



WHISTLEBLOWING POLICY

1. INTRODUCTION

- 1.1 Whistleblowing is when you suspect someone is doing something wrong, and you report it to someone in the organisation in a position of authority. The whistleblowing facility exists for members of staff. Members of the public can also report any cases of wrongdoing which they believe are being committed.
- 1.2 Employees are often the first to realise that there may be something seriously wrong within the organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.4 City Building (Glasgow) LLP is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others with serious concerns about any aspect of our work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that employees can do so without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within the organisation rather than overlooking a problem or blowing the whistle to the media or other external bodies.
- 1.5 This policy has been discussed with the relevant Trade Unions and professional organisations and has their support.

2. AIMS AND SCOPE OF THE POLICY

- 2.1 This policy aims to:
- prevent fraud, corruption and bribery
 - advise of our rules and procedures
 - advise of our whistleblowing and investigation arrangements for both staff and the public
 - provide avenues for employees to raise concerns and receive feedback on any action taken
 - inform employees on how to take the matter further if they are dissatisfied with the response, and
 - reassure employees that they will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2 There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, except in exceptional circumstances where an employee has a concern that is so serious that they feel they have no route to report it.

That concern may be about something that:-

- is unlawful
- is against City Building (Glasgow) LLP's Standing Orders or policies
- falls below established standards or practices
- amounts to improper conduct

3. PREVENTING FRAUD, CORRUPTION AND BRIBERY IN THE WORKPLACE

A number of rules and procedures have been approved to make sure our business is properly controlled. It is important that all employees are aware of and uphold them.

- Code of Conduct for Employees
- Financial Regulations, Management and Control Code of Practice
- Standing Orders Relating to Contracts
- Procurement Manual
- Scheme of Delegation
- Employees' Scheme of Conditions

Our employees must read, understand and carry out the rules and procedures of the Code of Conduct. If employees don't follow these procedures and rules, they might be disciplined which may result in being dismissed. All of these policies are available on the intranet which is open to all employees.

4. WHISTLEBLOWING AND INVESTIGATION ARRANGEMENTS FOR EMPLOYEES

Whistleblowers are protected by legislation if they whistleblow appropriately. The following information outlines the new legislative protection offered to employees.

4.1 Whistleblower protection

Whistleblowers are protected if they:

1. Reasonably believe the information disclosed tends to show that one of the following has happened, is happening, or is likely to happen:
 - Criminal activity
 - Breach of a legal obligation
 - A deliberate attempt to cover up any of the above
2. Make the disclosure in the public interest
3. Reasonably believe the information is true
4. Believe the whistleblowing allegation is being made to the right person

As well as using City Building (Glasgow) LLP's facility there are outside agencies whistleblowers can contact. However, an employee can only inform the outside agency if they reasonably believe the disclosure lies within the remit of that agency; and the information disclosed, and any allegation contained within it, is substantially true.

4.2 **Whistleblowers' rights**

An employee cannot be dismissed because of whistleblowing and cannot miss out on opportunities for promotion, transfer, training or any other benefits because of whistleblowing. They also cannot be bullied, harassed or victimised on the grounds of whistleblowing. If they do suffer detriment, they can bring a claim before an Employment Tribunal. City Building (Glasgow) LLP is now responsible for an act of detriment committed by an employee against a colleague. An employee who victimises their whistleblowing colleagues will also be held personally liable.

4.3 **Who is protected?**

The following people are protected:

- Our employees
- Agency workers
- Home workers

4.4 **Who is not protected?**

Employees are not protected from dismissal if they found out about the wrongdoing when someone wanted legal advice, for example, if they are a solicitor.

4.5 **Tribunals**

Employees who are dismissed, or who suffer detriment on the grounds of whistleblowing, can take a claim before an Employment Tribunal.

5. **SAFEGUARDS**

5.1 **Harassment or Victimisation**

City Building (Glasgow) LLP recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The organisation will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith. Employees who victimise colleagues who have made a disclosure will be subject to disciplinary action.

5.2 **Confidentiality**

City Building (Glasgow) LLP will do its best to protect an individual's identity when they raise a concern and do not want their name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence necessary to show that an allegation is correct.

5.3 **Anonymous Allegations**

This policy encourages employees to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the organisation. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources

It should also be noted that we are unable to respond to anonymous allegations.

5.4 **Untrue Allegations**

If employees make an allegation in good faith and you reasonably believe it to be true, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented. The judgement of whether an allegation is malicious or vexatious rests with the Head of Finance & Governance.

6. **PREVENTION, CORRUPTION AND BRIBERY**

The best way to tackle fraud, corruption and bribery is to prevent it from happening in the first place. Maintaining and publicising whistleblowing facilities that allow and encourage the public to report concerns, for example, the whistleblowing telephone numbers will help the organisation eradicate unacceptable behaviour.

7. **WHISTLEBLOWING AND INVESTIGATION ARRANGEMENTS FOR THE PUBLIC**

7.1 **Confidentiality**

City Building (Glasgow) LLP will do its best to protect the identity of anyone who raises concerns and does not want their name to be disclosed. However, the investigation process may reveal the source of the information and your statement may be required as part of the evidence necessary to show that an allegation is correct.

