

1.0 AIMS

- 1.1 To ensure potential Notifiable Events (NE) are identified promptly and action taken as appropriate to protect GWhA, tenants and service users.
- 1.2 To provide the MC and regulators with complete, accurate and evidenced information to support robust governance, including compliance, risk mitigation and learning.
- 1.3 To support a culture in which staff and MCMs are comfortable in raising concerns.

2.0 DEFINITION

A Notifiable Event is a material, significant or exceptional issue, event or change within the organisation, and how the Association intends to deal with it. The threshold is contextual, and materiality and significance depend on factors including the organisation's size, complexity, circumstances and risk profile. Examples of NEs are contained within the Guidance (extracted at Appendix 1) and include matters which may:

1. adversely affect the interests or safety of tenants, people who are homeless or other service users;
2. threaten the stability, efficient running or viability of service delivery arrangements;
3. put at risk the good governance or financial health of the organisation;
4. put public investment or lender confidence at risk; or
5. bring, or risk bringing, the Association or the social housing sector into disrepute or raise significant public or stakeholder concern.

3.0 REFERENCE

- 3.1 The SHR NE guidance sets out the baseline for the management of NEs and forms the basis of this Policy. Depending on the nature of a potential NE, reference in GWhA may also be required to the following (not exhaustive): Risk Management Strategy; Business Continuity Plan; Governance Strategy; HR, Complaints, Fraud Prevention, Data Protection, Equalities and Human Rights and Delegated Authorities policies, and health and safety control procedures. GWhA's culture and values underpin the NE Policy principles: Inclusive; Considerate; Accountable; Resourceful and Ethical.
- 3.2 GWEn, as a subsidiary of GWhA, may also be subject to NE guidance, where the matter in question may impact GWhA.
- 3.3 In the event of conflict between this Policy and the SHR Guidance, the latter will prevail.

4.0 POLICY

- 4.1 GWhA is committed to effective governance: including the protection of tenants and service users, property assets, and the reputation and financial sustainability of the organisation. All staff and MCMs will receive appropriate training and support to ensure awareness of NEs and their responsibility for reporting matters that may give rise to a NE. NEs will be managed promptly by the Executive Team, within their respective remits, and with the delegated authority of the MC (subject to 4.4).
- 4.1.1 A Case Review Meeting (including all relevant staff members) may be called to agree a response and actions, including whether any other statutory or relevant agency should be notified (e.g. HSE, Financial Institutions, Local Authority).
- 4.2 The SHR will be alerted to NEs (or potential NEs) at the earliest opportunity (by email / telephone), with a formal notification made thereafter via the SHR Landlord Portal. Notification will not be delayed pending e.g. an investigation / action plan / MC meeting.
- 4.2.1 A cautious, risk-averse approach will be adopted in the assessment of NEs, and advice sought from the SHR in the event of dubiety. Factors including tenant and service user impact; governance and financial impact; reputation and stakeholder confidence; and equalities and human rights will inform the assessment.

- 4.3 Where any staff member or MCM considers that an event is not being assessed or managed appropriately, the Whistleblowing Policy will apply.

4.4 Chairperson's Responsibilities

- 4.4.1 The Chairperson will be responsible for leading NEs in the following circumstances:
- a) there is a conflict of interest affecting the CE;
 - b) the CE has left the organisation;
 - c) there are concerns about the Governing Body;
 - d) the notification relates to the Annual Assurance Statement; or
 - e) it would be inappropriate for the CE or a member of the Executive Team to make the notification.
- 4.4.2 Where a NE concerns a MCM, senior officer or other person involved in decision-making:
- a) relevant interests must be declared;
 - b) conflicted individuals will be required to withdraw from decision making where inappropriate;
 - c) the Code of Conduct and conflicts of interest procedures will apply;

- 4.4.3 The Chair will ensure that independent or external advice is obtained where necessary

4.5 Data Protection

- 4.5.1 Information relating to NE reporting will be handled sensitively and lawfully mindful of data protection laws:
- a) Information shared only where there is a lawful basis;
 - b) Personal information minimised where possible;
 - c) Secure communication channels employed;
 - d) Appropriate confidentiality maintained;
 - e) Access restricted to those who need the information;
 - f) Relevant evidence and records preserved; and
 - g) Consideration as to whether the event constitutes a personal data breach

5.0 PROCEDURES

- 5.1 All NEs will be recorded on the NE Register, which will be scrutinised on an annual basis by the ASC, with annual compliance reporting to the MC.
- 5.2 Regular reporting on individual NEs to the MC will be via Case Reports (Appendix 2 template) as part of the MC Agenda item: Registers Compliance Reporting. The MC(S) will lead on all service delivery matters (e.g. tenancy, repairs, technical, estates), and the MC(C) on governance, finance and ICT matters.
- 5.3 The SSC will lead on NEs that involve HR matters, with sensitive reporting to the MC to avoid jeopardising the independence of HR processes (e.g. disciplinary or grievance appeals).
- 5.4 Depending on the nature/risk profile of a NE, the MC or Office Bearers may be alerted and/or appraised out with the committee reporting cycle.
- 5.5 The minutes of meetings will demonstrate appropriate consideration of the event, including: the nature of the issue; key risks; action taken; regulatory implications; tenant impact; advice received; decisions made and outstanding/further actions.
- 5.6 Irrespective of an SHR decision on the NE, reporting to the MC will conclude only when the MC is satisfied of appropriate response, action and learning, with lessons incorporated to risk registers, policies, procedures, training and internal controls as appropriate.

6.0 REVIEW

6.1 This policy will be reviewed every 5 years, or sooner, subject to a change in legislation or circumstance.

7.0 DELEGATED AUTHORITY

7.1 Implementation of this policy is delegated by the MC to the CE and staff.