

WHISTLEBLOWING

POLICY STATEMENT & PROCEDURE

Purpose

INFRATEC-UK is committed to conducting its business with honesty, openness and integrity and, therefore, takes seriously any form of malpractice, fraud and/or abuse within the workplace. In order to maintain high standards it is essential that everyone working for the Company feels able to raise any concerns they may have about how business is conducted.

Whistleblowing is the reporting of suspected malpractice, wrongdoing or dangers in relation to the Company's activities, within its organisation or within an independent structure associated with it.

Scope

This policy that applies to all company workers.

Where a worker is defined as any person working for the Company, including temporary/casual employees, agency staff, contractors, trainees and volunteers.

All workers have protection from victimisation or harassment under whistleblowing laws [The Public Interest Disclosure Act (PIDA) 1998] if they raise concerns in the correct way. This policy and procedure gives workers the opportunity and protection to raise a concern about any aspect of INFRATEC-UK's work that adversely affects other workers, the organisation and/or the public, in confidence and without fear of reprisals. Where an individual wishes to make a complaint about something relating to their own employment, this should be raised and resolved under the Company Grievance Policy & Procedure.

Qualifying Disclosure

The Whistleblowing Policy and Procedure should be used when an individual wishes to raise a genuine concern, past, present or future on one of the following matters relating to the Company:

- a criminal offence (e.g. bribery);
- a failure to comply with any legal obligations (e.g. breach of competition rules, infringing someone's intellectual property rights, breach of contract);
- a miscarriage of justice;
- danger to the health and safety of an individual or the public;
- damage to the environment; and/or
- the deliberate concealment of information relating to any of the above.

It does not matter if an individual who raises a concern is mistaken about it; workers do not have to prove anything about the allegation they are making. However, they must reasonably believe that the disclosure is made in the public interest and that the information they have indicates some malpractice.

There are two types of disclosure, Internal and External:

- Internal disclosures to the employer or another responsible person in the Company (e.g. if the person who is making the disclosure is an agency worker).
- External disclosures to prescribed persons such as regulatory bodies, the police or MPs.

Each of these disclosures is explained in *Procedure – Internal Disclosure* below. It is important that workers understand that there are more conditions that have to be met by the worker if they make external disclosures (and still have protection under the PIDA legislation). Therefore, the easiest way in which a worker can make a protected disclosure is to make it to his or her own employer (or the other responsible person). **Wherever possible, internal disclosure should be used.**

Communication and Training

The policy will be communicated at regular intervals, using a range of appropriate media and providing opportunities for questions and concerns to be fully addressed. The policy will also be communicated to other stakeholders, including customers, suppliers and business partners, as opportunity or the need arise.

Implementation

The Managing Director is responsible for the implementation of this policy and procedure. The Company Secretary is responsible for maintaining and reviewing this policy, and for clarifying and resolving general issues. The Company Secretary will oversee any audit of policy compliance on behalf of the Managing Director, which may be considered necessary.

Policy

The Company will support all workers where the disclosure is made with reasonable belief that it is in the public interest, the procedures are followed and where there is a reasonable belief that the information is substantially true.

No individual will be punished or subjected to any detrimental treatment or victimisation. Any harassment or victimisation on such grounds may lead to disciplinary action against the perpetrator. In the event that the individual believes that they are being victimised, they should raise their concerns as soon as possible with the person to whom they made the disclosure or to the Managing Director.

Procedure – Internal Disclosure

If an individual is concerned about any form of malpractice covered by this policy, the individual should raise the issue with their immediate superior. However, if an individual feels they cannot tell their immediate superior, for whatever reason, they should raise the issue through the whistleblowing facility for escalation to a designated person, i.e. Managing Director, Operations Director, Commercial Manager and/or Financial Controller.

A concern can be raised by telephone, in person or in writing (either by email or through the dedicated web facility). Where a concern is made in writing The Company has a form to use for this purpose – see *Appendix 1*. Although the individual is not expected to prove the truth of their concern beyond doubt or to provide evidence, generally the individual will need to provide the following information as a minimum:

- the nature of the concern and why the individual believes it to be true; and
- the background and history of the concern (giving relevant dates where possible).

The Company is committed to ensuring that disclosures are dealt with appropriately, consistently, fairly and professionally. An appropriate person, with the necessary level of skills and expertise will be appointed to investigate the issue(s) raised. This appointment will be confirmed to the individual raising the concern (where contact details have been provided) within 10 working days.

The Investigating Manager will arrange a meeting as soon possible to discuss the concern raised. The individual may bring a colleague or trade union representative to any meeting that takes place. The companion must respect the confidentiality of the disclosure and any subsequent investigation. The Company may ask the individual for further information about the concern raised, either at this meeting or at a later stage.

After the meeting, the Company will decide how to respond. 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. External investigators may be brought in where necessary. The Company will endeavour to complete investigations within a reasonable time.

The Company will keep the individual who raised the concern informed of the progress of the investigation carried out and when it is completed, and give an indication of timings for any actions or next steps that will be taken, but the Company will not be able to inform the individual of any matters which would infringe any duty of confidentiality owed to others.

Procedure – External Disclosure

The main purpose of this policy is to give all our workers 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 course of action and strongly encourages any individual to seek appropriate advice before reporting a concern to anyone external.

If for whatever reason, an individual feels they cannot raise their concerns internally and they reasonably believe that the information and any allegations are substantially true, the law recognises that it may be appropriate for them to raise the matter with another prescribed person, such as a regulator or professional body or an MP. A list of the relevant prescribed people and bodies for this purpose and the areas for which they are responsible is available from:

- **Protect** (formerly Public Concern at Work) - a leading independent charity whose main objectives are to promote compliance with the law and good practice in the public, private and voluntary sectors. Information and advice can be found at www.pcaw.co.uk. It also provides a free helpline offering confidential advice on **020 7404 6609**.

and

- the **GOV.UK** website at <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2> or www.gov.uk/whistleblowing/howtowhistleblow

Some of the most relevant external bodies are listed in *Appendix 2*.

Confidentiality

Any concern raised in accordance with this Policy, shall be treated with the utmost confidence and it shall be discussed only between the appropriate person and the individual(s) who are selected to investigate the matter.

All workers will be encouraged to disclose their name when making a qualified disclosure under this Policy, as the purpose is to promote openness and accountability and to discourage a fear of reprisals. Every effort will be made not to reveal the identity of an individual who raises a concern if that is their wish. However, it is inevitable that in certain circumstances, e.g. if disciplinary or other proceedings follow the investigation, that in order to investigate the matter properly and effectively, the source of the information may have to be revealed and the individual may be asked to come forward as a witness. Should this be the case, the individual will be told prior to their name being disclosed and they will be offered advice and support.

Concerns that are expressed completely anonymously are more difficult to investigate. The Company will consider them at its discretion, taking into account factors such as the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from other sources.

This Policy does not affect the duty of confidentiality that a worker owes to the Company. If a disclosure is made to a Prescribed Person under the provisions of the Act and in accordance with this Policy, or to a legal adviser, the duty of confidentiality will not be breached. However, the Company encourages employees to try to resolve their concern(s) internally in the first instance, wherever possible, as this is the aim of this policy and is encouraged by the Act.

Protection and Support

The Company is committed to good practice and high standards and to being supportive to workers who raise genuine concerns under this policy, even if they turn out to be mistaken.

Any individual raising a genuine concern must not suffer any detriment as a result of doing so. If an individual believes that they have suffered such treatment, they should contact either their Line Manager or the Managing Director. If the matter is not dealt with to the individual's satisfaction, the individual should raise it formally using the Company's Grievance Policy & Procedure.

No worker must threaten or retaliate against an individual who has raised a concern and the Company will not tolerate any such harassment or victimisation. Any person involved in such conduct may be subject to disciplinary action.

To ensure the protection of all our workers, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest may be liable to disciplinary action.



David Bullock
Managing Director

For and on behalf of the Senior Management Team

APPENDIX 1 – NOTIFICATION OF WHISTLEBLOWING ALLEGATION FORM

Who is involved? Internal - <i>name, position, location</i> External - <i>name, position, location</i>	
What is it they have been doing?	
How did they do it?	
When did they do it?	
Where did this take place?	
Give examples of actual occurrences Places Contracts Times/Dates	
Do you know why they have done this?	
How long do you think this has been going on?	
What value of money is involved?	
How did you become aware of this?	
Who have you told?	
Who else knows? How did they become aware?	
What evidence do you have?	
Your name, position and contact number details (if you wish to disclose this information):	

APPENDIX 2 – EXTERNAL CONTACTS

The Director of the Serious Fraud Office

Contact them about serious or complex fraud, including bribery and corruption, in England, Wales or Northern Ireland and civil recovery of the proceeds of unlawful conduct.

The Director of the Serious Fraud Office
2-4 Cockspur Street
London
SW1Y 5BS

Website: www.sfo.gov.uk/contact-us/reporting-serious-fraud-bribery-corruption

Commissioners for His Majesty's Revenue and Customs (HMRC)

Contact them about:

- the administration of UK taxes
- the administration of national insurance and tax credits systems
- customs and border-related functions
- criminal investigations

HM Revenue and Customs
Freepost NAT22785
Cardiff
CF14 5GX

Website: www.gov.uk/government/organisations/hm-revenue-customs/contact/reporting-tax-evasion

The Information Commissioner

Contact them about compliance with the requirement of legislation relating to data protection and to freedom of information.

The Information Commissioner's Office Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Tel: 0303 123 1113

Email: casework@ico.org.uk Website: www.ico.org.uk

The Environment Agency

Contact them about acts and omissions which have an actual or potential effect on the environment or the management or regulation of the environment.

National Customer Contact Centre PO Box 544
Rotherham
S60 1BY

Tel: 03708 506 506

Website: www.gov.uk/environment-agency

The Health and Safety Executive

Contact them about:

- the industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998
- the health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work Tel: 0300 003 1647

Online form: www.hse.gov.uk/contact/raising-your-concern.htm