7.2 **Anonymous allegations**

Concerns expressed anonymously are much less powerful than concerns to which you put your name to. Anonymous allegations will be considered at the discretion of the Head of Finance & Governance. Account will be taken of:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

7.3 **How your complaint will be dealt with**

The Head of Finance & Governance logs all reports and carries out a review in each case to determine the most appropriate course of action. The action will depend on the nature of the concern. Any matters which fall within the scope of other existing procedures, for example, complaints or discrimination issues, will be dealt with under these procedures. Some concerns may be resolved by agreed action without the need for investigation.

Matters to be investigated may be dealt with internally by Internal Audit or referred to the Police or other external agency.

Where possible, we will advise you that your allegation has been received.

We may also ask for more information where this would help in the investigation.

Investigations may result in recommendations for changes to procedures and systems which will be included in action plans. Follow up reviews are carried out to make sure that recommendations are implemented.

Investigations may lead to disciplinary action against employees. These will be conducted according to our disciplinary procedures.

Where appropriate, the Head of Finance & Governance will refer findings to the Police for investigation or review, after discussion with the Executive Director.

Depending on the results of any enquiries it may not be possible to advise you of the outcome. Examples would include if the matter is referred to the Police for further enquiries, or to protect an individual's human rights if the complaint is dealt with under our disciplinary procedures.

8. RAISING A CONCERN

- 8.1 For some minor issues (e.g. personal use of Company equipment), employees should normally raise concerns with their immediate manager. In general, however, the whistleblowing procedure is expected to be used for potentially more serious and sensitive issues (e.g. corruption, fraud) and the first step will be to approach your senior manager (unless s/he or senior management is the subject of the complaint in which case the Executive Director should be informed). Should the complaint be found by the Executive Director to be substantiated, s/he will consult with the Board on referring it to the appropriate body (e.g. Standards Committee, Ombudsman). All employees can raise concerns directly with the Ombudsman should they be unhappy with the internal investigation.
- 8.2 Concerns are better raised in writing. The background and history of the concern, giving names, dates and places where possible, should be set out and the reason why the individual is particularly concerned about the situation. Those who do not feel able to put their concern in writing can telephone or meet the appropriate officer.
- 8.3 The earlier the concern is expressed, the easier it is to take action.
- 8.4 Although employees are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for concern.
- 8.5 Advice and guidance on how matters of concern may be pursued can be obtained from the HR Section.
- 8.6 Individuals may invite their Trade Union or professional association to raise a matter on their behalf.

9. HOW THE COMPLAINT WILL BE DEALT WITH

- 9.1 The action taken by City Building (Glasgow) LLP will depend on the nature of the concern. The matters raised may:
- be investigated internally
 - be referred to the Police
 - be referred to the external Auditor
 - form the subject of an independent inquiry by the Ombudsman
- 9.2 In order to protect individuals and City Building (Glasgow) LLP, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of other, existing, procedures (e.g. discrimination issues) will normally be referred for consideration under those procedures.
- 9.3 Some concerns may be resolved by agreed action without the need for investigation.
- 9.4 Within 10 working days of a concern being received, City Building (Glasgow) LLP will write to the complainant where a name and contact details have been provided:
- acknowledging that the concern has been received
 - indicating how it proposes to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - telling them whether any initial enquiries have been made; and
 - telling them whether further investigations will take place, and if not, why not
- 9.5 The amount of contact between the body considering the issues and the complainant, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the individual.
- 9.6 When any meeting is arranged, employees have the right, if they so wish, to be accompanied by a Trade Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 9.7 City Building (Glasgow) LLP will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if employees are required to give evidence in criminal or disciplinary proceedings, the Company will advise them about the procedure.
- 9.8 City Building (Glasgow) LLP accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, employees will receive information about the outcomes of any investigations.

10. ALTERNATIVE METHODS OF TAKING FORWARD A COMPLAINT

- 10.1 This policy is intended to provide employees with an avenue to raise concerns with City Building (Glasgow) LLP or the Ombudsman. We hope this will satisfy employees. If an individual feels it is right to take the matter outside this process, the following are possible contact points:

- the local Council member (if you live in the area of Glasgow)
- the external Auditor
- relevant professional bodies or regulatory organisations
- individuals' solicitors
- the Police

10.2 If employees do take the matter outside City Building (Glasgow) LLP they need to ensure that they do not disclose confidential information or that disclosure would be privileged. This can be checked with the Ombudsman who will also advise on ways to proceed.

11. THE RESPONSIBLE OFFICER

The Executive Director has overall responsibility for the maintenance and operation of this policy. A record of concerns raised is maintained and the outcomes (but in a form which does not endanger confidentiality) and will report as necessary to the Board.

12. CONTACT DETAILS

You can report your concerns of any potential wrongdoing by contacting City Building (Glasgow) LLP:

Head Office: 350 Darnick Street
Springburn
Glasgow
G21 4BA

Tel No: 0141 287 2200

Audit Section: Tel No: 0141 287 2343