Standing Orders, delegated authorities and relevant policies, including its Grievance, Disciplinary, Anti-Fraud, Data Protection, Complaints Handling and Notifiable Events arrangements.

3.7 Where a concern reveals a material, significant or exceptional issue, the Management Committee will consider promptly whether it must be reported to the Scottish Housing Regulator as a notifiable event or referred to another regulator, funder, insurer, auditor or law-enforcement body.

4. DEFINITIONS

- **Whistleblowing:** means reporting information about suspected wrongdoing at work which the person reasonably believes is in the public interest.

- **Protected disclosure:** is a disclosure which meets the requirements of the Employment Rights Act 1996, as amended. Use of this policy does not by itself determine whether a disclosure is legally protected.

- **Worker:** has the extended meaning used in whistleblowing law and can include employees, agency workers and some other categories. Whether a person is legally a worker depends on the circumstances.

- **Detriment:** means unfavourable treatment because a person raised, supported or was believed to have raised a whistleblowing concern. Examples include threats, bullying, exclusion, loss of work or hours, blocked opportunities and adverse references.

- **Grievance:** is a personal complaint about an individual's own employment position. A grievance can also contain wider public-interest wrongdoing and should not be labelled only by the procedure first used.

- **Prescribed person:** is a regulator or other person designated by law to receive protected disclosures about matters within its remit.

5. RESPONSIBILITIES

5.1 **The Management Committee** has overall responsibility for this policy, for ensuring that effective arrangements are in place, for protecting the independence of investigations and for considering significant findings, corrective actions, regulatory notifications and organisational learning.

5.2 **The Chair** acts as the principal independent internal contact where a concern involves the Director, senior management, the Management Committee or another matter which cannot appropriately be handled through the normal management route. The Chair will ensure that any conflict of interest is identified and managed.

5.3 **The Director** is the policy owner and is responsible for implementation, training, secure record keeping, receiving and allocating concerns, arranging proportionate investigation, supporting those involved and reporting anonymised assurance information to the Management Committee. The Director will have no role in a case in which they are implicated or conflicted.

5.4 **Managers** must listen without judgement, treat concerns seriously, preserve confidentiality, record the concern accurately, take any immediate steps needed

to protect people or evidence, and refer the matter promptly to the Director or the appropriate independent office bearer.

5.5 **The appointed investigator** must be suitably competent and sufficiently independent, follow agreed terms of reference, gather and test evidence fairly, keep appropriate records and report findings objectively. An external investigator will be used where independence, expertise or confidence in the process requires it.

5.6 **All staff, workers and Management Committee members** must not victimise, harass, threaten or disadvantage a person for raising or supporting a concern. Everyone covered by the policy should cooperate honestly with an investigation and preserve relevant information.

6. IMPLEMENTATION GUIDELINES

6.1 Concerns should be raised as early as possible. They may be raised verbally or in writing, including at an off-site meeting where appropriate. A person does not need proof or to investigate the matter themselves, but should explain the information and reasonable grounds for their concern.

6.2 Reidvale will not tolerate dismissal, detriment, harassment, victimisation or informal pressure because a person raised or supported a genuine concern. Any alleged retaliation will be considered separately and may lead to disciplinary or other action.

6.3 The identity of a person raising a concern and the information they provide will be shared only where necessary. Absolute confidentiality cannot be guaranteed where disclosure is required by law, required for a fair investigation or unavoidable because of the nature of the evidence. Reidvale will discuss this in advance where it is lawful and practicable to do so.

6.4 Anonymous concerns will be considered seriously. Reidvale will take account of the seriousness and credibility of the information, the evidence available and whether the concern can be confirmed from other sources. Anonymity may limit Reidvale's ability to investigate, seek clarification or provide feedback.

6.5 No action will be taken against a person merely because a concern is not substantiated, provided it was raised honestly and on reasonable grounds. Knowingly making a false statement or fabricating evidence may be addressed under the Disciplinary Procedure or other applicable arrangements.

6.6 The person deciding how a concern will be handled, and anyone investigating or deciding the outcome, must declare any actual or perceived conflict of interest. An alternative internal handler or an independent external person will be appointed where necessary.

6.7 Reidvale will offer reasonable adjustments and practical support so that people can use this policy effectively. A person attending a meeting may be accompanied by a trade union representative or workplace colleague, provided this does not create a conflict or prejudice the investigation.

6.8 A confidentiality clause, non-disclosure agreement or settlement agreement cannot lawfully prevent a protected disclosure. Anyone unsure about their legal position should seek independent advice from a trade union, solicitor, ACAS or Protect.

7. PROCEDURES

7.1 A concern may relate to conduct which has happened, is happening or is likely to happen. A qualifying disclosure may concern:

- a criminal offence, including fraud, theft, bribery or corruption
- a failure to comply with a legal obligation
- a miscarriage of justice
- danger to an individual's health and safety
- damage to the environment
- sexual harassment
- deliberate concealment of information tending to show any of these matters

7.2 Reidvale may also use this policy for serious financial malpractice, abuse of authority, unethical conduct, serious regulatory failure or other wrongdoing which threatens tenants, service users, staff, public funds, Reidvale's viability or the reputation of Reidvale or the wider sector, even where the concern may not meet every legal test for a protected disclosure.

