

## **Whistleblowing Policy**



### **Michael Lonsdale Group**

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## **Whistleblowing Policy Statement**

### **Introduction**

This policy applies to all employees and officers of the Michael Lonsdale Group. Other individuals performing functions in relation to the Michael Lonsdale Group, such as agency workers and contractors, are encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by workers or officers of the Michael Lonsdale Group is reported and properly dealt with. The Michael Lonsdale Group 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 and ensures that anyone who makes a disclosure will not be penalised or suffer any adverse treatment for doing so regardless of whether the concern is proved unfounded.

### **Background**

The Public Interest Disclosure Act 1998 provides 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:

- a criminal offence;
- 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

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

Any person who is part of the Group and who makes such a protected disclosure has the right not to be dismissed, or be subjected to victimisation, because he or she has made the disclosure.

The Michael Lonsdale Group encourages its workers to raise their concerns under this procedure in the first instance. If they are not sure whether to raise a concern, he or she should discuss the issue with his or her line manager or a Director if he or she feels comfortable doing so.

### **Principles.**

- Everyone (including contractors and any organisation that engages with the Group) should be aware of the importance of preventing and eliminating wrongdoing at work and 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 person 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 of the worker will not be prejudiced because he or she has raised a legitimate concern.
- Victimation 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 Group's disciplinary procedure will be used, in addition to any appropriate external measures.
- 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, workers should not agree to remain silent. They should report the matter to a Director.

## **Procedure**

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his or her own contract has been, or is likely to be, broken, he or she should use the Group's Grievance Procedure.

### **Raising a concern**

1. In the first instance, and unless the worker reasonably believes his or her line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his or her line manager, any concerns should be raised with the worker's line manager. If he or she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should raise the issue directly with a Director.

### **Investigation**

2. The line manager or Director 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 person or people against whom the disclosure is made will be told at an early stage and will be allowed to respond as part of this process. Their confidentiality will be respected and the name of the person making the disclosure will not be disclosed at this stage.
3. The investigation will be handled sensitively and as speedily as possible and in accordance with the principles above. The person who made the disclosure may be asked to be involved in the investigation along with any other individuals involved giving a written statement. The worker's statement will be considered, and he or she will be asked to comment on any additional evidence obtained.
4. The line manager (or the person who carried out the investigation) will then report to the Board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the human resources department and start the disciplinary procedure. On conclusion of any investigation, the person who made the disclosure will be told the outcome of the investigation and what the Board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.



## **Outcome**

5. As stated above, if the person making the disclosure is concerned that his or her line manager is involved in the wrongdoing, has failed to make a proper investigation or to report the outcome of the investigations to the Board, he or she should inform a Director of the company, 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 Board. If for any other reason the worker does not wish to approach a Director or his or her line manager, he or she should also in the first instance contact Gary Herbert (Managing Director) or Michael Hoodless (Executive Chairman).
6. If on conclusion of the investigation the person making the disclosure 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 several bodies to which qualifying disclosures may be made. These include:
  - HM Revenue & Customs;
  - the Financial Conduct Authority (formerly the Financial Services Authority);
  - the Competition and Markets Authority;
  - the Health and Safety Executive;
  - the Environment Agency;
  - the Independent Office for Police Conduct; and
  - the Serious Fraud Office.

## **Support**

7. When a worker makes a disclosure, they are encouraged to use external support in the form of Protect, an independent organisation which offers support and advice to whistle-blowers. Protect's whistleblowing advice line number is 020 3117 2520. They can also be contacted at [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk).

## **Data Protection**

8. When an individual makes a disclosure, the organisation will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Signed:

Name: G A Herbert

Position : Managing Director

Date: 12 June 2019

For and on behalf of the  
Michael Lonsdale Group Board of Directors  
(Michael J Lonsdale Limited /  
Michael J Lonsdale (Electrical) Limited)

