

# Whistle Blowing Policy

## 1. Introduction

This policy applies to all employees. Other individuals performing functions in relation to the company, such as agency employees, contractors, consultants are encouraged to use it.

It is important to the business that any fraud, misconduct or wrong doing by employees of the company is reported and properly dealt with. The company therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run.

The company has a procedure in place to deal with matters internally and as such individuals must follow the company internal processes initially via their line manager, so that important matters can be brought to the attention of the senior directors of the Company.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

## 2. Overview

The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an individual who has a reasonable belief that:

- a criminal offence;
- human trafficking;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed; a reasonable belief is sufficient. The individual has no responsibility for investigating the matter; it is the company's responsibility to ensure that an investigation takes place.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The company encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or HR.

### 3. Principles

- Individuals should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the issue.
- No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the company's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrong doing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager or director, employees should not agree to remain silent. They should report the matter to someone more senior than the person giving the instruction or to the Group HR Director.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the company's grievance procedure.

### 4. Procedure

i. In the first instance, and unless the employee reasonably believes his/her line manager to be involved in the wrong doing, or if for any other reason the employee does not wish to approach his/her line manager, any concerns should be raised with the employee's line manager. If he/she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the employee should proceed straight to stage 3.

ii. The line manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve the employee and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account, and he/she will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the senior company directors. They will take any necessary action, including reporting the matter to any appropriate external body.

If disciplinary action is required the matter will be dealt with by HR in line with the company procedure. On conclusion of any investigation, the employee will be told the outcome of the investigation and the action the company will be taking (if any action is to be taken).

iii. If the employee is concerned that his/her line manager is involved in the wrong doing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the senior company directors, he/she should inform the Group HR Director. Any approach to the Group HR Director will be treated with the strictest confidence and the employee's identity will not be disclosed without his/her prior consent.

iv. If on conclusion of stages 1, 2 and 3 the employee reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.

## **5. Data Protection**

When an individual makes a disclosure, the company will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

*Please note that these procedures are policy guidelines and the Company reserves the right to amend them from time to time. They are not contractual but are a term of your employment and with which you must comply.*