

# Pluss

## WHISTLE BLOWING POLICY

**Purpose:** This policy is designed to provide guidance to all those who work with or within the Company who may from time to time feel that they need to raise certain issues relating to the Company with someone in confidence.

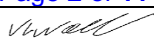
<b>Owner</b>	<b>Corporate Human Resources</b>	
<b>Approved</b>	<b>01.04.2010</b>	
<b>Introduction Date</b>	<b>01.04.2010</b>	
<b>Review Date</b>	<b>07.10.2018</b>	
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Change History		
<b>Version</b>	<b>Date</b>	<b>Summary of Change</b>
1.1	01.04.2012	Review and update accordingly. Names and job titles of those responsible have been changed
1.2	01.04.2015	Reviewed with minor updates to named responsible persons and job titles.
1.3	01.11.2015	Reviewed with minor updates to named responsible persons and job titles.
1.4	01.09.2016	Reviewed with minor updates to named responsible persons and job titles
1.5	07.10.2017	Reviewed with minor updates to named responsible persons and job titles



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## 1.0 POLICY INTRODUCTION

Pluss encourages a free and open culture in dealings between all employees engaged to provide services for the Company, irrespective of whether such a contract is temporary, fixed term or is of a permanent duration and to both internal employees and external customers and all people with whom it engages in business and legal relations. In particular, Pluss recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the Company's success ensured.

Pluss maintains this whistleblowing policy has been generated to protect the Company, its data and ensure security and comfort of all employees.

This policy is not intended to be complete or all-inclusive. The Company continues to rely on the good sense of all employees and anyone engaged to provide services to behave in a proper manner and to respect the property and person of others.

Pluss seeks to conduct its business honestly and with integrity. Pluss takes its duty to identify maladministration and unethical behaviour seriously. It encourages a philosophy of openness and accountability within the Company.

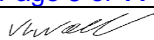
## 2.0 SCOPE

This policy applies to all employees engaged to provide services for the Company, irrespective of whether such a contract is for temporary, fixed term or is of a permanent duration and anyone who comes into contact with any of the services Pluss has to offer.

The policy is non-contractual and does not form part of an employee's contract of employment.

## 3.0 POLICY AIMS

- The aim of this policy is to ensure that all individuals are confident in raising any matters of concern without fear of retaliation.
- Individuals, who in good faith, raise genuine concerns under this policy will not under any circumstance, be subjected to any form of detriment or disadvantage as a result of having raised their concerns, and all matters will be taken seriously and if appropriate investigated accordingly and confidentially.
- To provide avenues that individuals can access to raise concerns in confidence and receive feedback on any action taken

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- To ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- To reassure individuals that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made a disclosure in good faith

#### 4.0 WHAT IS WHISTLEBLOWING

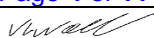
4.1 Whistleblowing is the term used when an individual raises a concern about a possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, shareholders, the public or the Company's own reputation.

4.2 The Employment Rights Act 1996 as amended by the Public Interest Disclosure Act 1998 governs the making of disclosures concerning workplace activities and is intended to protect employees who profess from being subject to any detrimental or unfair treatment as a result.

#### 5.0 WHAT TYPES OF CONCERN ARE COVERED

- 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
- Unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse
- Other unethical conduct

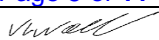
NB. Other procedures are available to employees e.g. the Grievance procedure which relates to complaints about an individual's employment.

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## 6.0 RESPONSIBILITY FOR THE POLICY

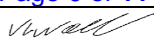
- 6.1 The Finance and Corporate Services Director has overall responsibility for Pluss' policy on whistle blowing, but has named a Designated Whistleblowing Officer (DWO) as responsible for overseeing and implementing our policy.
- 6.2 The Pluss Leadership Team (PLT) is responsible for annual monitoring and evaluation of the policy, including recommendations for change (resulting from investigations into complaints under the policy).
- 6.3 The Finance and Corporate Services Director of Pluss has a particular duty to ensure the smooth flow of this policy and to ensure that employees feel confident to raise any concerns without fear of any detriment.
- 6.4 All employees are responsible for the success of this policy and should ensure that they take steps to disclose any misconduct or transgression should they become aware of it.
- 6.5 The table below provides full details of those who are responsible for the implementation and monitoring of this policy and for details of how to report a confidential disclosure.

Responsible Role	Title	Name	Contact details
Designated Whistleblowing Officer (DWO)	Head of HR	Vickie Ward Pluss, Offices 1-4 Merriott House, Hennock Road Central, Marsh Barton, Exeter EX2 8NP <a href="mailto:vickie.ward@pluss.org.uk">vickie.ward@pluss.org.uk</a>	01392 224441 M: 07867537539
PLT and Executive Board Member	Finance and Corporate Services Director	Martin Ridgeway Pluss, Offices 1-4 Merriott House, Hennock Road Central, Marsh Barton, Exeter EX2 8NP <a href="mailto:martin.ridgeway@pluss.org.uk">martin.ridgeway@pluss.org.uk</a>	01392 224452 M: 07919396063
PLT and Executive Board Member	Chief Executive Officer	Steve Hawkins Pluss, Offices 1-4 Merriott House, Hennock Road Central, Marsh Barton, Exeter EX2 8NP <a href="mailto:steve.hawkins@pluss.org.uk">steve.hawkins@pluss.org.uk</a>	01392 428581
Non Executive Board Member	Chair of Board	Stephen Otter Pluss, Offices 1-4 Merriott House, Hennock Road Central, Marsh Barton, Exeter EX2 8NP	01392 428581
External Auditor	Francis Clark	Pluss External Auditor Centenary House Peninsula Park, Rydon Ln, Exeter EX2 7XE. Audit Senior Manager is currently Louise Bridgett. <a href="mailto:louise.bridgett@pcf-francisclark.co.uk">louise.bridgett@pcf-francisclark.co.uk</a>	01392 667000

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## 7.0 WHEN SHOULD THE POLICY BE USED

- 7.1 Concerns about malpractice and unethical behaviour which fall within the categories in 7.3 and affect or could affect, customers, service users, members of the public or other employees should be raised using the procedure set out in section 9.
- 7.2 Complaints not associated with whistleblowing, such as grievances (grievances affect the particular person complaining whereas a whistleblowing complaint is about someone else or the way the business is run) should be addressed using the relevant policy.
- 7.3 This policy should be used if there is a genuine concern that there are reasonable grounds for believing that:
- a criminal offence has been committed, is being committed, or is likely to be committed
  - a person has failed, is failing, or is likely to fail to comply with their legal obligations
  - the environment has been, is being or is likely to be damaged
  - any of the above are being, or are likely to be, deliberately concealed
  - a miscarriage of justice has occurred, is occurring, or is likely to occur
  - the health and safety of any individual has been, is being, or is likely to be endangered
  - the protection and safeguarding of vulnerable adults
  - actions which may compromise contract compliance (falsifying documents)
  - removing secure information or data from secure sites
- 7.4 It is not necessary that an employee proves the breach or failure that they are alleging has occurred or is likely to occur, but it is necessary to have a reasonable suspicion.
- 7.5 Employees should note that they will not be protected from the consequences of making such a disclosure if, by doing so, they commit

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a criminal offence or if they make the disclosure motivated by a reason which is not in good faith.

7.6 Specific acts or behaviour which might warrant a whistleblower to come forward include:

- breach of confidentiality
- the provision of negligent advice
- financial fraud
- harassment occurring to others
- breach of health and safety regulations

This policy covers illegal acts or omissions, ones which are contrary to policy or established procedure or outside the scope of an individual's authority, as well as actions which could damage Pluss' reputation and conflicts of interest.

7.5 Pluss take all concerns raised very seriously. If an individual is uncertain whether the matter falls within the scope of this policy, guidance should be sought from DWO.

## 8.0 WHO SHOULD A DISCLOSURE BE MADE TO

8.1 In the first instance such concerns should be raised with the Head of HR who assumes the role of DWO. They will then report directly to the PLT or the Board of Directors if appropriate. In the absence of the DWO the Finance Director or the Chief Executive Officer may nominate another officer to carry out the DWO's duties under this policy.

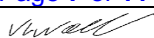
8.2 If the disclosure involves the DWO, you should report it directly to the Finance Director or the Chief Executive Officer.

8.3 The Company will endeavour to deal with reports promptly and fairly. However, if an individual has made a disclosure and they are dissatisfied with the conclusion, they should contact (in writing) the following:

### **For all disclosures relating to fraudulent financial activities**

Pluss External Auditors, The Engagement Partner, KPMG LLP, Plym House, 3 Longbridge Road, Marsh Mills, Plymouth, PL6 8LT

### **For all other issues**

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Any member of the Board of Directors whose details can be located on Pluss web site [www.pluss.org.uk](http://www.pluss.org.uk).

- 8.4 The Company envisages that disclosures will most likely to relate to the actions of its employees or directors but they may also relate to the actions of a third party, such as a customer. In such cases it might be appropriate for individuals to raise their concerns directly with the third party. However, prior to doing so the Company requests that individuals consult the DWO before approaching the third party.

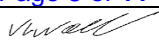
Individuals wishing to make a disclosure can also do so to the Public Concern at Work, which is an independent charity who is the leading authority on public interest whistleblowing <http://www.pcaw.co.uk>.

- 8.5 The Company's aim to remedy concerns in-house avoiding the need to external organisations. However, if a disclosure has been made and has not been remedied to the complaints satisfaction, it may be necessary for the individual to contact an external body.

To assist in such circumstances, the government has listed a number of bodies to which you can report: for example, the Environment Agency and the Health and Safety Executive. You can find the complete list and more information from 'Public Concern at Work' <http://www.pcaw.org.uk>. They can be contacted by telephone on 02074 046 609 and by e-mail at [whistle@pcaw.demon.co.uk](mailto:whistle@pcaw.demon.co.uk).

