

Ongo's Whistleblowing Policy

November 2023

Owner: People & Culture Manager

Version	Purpose / Changes	Approval Date	Approved by	Suggested review date
V6.0	Compliance check	<u>14/12/23</u>	ELT	November 2026
V5.1	Compliance update following internal audit	18/05/2022	Director of Corporate & Compliance	October 2023
V5.0	Compliance review following changes to structure	14/10/2020	ELT	October 2023
V4.0	Compliance check	8/6/2016	Heads of Service Team	June 2019
V3.0	Health check	28/05/2014	Heads of Service Team	May 2017
V2.0	Health check	30/11/2012	HR & Remuneration Committee	December 2014
V1.0	New policy	19/11/2009	Audit & Risk Committee	November 2012

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1. Our policy is...

- 1.1 To have the highest possible standards of openness, probity and accountability, and we expect the same commitment from employees and those working for Ongo.
- 1.2 To provide an open environment so that employees and those working for Ongo can raise issues that are 'protected disclosures' they believe to be in the public interest, with the confidence that they will be acted on appropriately without fear of reprisal.

2. It applies to...

- 2.1 Employees, workers, (ex-employees and ex-workers are also included), Board members, volunteers and contractors who may have an issue with the conduct of Ongo, a specific area of Ongo, or individual employee or Board member.
- 2.2 This policy applies to all areas of the Ongo Group, including Ongo Roofing Ltd. (trading as Ashbridge Roofing Solutions) and Ongo Heating and Plumbing Ltd. (trading as Hales and Coultas).

Worker for these purposes, also includes agency workers, homeworkers and work-experience students.

2.3 Qualifying Disclosures

- 2.3.1 Certain disclosures are described by law as "qualifying disclosures". A "qualifying disclosure" means a disclosure of information that the employee genuinely and reasonably believes is in the public interest.
- 2.3.2 You are protected by law if you report any of the following:
 - A criminal offence, for example fraud
 - Someone's health and safety is in danger
 - Risk or actual damage to the environment
 - The company is breaking the law, for example does not have the right insurance
 - You believe that someone is covering up wrongdoing
 - A miscarriage of justice
- 2.3.3 These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen.
- 2.3.4 Ongo will take any concerns that you may raise relating to the above matters very seriously.
- 2.3.5 Employees must reasonably believe that the disclosure is "in the public interest". We encourage you to use this procedure to raise any such concerns.
- 2.4 Whistleblowing is not the same as making a complaint or raising a grievance, where you feel personally poorly treated. Other procedures are available to you, e.g. Grievance Procedure, Dignity at Work Policy & Procedure or our corporate complaints process which is for public use.

3. Because we want to...

- Encourage openness and support a culture of zero tolerance towards fraud, corruption and deter any wrongdoing
- Encourage disclosures to be made in a reasonable way
- Provide safe and confidential avenues for you to make a disclosure
- Ensure your identity is protected if you are making a disclosure as a whistleblower
- Safeguard those who raise concerns in the public interest, and not maliciously or for personal gain, so that they can do so without fear of reprisals or victimisation
- Set out how we will respond to allegations made and enable them to get feedback on any action taken
- Ensure that colleagues know what to do if they are not satisfied with actions taken

4. We will...

4.1 Raising a concern...

4.1.1 For our internal colleagues (Board members, employees, workers, volunteers), any concerns you have should be reported in line with our Whistleblowing Procedure to your manager or Head of Service. Alternatively, concerns can be raised or reported to a Director.

4.1.2 Anyone can raise a concern in any of the following ways:

- **E-Mail:** whistleblowing@ongo.co.uk
- **Telephone (secure, confidential answering service):** 01724 298801
- **In writing:** Company Secretary, Ongo Homes, Ongo House, High Street, Scunthorpe, DN15 6AT

4.1.3 All reports made will be confidential through the secure, monitored answerphone service and e-mail. Any reports in writing should be marked private and confidential.

4.1.4 There are other options if you do not want to report your concern to your employer, for example you can [get legal advice](#) from a lawyer, or tell a [prescribed person or body](#).

4.1.5 If you tell a prescribed person or body, it must be one that deals with the issue you're raising, for example a disclosure about wrongdoing in a care home can be made to the Care Quality Commission.

4.1.6 If you report your concern to the media, in most cases you'll lose your whistleblowing law rights.

4.2 **Protecting you from detrimental treatment**

4.2.1 We recognise that the decision to report a concern can be a difficult one to make, not least because of fear of reprisal from those responsible for the alleged malpractice.

4.2.2 If you raise a concern, we will not tolerate harassment or victimisation. We will take action to protect you from suffering detriment, bullying or harassment from another employee or an agent acting on behalf of Ongo. Any victimisation of a whistleblower will lead to disciplinary action.

4.2.3 The law provides two areas of protection:

- You are protected from dismissal for making protected disclosures
- You are protected from being subjected to a detriment for making a protected disclosure

4.2.4 If you are already the subject of disciplinary or other Group procedures at the time of whistleblowing, those procedures will not necessarily be halted as a result of your whistleblowing. Each case will be looked at on its own merits.

4.3 **Respecting confidentiality**

4.3.1 It is recognised that you may wish to raise a concern anonymously so we won't disclose your identity without your prior consent.

4.3.2 It must be appreciated however, that in some circumstances it may prove impossible to retain confidentiality, e.g. if an investigation results in a disciplinary hearing for the subject of the whistleblowing complaint.

4.3.3 We would always encourage you to put your name to any allegations so that we can investigate thoroughly. If you report your concerns anonymously you may find it harder to argue that you have been treated unfairly due to whistleblowing.

4.3.4 Concerns expressed anonymously are much less powerful, but they will be considered at our discretion. In exercising this discretion, the factors to be taken into account would include the:

- Seriousness of the issue raised
- Credibility of the concern
- Likelihood of confirming the allegation from attributable sources

4.4 **Being clear what we will do in the case of untrue allegations**

4.4.1 If an allegation is made but subsequently, following an investigation not upheld, then no action will be taken against you providing you:

- Believe that the information disclosed and any allegation contained in it, is substantially true; and
- Have not acted for personal gain.

4.4.2 If a malicious or false allegation is evidenced to have been made, disciplinary action will be taken.

5. Making sure we do what we say...

- 5.1 Ongo's Company Secretary has overall responsibility for the operation of this policy. This officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report this to the Board.
- 5.2 This policy sits with the People and Culture Team and will be monitored, ensuring that any subsequent legislation on whistleblowing is updated accordingly.
- 5.3 The People and Culture Team will monitor and report any whistleblowing allegations to the Audit and Risk Committee as they arise.

6. Other things to bear in mind are...

6.1 Our policies & procedures on:

- Code of Conduct
- Dignity at Work
- Disciplinary
- Equal Opportunities
- Fraud Response
- Fraud Risk Management
- Grievance
- Media
- Probity
- Safeguarding
- Anti-slavery and Human Trafficking

6.2 You also need to know about the key legal bits:

- [Public Disclosure Act 1998 \(PIDA\)](#) provides legal recourse for the person raising the concern should they feel they have been treated unfairly as a result of whistleblowing
- [Employment Rights Act 1996](#), as amended by the [Enterprise and Regulatory Reform Act 2013](#), provides that employees have a right not to suffer detriment as a result of disclosing information as set out in the legislation
- [Crime and Disorder Act 1998](#)
- <https://www.gov.uk/whistleblowing>

7. We'll look at this again...

- 7.1 In three year's time or sooner if there are any changes to legislation or regulation or deficiencies are found which necessitate an earlier review.