7.3 Information to provide

7.4 The person should provide as much information as they reasonably can, including what happened, when and where it happened, who was involved, why they are concerned, who else may know, and any documents or other evidence. They should not obtain evidence unlawfully or put themselves or others at risk.

7.5 Normal internal route

7.6 A staff member should normally raise the concern with their line manager. If the matter is too serious or sensitive, the line manager is involved, or the person is not comfortable using that route, the concern may be raised directly with the Director.

7.7 Independent route

7.8 A concern involving the Director, senior management or the Management Committee, or a concern which the person reasonably believes cannot be handled independently through management, should be raised with the Chair.

7.9 Concern involving the Chair

7.10 A concern involving the Chair should be raised with the Vice Chair. If the Vice Chair is also involved or unavailable, it should be raised with another uninvolved office bearer or directly with the Scottish Housing Regulator. A Management Committee member should normally raise a concern with the Chair, subject to the same alternative routes.

7.11 Acknowledgement and immediate action

7.12 The person receiving the concern will acknowledge it normally within five working days, record the key information, confirm the preferred means of contact and assess any immediate risk to people, evidence, services, finances or regulatory compliance.

7.13 Initial assessment

7.14 An initial assessment will decide who should handle the matter, whether it falls wholly or partly under another procedure, whether immediate protective action is needed, and whether an internal or independent investigation is appropriate. The person raising the concern will normally be told within ten working days how Reidvale proposes to proceed and the likely timescale. Reidvale will not require the person to categorise the concern correctly before acting on it.

7.15 Investigation

7.16 The investigation will be proportionate to the seriousness and complexity of the concern. It may include interviews, review of records, specialist or legal advice, preservation of evidence and referral to an auditor, regulator or law-enforcement body. The person implicated will be treated fairly and no conclusions will be reached before relevant evidence is considered.

7.17 Updates

7.18 The person raising the concern will be kept informed at agreed intervals and, for a continuing investigation, normally at least every twenty working days. Updates may be limited to protect confidentiality, legal privilege, data protection, fair process or the rights of others.

7.19 Outcome and action

7.20 At the end of the process, the decision-maker will consider the investigator's findings and agree actions. These may include no further action, corrective or disciplinary action under another procedure, changes to controls or policy, recovery of funds, training, independent review or referral to an external body.

7.21 Feedback

7.22 RHA will tell the person raising the concern whether it was substantiated in whole or in part and what general action has been or will be taken, so far as Reidvale can lawfully and fairly do so. Reidvale will not normally disclose confidential employment action or personal information about another person.

7.23 Review of handling

7.24 If the person reasonably believes the concern was not handled properly, they may request an internal review within ten working days of receiving the outcome. The review will be carried out by the Chair or, if the Chair handled the case or is conflicted, by another uninvolved office bearer or independent person. The review will consider the handling of the concern, the evidence considered and whether further action is required.

7.25 External disclosure

7.26 Staff and Management Committee members may report a relevant concern directly to the Scottish Housing Regulator whether or not they have used Reidvale's internal process. They may also disclose to another prescribed person whose remit covers the issue, or to a legal adviser while obtaining legal advice. Appendix 2 provides current sources and contact information.

7.27 Disclosures to the media, social media or other third parties have more demanding legal tests and may not be protected. A person considering that route should obtain independent advice. Nothing in this policy prevents a lawful disclosure to a prescribed person, legal adviser, Member of Parliament or Member of the Scottish Parliament.

7.28 Urgent or external referral

7.29 Where information suggests an immediate danger, a safeguarding risk, a serious criminal offence or another urgent threat, Reidvale may contact the emergency services, Police Scotland, a regulator or another appropriate body without waiting for the internal process to conclude. The Management Committee will consider any related notifiable-event duty promptly.

8. COMMUNICATION GUIDELINES

8.1 This policy will be made easily available to all staff and Management Committee members and, where appropriate, to agency workers, contractors, consultants and volunteers. It will be promoted through induction, the staff intranet or shared policy system, governance resources and periodic reminders.

8.2 Managers, office bearers and those likely to receive or investigate concerns will receive proportionate training on listening and recording, confidentiality, conflicts of interest, protection from detriment, investigation standards and external reporting routes.

8.3 RHA will provide the policy and reporting arrangements in an accessible format and make reasonable adjustments where required. A concern may be raised verbally if a person finds written communication difficult.

8.4 The published or shared version will signpost current guidance from the Scottish Housing Regulator, the current GOV.UK list of prescribed people and bodies, ACAS, Protect and other appropriate independent sources.

9. REVIEWING AND MONITORING

9.1 The Director is responsible for reviewing this policy at least every three years and presenting any material amendments to the Management Committee for approval.