## 9.0 ACTIONS TO BE TAKEN WHEN MAKING A DISCLOSURE

- 9.1 Initial concerns can be raised with the DWO either verbally or in writing. At the time of raising the issue individuals must state that they are referring to the Whistleblowing Policy and specify whether they wish their identity to be kept confidential. If the matter is made verbally in the first instance it is likely that the Company will require a written statement either before or after the first meeting. The Whistleblowing Disclosure Form available from the DWO should be completed. Acknowledgment of this formal written disclosure will be sent to any compliant.
- 9.2 The individual will if they wish be allowed to be accompanied by a workplace colleague or trade union representative at any meeting with the DWO (or an individual acting in the DWO's place). Any representative will be asked to respect the confidentiality of the disclosure and any subsequent investigation.
- 9.3 All disclosures may be made anonymously; however, this will limit the extent to which the Company can investigate because it is not permitted to make anonymous allegations. Thorough investigation may prove impossible if the investigator cannot obtain further information from the compliant, provide feedback, or ascertain whether

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the disclosure was made in good faith. It is recommended that all complaints identify themselves to the DWO. Measures can of course, be taken to preserve confidentiality if appropriate.

## 10.0 INVESTIGATION OF DISCLOSURE

- 10.1 Pluss is committed to investigating all concerns thoroughly, fairly and promptly. Following formal, written submission, the DWO (or another individual acting in their place) will acknowledge receipt within five working days and follow up with arrangements for investigation if appropriate.
- 10.2 The time taken to investigate the disclosure will depend on its subject matter. Usually, an initial assessment will be carried out to ascertain whether there are grounds for a more detailed investigation or whether the disclosure is, for example, based on flawed information. Whatever the outcome of this first stage, a report will be produced and copies will be provided to PLT, the Board (if appropriate) and the complainant. If the complainant is dissatisfied with the investigation please refer to paragraph 5.3.
- 10.3 Where a more thorough investigation is required, an investigation team comprising experienced members with specialist knowledge of the subject matter will be commissioned. For example, if the disclosure concerns financial malpractice, the internal audit manager or the Finance Director may be asked to investigate. A number of personnel will be asked to make a statement of opinion based on the report produced by the investigation team.

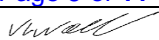
The investigation team will also be required to suggest improvements for change in order to minimise the risk of the recurrence of similar practise. PLT will then be responsible for reviewing and implementing such recommendations.

- 10.4 In most circumstances, the complainant will be kept informed of the progress of the investigation. However, we take the confidentiality of all parties very seriously; therefore we may be prevented from providing specific details.
- 10.5 There may be issues which cannot be dealt with internally; therefore the Company will appoint external authorities either during or after our investigation.

## 11.0 SAFEGUARDING AND CONFIDENTIALITY

### 11.1 Safeguarding

- 11.1.1 Pluss recognises that the decision to report a concern can be a difficult one to make. If any disclosure is made in good faith then an individual should have no reason to be concerned. It is vital that those outlined in

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section 6 are made aware so any relevant action can be taken thus ensuring the safety and security of the business.

- 11.1.2 Pluss will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect any individual who raises concern or makes a disclosure in good faith.

## 11.2 Confidentiality

- 11.2.1 Every attempt will be made to keep the complaints identity confidential at least until any formal investigation is under way.

- 11.2.2 In respect of this policy and in order to remedy the issue all complaints are to keep all details surrounding the matter, including the fact that they have raised a concern, the nature of the concern and the identity of those involved, confidential. In limited circumstances due to the nature of the investigation, it will be necessary to disclose the complaints identity and they might be asked to come forward as a witness. If this is the case they will be informed. However the Company shall attempt to protect them from any victimisation or detriment as a result of having made a disclosure. It is likely, however, that their role as the whistleblower could still become apparent to third parties during the course of an investigation.

## 12.0 Protection and Support

- 12.1 Appropriate steps will be taken to ensure that their working environment and/or working relationship is/are not prejudiced by the fact of the disclosure.

If the individual receives detrimental treatment as a result of raising a concern they should inform the DWO. Employees who victimise or retaliate against those who have raised concerns under this policy could be subject to disciplinary action.

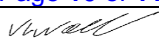
- 12.2 If it is found that a disclosure has been made maliciously, vexatiously, in bad faith or with a view to personal gain, the whistleblower could be subject to disciplinary action.

## 13.0 CORRECTIVE ACTION AND COMPLIANCE

- 13.1 Proposals for change are welcomed in order for Pluss to reduce the likelihood of the recurrence of any malpractice. PLT are responsible for reviewing and implementing these recommendations.

## 14.0 POLICY REVIEW

This will be reviewed in line with Pluss' policy review timetable.

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Official - Commercial

This policy links to the following documents:

- [Company Financial Regulations](#)

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