

WHISTLE BLOWING POLICY

The purpose of this policy and procedure is to clearly outline ways in which all employees of Backline Logistics Support Services, from here on known as 'BLSS', can express concerns about malpractice/wrongdoing and to encourage employees to raise these concerns at an early stage and in an appropriate way in line with Public Interest Disclosure Act 1998.

This policy is in place to reassure staff that it is safe and acceptable to speak up and enable concerns to be raised at an early stage and in the right way. Rather than wait for proof, we would prefer you raise the matter when it is still a concern. It can be difficult to know what to do when these concerns are about unlawful conduct, financial irregularities, abuse, dangers to the public or environment, health and safety issues, or if you feel these issues are being inappropriately concealed.

This policy does not apply to complaints about employment or how you have been treated. For cases such as this, the Complaints, Grievance & Disciplinary Procedure should be used. There are also a range of policies and procedures that cover issues such as bribery or corruption, recruitment/selection, health and safety and staff are advised to refer to these when considering a disclosure under this policy.

Definitions

Whistleblowing: The official name for Whistleblowing is 'making a disclosure in the public interest'. It means that if you believe there is a wrongdoing in your workplace, you can report this by following the correct processes and your employment rights are fully protected. **Malpractice:** could be improper, illegal or negligent behaviour by anyone in the workplace.

Aims and Objectives

The 'Whistle Blowing' Policy is intended to cover serious public interest concerns that fall outside the scope of other procedures. These, as stated in the Act are that in the reasonable belief of the employee, the following matters are either happening now, have happened, or are likely to happen.

- A Criminal offence
- The breach of a legal obligation
- A Miscarriage of justice
- A danger to Health and Safety of an individual
- Damage to the environment
- Deliberate covering up of/failing to report information tending to show any of the above 5 matters.

The Whistle Blowing Policy covers the following:

- Conduct which is an offence or a breach of law, e.g. fraud, corruption, or theft
- Disclosures related to miscarriages of justice
- Health and Safety risks
- Damage to the environment, e.g. green issues
- Verbal, sexual or physical abuse or other unethical conduct/behaviour



- Discrimination on grounds of sex, race, or disability or religion
- Malpractice
- Professional misconduct
- Nepotism

This list is neither exclusive nor exhaustive and there may be other serious public interest concerns, which would come under this policy

The Directors are committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any detriment (such as reprisal or victimisation). Provided you are acting in good faith (effectively this means honestly), it does not matter if you are genuinely mistaken or if there is an innocent explanation for your concerns. This assurance is not extended to those who maliciously raise a matter they know to be untrue. If, following a thorough investigation, it is found that you raised a matter maliciously; this will be dealt with under the Companies Disciplinary Policy.

With these assurances, we hope you will raise your concern openly. However, we recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you do not wish to disclose your identity, this will not be done without your consent unless required by law. You should understand that there may be times when we are unable to resolve a concern without revealing your identity, for example where your personal evidence is essential (for example in court cases). In such cases, we will discuss with you whether and how the matter can be best proceed. Please remember that if you do not tell us who you are it will be much more difficult to investigate the matter. We will not be able to protect your position or give feedback. Accordingly, you should not assume we can provide the assurances we offer in the same way if you report a concern anonymously. Where an individual does not wish to come forward as a witness, the Company retains the right to pursue the matter further but will respect the anonymity of the individual. However, it must be noted that this may ultimately prevent the Company from being able to proceed. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Company. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

The procedures contained below should ensure that your concern can be addressed and dealt with internally, however if you believe that a disclosure of information should be made externally in the public interest this should be soundly based and you should first seek independent and/or specialist advice.

IF IN DOUBT – RAISE IT!

Whistle Blowing Procedure

Once you have reported your concern, we will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation. We will tell you who will be handling the matter, how you can contact them and what further assistance we may need from you.



When you raise the concern, it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concerns falls more properly within our Complaints, Grievance & Disciplinary or other procedure, we will inform you accordingly.

The following stages will normally apply:

Stage 1

If you have a concern about a risk, malpractice, or wrongdoing at work, we hope you will feel able to raise it firstly with your Manager. This may be done verbally or in writing. You may involve a friend, or a colleague at this stage, providing that that person is not involved in the investigation. Managers must help create a climate where staff feel able to talk in confidence without the threat of disciplinary action being taken against them. The Manager will identify the nature of the issue by undertaking a preliminary investigation.

Stage 2

If stage 1 of the investigation and any resultant action does not resolve the matter, or if a concern involves the immediate Manager, the member of staff should raise the concerns with their immediate line Manager's line Manager who will arrange an initial interview which will, if requested, be confidential to ascertain the areas of concern. At this stage, you will be asked whether you wish your identity to be disclosed and will be reassured about the protection from possible victimisation. You will also be asked if you wish to make a written statement. In either case, the Manager will write a brief summary of the interview, which will be agreed by both parties. The Manager will report this to Paul Church & Mark Gooden who will be responsible for the commission of any further investigation within the Company.

The Formal Investigation

If the concern is raised is very serious or complex, a formal investigation may be held. The investigation may need to be conducted under the terms of strict confidentiality i.e. by not informing the subject of the complaint until it becomes necessary to do so. In certain cases, however, such as allegations of ill treatment, suspension from work may have to be considered immediately. The Manager will offer to keep the member of staff informed about the investigation and its outcome. If the result of the investigation is that there is a case to be answered by any individual, the Company's Disciplinary Policy will be used and the details discovered by the formal investigation, transferred to that process. Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the Manager will ensure that the employee suffers no reprisals. If there is no case to answer but evidence that the allegation was made frivolously, maliciously or for personal gain, disciplinary action will be taken against the complainant.

The matter will be dealt with promptly at each stage. Where appropriate, immediate steps will be taken to remedy the situation as soon as practicably possible. A final outcome may take more time but a final resolution/outcome at each stage should be available within ten working days.

Following the investigation



Mark Gooden through Paul Church will advise the Manager as to the possible options open to the Company as a result of the outcome of the investigation. The Manager will then arrange a meeting with the member of staff (where the identity has been disclosed) to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided as soon as possible.

If the member of staff is not satisfied with the action taken/not taken, the Company recognises the lawful rights of employees and ex-employees to make disclosures to proscribed persons (such as the Health and Safety Executive).

Independent Advice

If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact any of the following:

- Trade Union or ACAS
- The independent charity Public Concern at Work on 02074 046609 or by email at helpline@pcaw.co.uk

The Group Chief Executive is the nominated main board sponsor for the Whistleblowing Policy and Procedure across the Company, ensuring that all concerns raised are dealt with fairly, thoroughly and in accordance with this policy.

All Managers are responsible for ensuring that staff are aware of the policy and its application, and for creating an environment in which staff are able to express concerns freely and without fear of reprisal.

The individual has a responsibility to raise concerns providing s/he has a reasonable belief that malpractice and/or wrongdoing has occurred.