

Whistleblowing Policy



1. Purpose and scope

- 1.1 All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. The Company believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. By encouraging a culture of openness within our organisation the Company believes it can help prevent malpractice: prevention is better than cure. That is the aim of this policy. This policy applies to all employees of the Company and to other workers within the Company, including agency workers.
- 1.2 This policy is not the procedure for general grievances. If an employee has a complaint about their own personal circumstances, then they should use the normal grievance procedure. If an employee has concerns about malpractice within the organisation, then they should use the procedure outlined in this policy. The Company has a separate policy dealing with anti-bribery and corruption. Employees should report concerns about such issues using the process set out in that policy, instead of the process set out here.
- 1.3 By encouraging a culture of openness the Company wants to encourage employees and workers to raise issues which concern them at work. They may be worried that by reporting such issues they will be opening themselves up to detrimental treatment or risking their job security; but that is not the case — all staff have statutory protection if they raise concerns in the right way. This policy is designed to give staff that opportunity and protection. It does not matter if they are mistaken. There is no question of employees having to prove anything about the allegation they are making but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice.
- 1.4 If there is anything which employees think the Company should know about, they should use the procedure outlined in this policy. By knowing about malpractice at an early stage the Company stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the organisation. In short, employees should not hesitate to 'blow the whistle' on malpractice.
- 1.5 The kinds of malpractice covered by this policy are:
 - 1.5.1 criminal offences (except those in relation to bribery and corruption, which should be reported using the procedure set out in the Anti-bribery and Corruption Policy);
 - 1.5.2 miscarriages of justice;
 - 1.5.3 danger to the health and safety of any individual;
 - 1.5.4 damage to the environment;
 - 1.5.5 breach of any legal obligation (except in relation to bribery and corruption, which should be reported using the procedure set out in the Anti-bribery and Corruption Policy);
 - 1.5.6 deliberately concealing any of the above;

2. Our guarantee

- 2.1 The Company is committed to this policy. If an employee uses this policy to raise a concern the Company gives them its assurance that they will not suffer any form of retribution or detrimental treatment. The Company will treat their concern seriously and act according to this policy. They will not be asked to prove anything about the allegation they raise but they must reasonably believe that the disclosure is made in the public interest and that the information they have tends to show some malpractice. If an employee asks for a matter to be treated in confidence the Company will respect their request and only make disclosures to third parties or other staff with their consent.
- 2.2 If an employee is concerned about any form of malpractice, they should normally first raise the issue with their Line Manager. There is no special procedure for doing this — they can tell that person about the problem or put it in writing if they prefer.

2.3 If they feel they cannot tell their Line Manager, for whatever reason, or they have raised a concern and are still concerned, or the matter is so serious that they feel they cannot discuss it with their Line Manager, they should raise the matter with the Managing Director.

3. How the Company will respond

3.1 After an employee has raised a concern, the Company will decide how to respond in a responsible and appropriate manner under this policy. Usually this will involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised. The Company will endeavour to complete investigations within a reasonable time.

3.2 The Company will keep the employee informed of the progress of the investigation carried out and when it is completed. The Company will not be able to inform them of any matters which would infringe the duty of confidentiality owed to others.

4. Raising your concern externally (exceptional cases)

4.1 The main purpose of this policy is to give the employee the opportunity and protection they need to raise concerns internally. The Company would expect that in almost all cases raising concerns internally would be the most appropriate action for them to take.

4.2 However, if for whatever reason, they feel they cannot raise their concerns internally and they reasonably believe the information and any allegations are substantially true, they can consider raising the matter with the appropriate regulator. A list of the bodies currently listed as regulators for this purpose and the areas they are responsible for is available from Public Concern at Work (see below).

4.3 Caution: If an employee has good reasons for not using the internal or regulatory disclosure procedures described above, they may consider making wider disclosure by reporting the matter to the police or to the media, for example. However, whistle-blowers who make wider disclosures of this type will only be protected (from dismissal or suffering detrimental treatment) in certain circumstances. The Company recommends that employees take legal advice before following this course of action since we believe it will be in the employees' own interests to do so.

4.4 Public Concern at Work is a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. They are a source of further information and advice at www.pcaw.co.uk

4.5 Those using the procedure outlined in this policy to raise a concern are assured that they will not suffer any form of retribution or detrimental treatment. Any person who victimises a bona fide whistle-blower (e.g. by subjecting them to any form of detrimental treatment) will be liable to disciplinary action. Such a person is also liable to an employment tribunal claim (which may include liability for unlimited damages) brought by the whistle-blower against them personally. To ensure the protection of all our employees, those who maliciously make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

4.6 If you have any questions about the application of this policy, please contact HR Manager.