

## **Whistle-blowing Policy**

### **1. Introduction**

1.1 This policy and procedure enables employees to exercise their rights under the Public Interest Disclosure Act 1998. It applies to all staff of P & B Metal Components Ltd, which includes temporary employees, agency staff and contractors (whilst engaged on P & B business).

1.2 The company encourages a free and open culture and is committed to high standards of honesty. The company will not tolerate any form of malpractice and recognises that employees have an important part to play in reporting any concerns.

1.3 The company recognises that it is often difficult for employees to report concerns through fear of victimisation or reprisal. This whistle-blowing policy aims to reassure employees that they can raise genuine concerns without fear of reprisals. It aims to encourage and enable employees to raise concerns internally within the company, rather than overlooking the problem or raising the concern outside.

1.4 This policy should not be used for employees to make a complaint about their own employment within the Company. Such matters should be raised through the Company's Grievance Procedure.

### **2. Aim**

2.1 The aim of this policy is to:-

- reinforce existing procedures in place for employees, who have reasonable suspicions, to raise concerns at an early stage
- provide employees with avenues to raise concerns
- provide employees with feedback on any concerns raised
- reassure employees they will be protected from victimisation or reprisals if they raise any concerns
- enable employees to take the matter further if they are unhappy with the Company's response

2.2 This policy is intended to cover concerns that fall outside of other procedures, including the following (this list is not exhaustive):-

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- other unethical conduct

### **3. Anonymous Allegations**

3.1 This policy encourages employees who raise concerns not to remain anonymous, by ensuring they will be protected from victimisation. However, where an employee wishes to remain anonymous, the Company will attempt to protect their identity. This may not always be possible as

employees who report concerns may be required to give evidence as a witness, in situations where disciplinary or criminal action is taken.

The Company will use its discretion in maintaining the anonymity of the individual concerned. The following factors would need to be taken into account:-

- the seriousness of the issue(s) raised
- the likelihood of obtaining information from alternative sources, which would confirm the allegation

#### **4. Untrue Allegations**

4.1 The Company will protect individuals from false and malicious allegations. Allegations will be investigated before determining what action, if any, should be taken. Where it is established that an employee makes an allegation which is known to be false, malicious or for personal gain, they will be subject to disciplinary action, under the Company's Disciplinary Procedure.

4.2 Where allegations made in good faith are found to be untrue, no action will be taken against the employee raising the concern and the Company will ensure that the negative impact on the person accused is minimised.

#### **5. How to raise a concern**

5.1 Employees who raise concerns that fall within the scope of other Company procedures will not be dealt with in this procedure, but will be advised on the appropriate procedure to use. Such employees will still receive protection as detailed in this policy.

5.2 Employees should initially raise concerns with the HR Department.

5.3 Employees do not have to provide evidence of the allegation but will be expected to demonstrate that there are reasonable grounds for raising the concern.

5.4 Wherever possible, employees should raise concerns in writing which identify the nature of the concerns and the grounds on which these are based. Information on the background, history, names, dates and places should be provided if possible. If employees do not feel able to raise concerns in writing they may telephone the HR Department, or arrange to meet the HR Representative face to face.

#### **6. How the Company will respond**

6.1 All concerns raised will be treated confidentially by those involved in the reporting process.

6.2 Action taken by the Company will be dependent on the nature of the concern raised. The concerns raised may:-

- be resolved by agreed action without the need for investigation
- be investigated by senior management or HR
- at the discretion of the Company, be the subject of an independent inquiry; or be referred to the police.
- Initial enquiries will be made to determine the most appropriate form of investigation.

6.3 Employees will receive an initial response to any concerns raised within ten working days to:-

- acknowledge that the concern has been received
- indicate how we propose to deal with the matter
- give an estimate of how long it will take to provide a final response
- tell you whether any initial enquiries have been made
- supply you with information on staff support mechanisms, and
- tell you whether further investigations will take place and if not, why not.

Due to the nature of the concerns covered by this procedure it may not always be possible for the Company to indicate how it proposes to deal with the matters raised and the timescales involved. However, the Company aims to reassure employees that the matter has been properly addressed.

6.4 The amount of contact between the individual raising the concern and the person(s) investigating the matter will be dependent upon the issue raised, the potential difficulties involved and the clarity of the information provided.

6.5 At any meeting arranged to investigate a concern the employee will have the right to be accompanied by their trade union representative or a work colleague, who is not involved in the area of work to which the concern relates.

6.6 The Company will take the necessary steps to minimise any difficulties that an employee may experience as a result of raising a concern.

## **7. How the matter can be taken further?**

7.1 It is intended that this procedure will enable any employees to raise concerns within the Company. If an employee is not satisfied that their concerns have been taken seriously, they should write to the Managing Director and request that the investigation is reviewed.

7.2 Employees are able to rely on their rights under the Public Interest Disclosure Act 1998, which came into force on 2 July 1999 and provides the following:-

- protection from suffering any detriment as a result of making a 'qualifying disclosure', as defined within the Act
- a list of prescribed persons that employees can contact when raising a concern.

7.3 Employees who do take a concern outside the Company should ensure that they do not disclose confidential information,

7.4 If you feel that it is right to take the matter outside the Company the following are possible contact points:

- Audit Commission (telephone - 020 7828 1212)
- The Police (Kent Police telephone - 01662 690690; Sheffield Police telephone – 0114 2202020)
- Your trade union
- Your solicitor

7.5 If you want to seek external advice please contact Public Concern at Work (an independent registered charity who can give advice - telephone number 020 7404 6609 or [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk))