



Whistle Blowing Policy

Introduction

Chandlers is committed to the provision of high quality services and promoting the highest standards of openness, probity and accountability. Employees and others who have serious concerns about any aspect of the companies work should be able to raise these concerns without fear of victimisation, discrimination or disadvantage.

It is in the interests of Chandlers, its employees and the public that wrongdoing is exposed and dealt with effectively. Members of staff are often the first to realise that there may be something seriously wrong within an organisation. In many circumstances it will be appropriate for staff to raise their concerns with their line manager and this procedure is not intended to discourage this. However, where staff may be cautious about expressing their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. Alternatively, there may also be circumstances where a member of staff has reported their concern to their line manager and received an unsatisfactory response. This confidential procedure is intended to ensure that suspicion of wrongdoing can be dealt with speedily and effectively.

This procedure seeks to balance safeguards for members of staff who raise genuine concerns about malpractice against the need to protect other members of staff, against uninformed or vexatious allegations which can cause serious difficulty for innocent individuals.

AIMS of the Procedure

- to promote a culture of openness and a shared sense of integrity throughout the company by inviting all employees to act responsibly in order to uphold the reputation of Chandlers and maintain public confidence.
- to provide safeguards so that members of staff feel able to raise concerns about malpractice ('a disclosure') within the company, without fear of adverse repercussions to the individual and a rapid mechanism for investigation of those concerns
- to provide feedback on action taken and advice on how to pursue those concerns further if the individuals is not satisfied with the outcome.

"Malpractice" for the purpose of this procedure, includes the following on the part of another employee, or any other person or persons acting on behalf:-

- Fraud or financial irregularity;
- Corruption, bribery or blackmail;
- Other criminal offences;
- Failure to comply with a legal or regulatory duty or obligation;
- Miscarriage of justice;
- Endangering the health or safety of any individual;
- Endangering the environment;
- Improper use of authority or powers;
- Serious financial maladministration arising from the deliberate commission of improper conduct;
- Unethical or improper conduct or conduct which breaches the companies policies or falls below the standards which the company subscribes to;
- Abuse of clients, improper discrimination against or relationship with clients;
- Concealment of any of the above.

Application of the Procedure

This procedure is intended to tackle genuine concerns of malpractice experienced by

- an employee of Chandlers Ltd;



Whistle Blowing Policy

- agency staff and self-employed staff employed on the companies work; or
- the staff of the companies contractors employed on Chandlers work.

For the purposes of this Procedure an individual who has grounds to believe that malpractice has occurred, is occurring or is likely to occur in connection with Chandlers is referred to as 'the discloser'.

Directors who are concerned about a particular matter should consult the Company Statutory Monitoring Officer (the Solicitor to Chandlers Limited).

This policy does not apply to:

- the relationship between employees, their managers and Chandlers, for which harassment and bullying or collective dispute procedures are more appropriate
- concerns and complaints by members of the public to which the Corporate Complaints Procedure will apply.
- agency, self-employed or contract workers as an alternative to such dispute resolution procedures as are set out in their contract with Chandlers Limited.

Designated Assessors

Chandlers Monitoring Officer will designate at least five senior members of staff of appropriate experience and standing within the company as "Designated Assessors"

On instruction by Chandlers Monitoring Officer, Designated Assessors are responsible for the preliminary investigation of disclosures and to make recommendations to Chandlers Monitoring officer as to what further steps, if any, should be taken.

The Monitoring Officer will co-ordinate the training of the Designated Assessors in the use of this procedure. A Designated Assessor may decline to investigate a disclosure on reasonable grounds such as:-

- previous involvement or interest in the matter concerned
- Inability or unavailable
- if satisfied, after consulting the Monitoring Officer, that some other Designated Assessor would be more appropriate to consider the matter

The Monitoring Officer may revoke any such designation as necessary and appoint new Designated Assessors. The Monitoring Officer will make regular reports of any such revocation or appointment, together with brief reasons to the Directors of Chandlers Limited.

Making a Disclosure

An individual who has grounds to believe that the malpractice has occurred, is occurring or is likely to occur in connection with Chandlers may report these concerns to the Monitoring Officer or their Designated Assessor

As soon as practicable the Discloser should communicate the disclosure through the companies Monitoring Officer, Designated Assessor of their choice or confidential reporting facility provided by Chandlers - Focus, Tel No: 0800 525967 - Focus will record full details of the allegations and once noted, a full report will be passed on to the Monitoring Officer who will refer it to a Designated Assessor to be dealt with in accordance with this procedure.

The initial disclosure should be made either

- wherever possible, in writing;
- otherwise orally, e.g. by telephone or at interview with a Designated Assessor.

The Discloser should provide as much supporting written evidence as possible about the disclosure, the grounds for the belief of malpractice and indicate why they have not felt able to raise their concerns through normal management channels.

Where a disclosure is made through the company's confidential reporting facility, full details of the allegations will be recorded and report passed on to the Monitoring Officer for referral to one of the Designated Assessors. The Discloser



Whistle Blowing Policy

may wish to provide their identity and if he/she does provide these details, they will not be passed to the Monitoring Officer or any other company's employee without the Discloser's express consent.

Disclosers are encouraged to give details of their identity. Anonymous disclosures are much less powerful but will nevertheless be considered having regard to: -

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation through other suitable sources.

