

# Whistleblowing Policy

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<b>Policy author /holder</b>	Head of Governance and Legal Services
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<b>Approved by:</b>	Board
<b>Effective date:</b>	December 2022
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## 1 Introduction

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- 1.1 LiveWest are committed to conducting our business with honesty and integrity and we expect all those working with us to maintain high standards in accordance with our Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring and to address them when they do occur.
- 1.2 This policy applies to all entities within the LiveWest Group (**LiveWest**). LiveWest Homes Limited (**LHL**) is the parent company within the group structure (the structure chart is available [on the LiveWest Website](#)<sup>1</sup>).
- 1.3 We encourage anyone with any concerns which fall under this policy to come forward and report their concerns as soon as possible in accordance with our **Whistleblowing Procedure**, which should be read in conjunction with this policy.

## 2 Purpose and Scope

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- 2.1 This policy applies to all colleagues, officers, consultants, contractors, Board and Committee Members, volunteers, seconded workers, apprentices, casual workers, agency workers and Involved Residents<sup>2</sup>.
- 2.2 This policy does not form part of any employee's contract of employment and we may amend it at any time.

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<sup>1</sup> <https://www.livewest.co.uk/about-us/for-investors#structure>

<sup>2</sup> Residents and other service users who are involved in monitoring or scrutinising LiveWest's business activities (including but not limited to members of LiveWest's group(s) that are set up from time to time for this purpose).

2.3 The aims of this policy are to:

- (a) encourage those working with us to 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.
- (b) provide guidance as to how to raise those concerns.
- (c) reassure those working with us that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

### 3 Responsibilities

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- 3.1 The LiveWest Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 3.2 The Whistleblowing Officers are the Company Secretary and the Head of Governance and Legal Services, who have day-to-day operational responsibility for this policy and must ensure that all managers and other colleagues who may deal with concerns or investigations under this policy receive regular and appropriate training.
- 3.3 All colleagues are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

### 4 Legal Framework

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- 4.1 UK whistleblowing legislation was introduced by the Public Interest Disclosure Act 1998 which gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. These concerns must be made in the 'public interest' in accordance with the Enterprise and Regulatory Act 2013.
  - (a) **Whistleblowing** is the disclosure of information which relates to suspected past, present or likely future wrongdoing or dangers at work. This may include:
    - i. Bribery and corruption under our **Anti-Bribery and Corruption Policy**;
    - ii. Financial malpractice or impropriety including facilitation of tax evasion contrary to our **Anti-Facilitation of Tax Evasion Policy**;
    - iii. Fraud contrary to our **Fraud Prevention Policy** or other criminal activity;
    - iv. Failure to comply with a legal obligation, statute or regulatory requirement;
    - v. Health and safety risks or danger to the environment;
    - vi. Miscarriages of justice;
    - vii. Unauthorised disclosure of confidential, personal or special category information;
    - viii. Breach of our internal policies and procedures; or
    - ix. Attempts to conceal any of the above.
  - (b) A **whistleblower** is a person who raises a genuine concern in the public interest relating to suspected wrongdoing or danger affecting any of our activities including in relation to any of the above (a **whistleblowing concern**).

## 5 Compliance

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- (a) If you have a whistleblowing concern you should report it in accordance with this policy and our **Whistleblowing Procedure**.
- (b) Whistleblowing concerns may relate to the actions of a third party, such as a service user, customer, supplier or service provider.
- (c) This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the **Grievance Policy**, which can be found in the "**Policy & Procedures Library**", which is part of The Resource Hub on OurSpace.

## 6 Review

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- (a) This Policy and the Whistleblowing Procedure will be reviewed every three years or more frequently if required by changes in regulation or legislation.

## 7 Linked/associated policies and other references

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7.1 Below is a list of linked or associated LiveWest policies and procedures and to which our employees, contractors and other individuals are required to comply, as appropriate:

- Whistleblowing Procedure
- Code of Conduct
- Compliments, Complaints and Feedback Policy and Procedure
- Financial Crime Prevention Policy and Procedures
- Grievance Policy
- Safeguarding Children and Adults at Risk Policy and Procedure
- Probity Standards and Procedures
- Anti-Bribery and Corruption Policy
- Anti-Facilitation of Tax Evasion Policy
- Fraud Prevention Policy
- Public Interest Disclosure Act 1998
- Enterprise and Regulatory Act 2013