

CONFIDENTIAL REPORTING POLICY (WHISTLEBLOWING)

Introduction

This policy applies to all employees. Other workers, performing functions in relation to the Company, such as agency workers and sub-contractors, are also able to use it. The policy refers therefore to workers, rather than solely employees.

It is important to the Company that any fraud, misconduct or wrongdoing by employees or other workers 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. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that one of the following activities is being committed, or has been committed, or is likely to be committed:

- a criminal offence
- a report of sexual harassment
- 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

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

A worker who makes such a protected disclosure has the right not to be dismissed, or subjected to victimisation, because he or she has made the disclosure.

The Company encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether to raise a concern, he or she should discuss the issue with his or her supervisor or manager or contact Head Office.

Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers 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 worker who

raised the issue.

No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training will not be prejudiced because he or she has raised a legitimate concern.

Victimisation of a worker 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.

Maliciously making a false allegation is a disciplinary offence. An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, a worker should not agree to remain silent but instead report the matter to Head Office.

Procedure

Step 1: In the first instance, and unless the worker reasonably believes his or her supervisor or manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his or her supervisor or manager, any concerns should be raised with the worker's supervisor or manager. If he or she believes the supervisor or manager to be involved, or for any reason does not wish to approach the supervisor or manager, then the worker should proceed straight to step 3.

Step 2: The supervisor or manager will arrange an investigation of the matter (either by investigating the matter personally or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be considered, and he or she will be asked to comment on any additional evidence obtained. The supervisor or manager (or the person who carried out the investigation) will then report to the senior management team, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the supervisor or manager (or the person who carried out the investigation) will report the matter to Head Office and start the disciplinary procedure. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the senior management team has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

Step 3: If the worker is concerned that his or her supervisor or manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the senior management team, he or she should inform a member of the senior management team, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his or her own report to the senior management team as in stage 2 above. If for any other reason the worker does not wish to approach his or her supervisor or manager he or she should also in the first instance contact a member of the senior management team as above. Any approach to the person will be treated with the strictest confidence and the worker's identity will not be disclosed without his or her prior consent.

Step 4: If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he or 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 Services Authority;

the Office of Fair Trading;

the Health and Safety Executive;

the Environment Agency.

Summary

We have developed this policy to comply with the Public Interest Disclosure Act 1998 and to encourage employees to make disclosures about fraud, misconduct and wrongdoing, without fear of reprisal, in order that problems can be identified, dealt with and resolved quickly.