

WHISTLEBLOWING POLICY STATEMENT

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Purpose and Scope

Coleman Construction and Utilities Limited has introduced this Whistleblowing Policy to ensure all employees are able to operate safely, secure in the knowledge that they can stop work if they believe a task or situation will endanger themselves or others.

We are committed to creating and maintaining a culture of openness within our organisation so that individuals feel encouraged and confident to raise any concerns relating to suspected misconduct at an early stage.

We also recognise the negative effect which malpractice can have on the organisation, and therefore encourage you to raise genuine concerns, or any suspicions that you may have concerning misconduct.

This Policy is intended to cover concerns that are made in the public interest. If the matter is of an individual or personal nature it should be pursued through the Grievance Procedure. Complaints relating to discrimination, victimisation or harassment should be dealt with through the Grievance Procedure.

This Policy applies to full and part-time workers, and contractors, home workers and agency workers, except if they are genuinely self-employed.

This Policy is non-contractual and may be amended by us at any time.

Protection

We appreciate that those reporting concerns may be apprehensive. We want to reassure you that you will suffer no detrimental treatment as a result of voicing your concerns.

We will not tolerate victimisation, harassment, bullying or any other detrimental treatment of any worker who has made a disclosure under this Policy. Complaints about such behaviour will be dealt with under the Disciplinary Procedure.


To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law. The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories detailed in the section below.

Should you feel you have been subjected to any detriment as a result of raising a concern under this Policy you should notify the compliance manager.

Disclosures under this Policy

You can make a disclosure under this Policy if you have genuine concerns relating to any of the following areas of malpractice, or suspected malpractice:

- Criminal activity

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- Miscarriages of justice
- Practices endangering health and safety
- Practices damaging the environment
- Failure to comply with a legal obligation
- Bribery
- Financial malpractice, impropriety or fraud
- Serious failure to comply with any codes of practice or ethical rules covering the business
- Attempts to conceal any of the above

The malpractice can be past, present or prospective.

You are encouraged to report suspected wrongdoing as soon as possible. No action will be taken against you if you raise genuine concerns even if the concern you raised is not confirmed by any subsequent investigation.

Confidentiality and anonymity

Any employee who stops work in good faith due to unsafe conditions or reports wrongdoing is performing a valuable service to the company and will be protected from any form of penalty for having done so. Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.


Any disclosure you make under this Policy will be treated as far as reasonably practicable in a confidential and sensitive manner. If confidentiality is not reasonably practicable, for instance, because of the nature of the information, this will be explained to you.

We hope you will feel comfortable to voice any concerns openly, however, you may make a disclosure anonymously. However, concerns expressed anonymously cannot be dealt with as effectively as open disclosures as they are often more difficult to investigate.

How to make a disclosure

In the first instance you should bring the matter to the attention of the compliance Manager who will inform your immediate line manager. If the disclosure contains allegations about your immediate manager or the malpractice occurs at this level, you may make the disclosure directly to Compliance Manager who will inform the Managing Director. This may be done anonymously if preferred via letter or phone call, although be aware the company will not be able to provide feedback or information on actions taken if the report is anonymous. Confidentiality can be requested when making a disclosure.

If your disclosure contains allegations which you do not wish to make to the Compliance Manager, you can make the disclosure to the Managing Director.

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You do not need to provide evidence when making a disclosure.

The company is committed to treating all disclosures consistently and fairly and to taking all reasonable steps to maintain the confidentiality of the whistle-blower where it is requested (unless required by law to break that confidentiality).

If you are unsure about talking to management, further information and advice to those thinking of blowing the whistle can be found on the Government website and through ACAS.

See also our Work Safe Policy CQF3139.

Compliance Manager can be contacted at -

James Phillips
Coleman Construction and Utilities Limited
Coleman House
Brook Way Business Park
Ivyhouse Lane
Hastings
TN35 4NN

Telephone: 01424 715743
Email: james.phillips@colemanconstructiongroup.co.uk

Managing Director can be contacted at –

Barry Coleman
Coleman Construction and Utilities Limited
Coleman House
Brook Way Business Park
Ivyhouse Lane
Hastings
TN35 4NN

Telephone: 01424 715743
Email: barry.coleman@colemanconstructiongroup.co.uk

Investigation

Once a concern has been raised, we will investigate this. If you have not made the complaint anonymously, you will be asked to attend a meeting as part of this investigation.

We will keep you informed as to the progress of the investigation, as far as is possible and appropriate bearing in mind, in particular, any confidentiality obligations that apply. Please note that you will not be given details of any disciplinary action taken unless we consider this appropriate.

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Dissatisfaction with the outcome of the process

If you are dissatisfied with the outcome of the investigation, you should raise this with the Managing Director, giving the reasons for your dissatisfaction. He will respond in writing notifying you of his/her acceptance or rejection of the need for further investigation and the reasons for this.

Training

All of our workers will receive an appropriate briefing to ensure that they are fully aware of their rights and responsibilities under this Policy. This Policy will be made available to all employees via the staff web pages, company website and Staff Handbook.

All managers will be fully briefed as to their role in supporting this Policy and the appropriate action to take in the event of any disclosure being made to them.

Breach of this Policy

We may invoke the Disciplinary Procedure if you are found to have subjected a whistle-blower to any form of detrimental treatment. It may also be invoked if you have intentionally misled us in respect of any matter, breached this Policy in any other way and/or if we believe that you have made a false allegation maliciously.

Victimisation of a whistle-blower is not acceptable. Any instances of victimisation will be taken seriously and managed appropriately.

External Reporting Bodies

We encourage you to report concerns internally using the channels outlined above. However, we recognize there may be situations where you feel more comfortable raising concerns externally. You can report concerns to the following independent reporting bodies:

- For Rail-Related Works: Contact the Confidential Incident Reporting and Analysis System (CIRAS)

General enquiries:

Call: 0203 142 5369
Email: enquiries@ciras.org.uk

To raise a concern:
<https://www.ciras.org.uk/Raise-a-concern>

Report hotline UK: 0800 4 101 101
Freepost CIRAS (UK only)

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- For Other Works: You can report to Protect <https://protect-advice.org.uk> or access the government's list of prescribed bodies at

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

These bodies are independent and offer confidential reporting mechanisms. They will take your concerns seriously and advise you on the appropriate course of action.