On receipt of the disclosure, the Designated Assessor will offer to interview the Discloser in confidence. The interview should take place as soon as practicable after the initial disclosure. The Disclosure may be accompanied by a local trade union representative or work colleague at the interview. The Designated Assessor may be accompanied by an administrative assistant to take notes, which will not identify the Discloser. For safeguards in relation to confidentiality, see Section 9 below.

The purpose of the interview will be for the Designated Assessor to:-

- obtain as much information as possible from the Discloser about the grounds of the belief of malpractice; and
- to consult with the Discloser about further steps which could be taken.

Enquiries and Report by Designated Assessor

As soon as practicable after the interview (or after the initial disclosure if no interview takes place), and after consultation with the Monitoring Officer, the Designated Assessor determine their recommendations as to the further steps that should be taken such as:

- a report to the police or other appropriate public authority;
- investigation by the company's Internal Auditor (this will be the usual course where there are allegations of financial irregularities);
- a full investigation either internally by the company or externally e.g. by the companies auditors or by investigators appointed by the directors;
- action under the companies grievance, disciplinary, harassment and bullying or complaints procedures;
- referral for consideration under other specific procedures (e.g. child protection);
- no further action (the basis for which see below).

The Designated Assessor's recommendations will be made to the companies Monitoring Officer and the Directors of the company to decide whether or not they agree with them.

The recommendation will be made without revealing the identity of the Discloser except in the circumstances set out Section 9.

If the companies Monitoring Officer and the Directors decide not to implement fully any such recommendations that decision will be reported in the next periodic report to the Standards Committee.

The grounds on which the Designated Assessor may recommend that no further action are as follows:

- if satisfied that the Discloser has not shown that malpractice within the meaning of this procedure has occurred, is occurring or is likely to occur;
- if satisfied that the Discloser is not acting in good faith e.g. if after investigation it appears that the disclosure is willfully malicious or vexatious, in which case it may be referred for disciplinary action);
- if the matter concerned is already the subject of legal proceedings, or has already been referred to the police or other public authority;



Whistle Blowing Policy

- if the matter is already, has already been, or should be, the subject of proceedings under one of the company's other procedures relating to staff.

Once it has been decided what further steps (if any) should be taken, the Designated Assessor will, where their identity is known, inform the Discloser of the decision. If no further action is proposed, the Designated Assessor will give the Discloser the reasons for this in writing.

External Disclosure

It is recognised that in exceptional circumstances, or if dissatisfied after using this procedure, an individual might wish to make a disclosure without using the companies procedure. However, Individuals considering such a step are advised to take legal advice before making an external disclosure.

They may make an external disclosure:-

- on a confidential basis directly with bodies such as the external auditor or other appropriate public authority or such person as may be prescribed by the Secretary of State under Section 43F of the Public Interest Disclosure Act 1998. Before taking any such action, the Discloser is encouraged to inform the Designated Assessor;
- if they have reasonable grounds for believing that disclosure would lead to evidence being concealed or destroyed or that the Discloser will be subjected to a detriment as a result of making the disclosure.
- on a confidential basis for the purpose of taking legal advice.

Safeguards and Confidentiality

Any document, report or recommendation prepared by the Designated Assessors in relation to the matter will not identify the Discloser, unless:-

- the Discloser has consented to this in writing; or
- there are grounds to believe the Discloser has acted maliciously; or
- where the Designated Assessor is under a legal obligation to do so; or
- where the information is already in the public domain; or
- on a strictly confidential basis to the Designated Assessor's administrative assistant; or
- on a strictly confidential basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

The Designated Assessor will ensure that all information relating to the disclosure (including that held electronically) is kept secure so that, as far as practicable, only the Designated Assessor and his or her administrative assistant shall have access to it.

Disclosers will be under an obligation to use all reasonable endeavors to ensure that they and their representative or work colleague (if any) keeps this matter strictly confidential save, as permitted under this procedure, as required by law or until such time as it comes into the public domain.

The Discloser will not be required by the company, without his or her consent, to participate in any enquiry or investigation into the matter established by the company unless there are grounds to believe that the Discloser may have been involved in the misconduct or malpractice.

Where the Discloser participates in any enquiry or investigation, that participation will usually be required to be on an open rather than a confidential basis. The obligations of the Designated Assessor detailed above will remain in relation to the identity of the individual as the original Discloser of information.

Chandlers will not (and it will use all reasonable endeavors to ensure that its employees do not) subject the Discloser to any detriment, on the grounds of the Discloser's disclosure of information under this procedure (unless there is proved abuse of this procedure through the making of willfully malicious or vexatious disclosures). The Discloser should report any complaints of such treatment to the Designated Assessor. If the Discloser wishes the Designated Assessor to take action in relation to such complaints, the Discloser may be asked to consent in writing to the Designated Assessor revealing the Discloser's identity for the purposes of any such action.



Whistle Blowing Policy

Monitoring

Chandlers Monitoring Officer will produce an annual report for the Standards Committee on the use of this procedure and the outcome of investigations, including disclosures where no further action is taken. Such reports will not normally identify the Discloser.

Review

This procedure may be amended by Chandlers Limited from time to time.

This procedure will be reviewed periodically by the Directors. Any comments or suggestions about the procedure should be referred to the Companies Monitoring Officer.