9.2 An earlier review will take place where there is a significant change in legislation or regulatory guidance, a relevant audit or regulatory finding, evidence of

retaliation or barriers to speaking up, a serious case, or learning which shows that the arrangements are not operating effectively.

9.3 The Director will provide the Management Committee with proportionate, anonymised assurance on the use and effectiveness of the policy, normally annually and after any significant case. Reporting will protect confidentiality and will not include identifying detail unless the Management Committee needs it to discharge its responsibilities.

9.4 Monitoring will consider the number and broad nature of concerns, reporting routes used, time taken, investigation outcomes, any alleged detriment, completion of actions, training and awareness, equality or accessibility issues, and themes or control improvements. The absence of reported concerns will not by itself be treated as evidence that arrangements are effective.

9.5 Records of individual concerns will be kept securely in accordance with Reidvale's retention arrangements. Reidvale will retain sufficient evidence to demonstrate compliance, support annual assurance and show that significant findings and regulatory notifications were considered and acted upon.

10. APPROVAL

10.1 This policy was approved by the Management Committee on Wednesday, 30th September 2026 and takes effect from that date.

APPENDIX 1 – EQUALITY AND HUMAN RIGHTS IMPACT ASSESSMENT

<table>
<tr><td>Who is intended to benefit from this policy?</td><td colspan="2">☐ Existing Tenants
☐ New Tenants
☐ People on waiting lists
☒ Governing body members
☒ Staff
☐ The wider community</td></tr>
<tr><td>Which protected characteristics have been considered and how could they be affected?</td><td colspan="2">☒ Age
☒ Disability
☒ Gender reassignment
☒ Marriage and civil partnership
☒ Pregnancy and maternity
☒ Race
☒ Religion or belief
☒ Sex
☒ Sexual Orientation</td></tr>
<tr><td>If no differential impact is identified, provide a brief explanation and confirm that no further assessment is required.</td><td colspan="2">No differential adverse impact is expected. The policy provides flexible reporting methods, reasonable adjustments, a companion at meetings and protection from retaliation. Ongoing monitoring is retained because confidentiality risks can be greater in a small organisation.</td></tr>
<tr><td>Have those affected by the policy been involved?</td><td colspan="2">No direct staff or Management Committee consultation has been undertaken in preparing this draft. It is informed by the EVH model policy, current Scottish Housing Regulator guidance, current UK Government employer guidance and ACAS guidance. Staff and Management Committee feedback will be considered before adoption via the policy approval process.</td></tr>
<tr><td rowspan="2">Describe the likely positive or negative impact(s) that the policy could have on the groups identified above</td><td>POSITIVE</td><td>NEGATIVE</td></tr>
<tr><td>Encourages speaking up, provides accessible reporting routes, protects people from detriment, and supports earlier action on discrimination, harassment, safety risks and other wrongdoing.</td><td>Potential distress, fear of identification or retaliation, and barriers for people who cannot use a written process. Anonymous reporting can also limit feedback and investigation.</td></tr>
</table>

What reasonable adjustments or ongoing monitoring is required?	Offer verbal and written reporting, off-site meetings, accessible formats, interpreters or communication support where reasonable, a workplace colleague or trade union companion, conflict-free handlers, and monitoring of accessibility and alleged retaliation.
Which human rights will be affected by this policy	• Right to respect for private and family life, home and correspondence • Right to freedom of expression, to receive & impart information & ideas • Right to an effective remedy • Prohibition of discrimination
Describe how this policy will deliver human rights equally.	The policy provides more than one reporting route, confidentiality safeguards, impartial investigation, reasonable adjustments and consistent decision-making. Monitoring will identify whether any group experiences barriers or detriment.

Having considered the above, this policy is assessed as having no adverse impact on protected groups and as having positive impact on Human Rights.

The policy will be implemented in a fair and proportionate manner.

APPENDIX 2 – EXTERNAL REPORTING AND INDEPENDENT ADVICE

Scottish Housing Regulator, prescribed person for social housing matters

Telephone: 0141 242 5642

Email: shr@shr.gov.scot

Scottish Housing Regulator, 5th Floor, 220 High Street, Glasgow, G4 0QW

Guidance: https://www.housingregulator.gov.scot/for-landlords/advisory-guidance/how-we-work/information-about-whistleblowing/

Other prescribed people and bodies

The correct external body depends on the subject of the concern. For example, the Office of the Scottish Charity Regulator may be relevant to charity administration, and the Health and Safety Executive may be relevant to health and safety matters. Check the current remit and contact details before making a disclosure.

Current list: https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies

Protect, independent whistleblowing advice

Advice line: 020 3117 2520

Website: www.protect-advice.org.uk

Acas, employment-law and workplace advice

Helpline: 0300 123 1100

Website: www.acas.org.uk/whistleblowing-at-work

Other support

A person may also seek advice from their trade union, a solicitor or Citizens Advice. Independent advice is particularly important where a person is considering disclosure to the media, social media or another third party.