

Whistleblowing Policy

Introduction

Jarvis is committed to the highest standards of openness, probity and accountability and we expect all staff to maintain similarly high standards.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the Company to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation, then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instances the line manager would be the appropriate person to be told). Any suspected wrong doing should be reported as soon as possible.

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Company has endorsed the provisions set out below to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Company, nor should it be used to reconsider any matters that have already been addressed under harassment, complaint, disciplinary or other procedures. Once the 'whistleblowing' procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Company.

Whistleblowing

Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to our activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment, and any breach of legal or professional obligations.

Scope of Policy

This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

This policy is designed to enable employees of the Company to raise concerns internally and at a high level, and to disclose information that the individual believes shows malpractice or impropriety. This policy is intended to cover concerns that are in the public interest and may at least initially be investigated separately, but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud,
- Failure to comply with a legal obligation or Statutes,
- Dangers to Health & Safety or the environment,
- Criminal activity,
- Improper conduct or unethical behaviour and
- Attempts to conceal any of these.

This policy does not form part of any employee's contract of employment, and we may amend it at any time.

Safeguards

Protection

This policy is designed to offer protection to those employees of the Company who disclose such concerns provided the disclosure is made:

- In good faith, and

- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety, and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case, malicious or wild allegation could give rise to legal action on the part of the persons complained about.

Whistleblowers must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied you should raise it formally using our Grievance Policy.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

However, if we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action.

Confidentiality

We hope that you will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret and only reveal it where necessary to those involved in investigating your concern. The investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. The Company will treat all such disclosures in a confidential and sensitive manner

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Company.

In exercising this discretion, the factors to be taken into account will include:

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

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a Disclosure

We hope that in many cases you will be able to raise any concerns with your manager. However, where you prefer not to raise it with your manager for any reason, you should contact the **Whistleblowing Officer - Aileen Courtney, HR Director**. Contact details are at the end of this policy.

On receipt of a complaint of malpractice, the member of staff who receives and takes note of the complaint, must pass this information on as soon as is reasonably possible, to the appropriate designated investigating officer as follows:

- Complaints of malpractice will be investigated by the appropriate Director unless the complaint is against the Director or is in any way related to the actions of the Director. In such cases, the complaint should be passed to the Chairman/CEO for referral.

- In the case of a complaint, which is any way connected with but not against the Director, the Chairman/CEO will nominate a Senior Manager to act as the alternative investigating officer.
- Complaints against the Chairman/CEO should be passed to the Finance Director, who will nominate an appropriate investigating officer, for example one of the Non-Executive Directors.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Chairman/CEO, who has the right to refer the complaint back to management if he/she feels that the management, without any conflict of interest, can more appropriately investigate the complaint.

We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or trade union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

If there is evidence of criminal activity then the investigating officer should inform the police. The Company will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and/or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible, without affecting the quality and depth of those investigations.

The investigating officer should, as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back, in writing, the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address.

Investigating Procedure

The investigating officer should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Company auditors and the police at this stage and should consult with the Chairman/CEO.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals/bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chairman/CEO.
- The Chairman/CEO will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Company Auditors to enable a review of the procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chairman/CEO or Group Finance Director.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Company recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

External Disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external.

Public Concern at Work operates a confidential helpline. Their contact details are at the end of this policy.

Key Contacts

Whistleblowing Officer	Name: Aileen Courtney Telephone: 07725 203906 Email: aileen.courtney@jarvisgrouppltd.co.uk
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk