

## DISCLOSURES IN THE PUBLIC INTEREST POLICY

The **Public Interest Disclosure Act 1998** protects employees who raise legitimate concerns about specified matters. It makes provision about the kinds of disclosure which may be protected and the circumstances in which disclosures are protected. These rules are therefore intended to comply with the Act by encouraging employees to make disclosures about fraud, misconduct or wrongdoing to the Company, without fear of reprisal, so that problems can be identified, dealt with and resolved quickly.

### *Qualifying disclosures*

Certain kinds of disclosure qualify for protection. These are disclosures of information which are made in good faith and which you reasonably believe tend to show one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future:

- a criminal offence
- the breach of a legal obligation
- a miscarriage of justice
- a danger to the health or safety of any individual
- damage to the environment
- deliberate concealment of information tending to show any of the above.

Your belief must be reasonable, but it need not be correct. It might be discovered subsequently that you were, in fact, wrong, but you must be able to show that you held the belief in good faith and that it was a reasonable one to hold in the circumstances at the time. Note that it is not your responsibility to investigate the matter. That is the Company's responsibility.

### *The disclosure procedure*

In order to qualify for protection, there are specified methods of disclosure, or procedures, which you must have followed in order to disclose one of the above matters. The Company encourages you to raise your concerns under this procedure in the first instance. If your concern relates to a breach of your own contract of employment, you should use the Company's grievance procedure. This procedure applies to all employees. In addition, agency workers and contractors who perform functions in relation to the Company are encouraged to use it.

### The procedure is as follows:

1. If you wish to make a qualifying disclosure, you should, in the first instance, report the situation to your department manager. If you do not wish to speak to your department manager, you can instead speak to Veronica Girling.
2. Such disclosures should be made promptly so that investigation may proceed and any action taken expeditiously.
3. All qualifying disclosures will be treated seriously. The disclosure will be promptly investigated and, as part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the nature and details of your qualifying disclosure and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate a disclosure, the Company must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the disclosure. The Company reserves the right to arrange for another manager to conduct the investigation other than the manager with whom you raised the matter.
4. The Company will also invite you to attend at least one meeting at a reasonable time and place at which your disclosure can be discussed. You should take all reasonable steps to attend that meeting and you have the right to be accompanied by a fellow employee of your choice.
5. Once the investigation has been completed and after the meeting with you has taken place, you will be informed in writing of the outcome and the Company's conclusions and decision as soon as possible. You will also be notified in writing of your right to appeal against the Company's decision if you are not satisfied with it. The Company is committed to taking appropriate action with respect to all qualifying disclosures which are upheld.
6. If you wish to appeal against the Company's decision, you must do so in writing within five working days of the Company's decision. On receipt of an appeal, a more senior manager (who may not be the person to whom you addressed your appeal) shall make arrangements to hear your appeal at an appeal meeting. At that meeting you may again, if you wish, be accompanied by a fellow employee of your choice. You should take all reasonable steps to attend the appeal meeting. Following the meeting, you will be informed in writing of the Company's final decision on your appeal.
7. You will not be penalised for raising a qualifying disclosure even if it is not upheld, unless the complaint was both untrue and made in bad faith.
8. Once the Company's conclusions have been finalised, any necessary action will be taken. This could include either reporting the matter to an appropriate external government department or regulatory agency and/or taking internal disciplinary action against relevant members of staff. If no action is to be taken, the reasons for this will be explained to you.
9. If, on conclusion of the above stages, you reasonably believe that appropriate action has still not been taken, you may then report the matter to the proper authority in good faith. The Act sets out a number of prescribed bodies or persons to which qualifying disclosures may be made. However, the Company always encourages all employees to raise their concerns directly in the first instance, rather than externally. This enables issues to be dealt with promptly and speedily.

### ***General principles***

- be aware of the importance of eliminating fraud or wrongdoing at work. Report anything that you become aware of that is illegal
- you will not be victimised, subjected to a detriment or dismissed for raising a legitimate matter under this procedure
- victimisation of an employee for raising a qualifying disclosure under this procedure will be a disciplinary offence and will be dealt with under the Company's disciplinary procedure
- covering up someone else's wrongdoing is also a disciplinary offence. Never agree to remain silent about a wrongdoing, even if told to do so by a person in authority
- finally, maliciously making a false allegation is a disciplinary offence.