

# HUMAN RESOURCES WHISTLEBLOWING POLICY

RWHRP001




February 2019

## Document Control

### Author Block

Document Title	Whistleblowing Policy
Library Reference	RWLEP004v2.02
Language	English
English Title	Whistleblowing Policy
Translation	None
Classification	Level 1 - RW Business Only
Policy Producing Function	Legal
Document Author	Caroline Walsh
Document Approver	Alan Bannatyne
Geographic Application	Global
Original Issue Date	5 Dec 2006
Last Review Date	20 Feb 2019
Next Review Date	Feb 2020
Revision Frequency	12 monthly

### Version Control

Version	Date	Amended by	Notes	Signed
1.0	05/12/06	Caroline Walsh	Initial version – no previous issues.	Ingrid Armstead
2.0	01/11/16	Nigel Garretty	Updates original issue of document to new corporate format and content.	
2.01	30/07/18	Darren Cox	Reviewed and re-authorised by new Group HR Director.	
2.02	20/02/19	Alan Bannatyne	Reviewed and re-authorised by Group CFO.	

*Printed versions of this policy are uncontrolled (i.e. may not be the current version).*

---

## **CONTENTS**

<b>Document Control</b>	<b>1</b>
Author Block	1
Version Control	1
<b>1.0 General Introduction</b>	<b>3</b>
1.1 Purpose	3
1.2 Objectives	3
1.3 Scope	3
1.5 Integration with other documents	3
<b>2.0 Policy statement</b>	<b>4</b>
<b>3.0 What is whistleblowing?</b>	<b>4</b>
<b>4.0 Raising concerns</b>	<b>4</b>
<b>5.0 Your protection</b>	<b>5</b>
<b>6.0 Procedure for external regulatory disclosure</b>	<b>6</b>
<b>7.0 Response</b>	<b>6</b>

---

---

## 1.0 General Introduction

**The Whistleblowing Policy exists to ensure that employees/workers have a formal system that encourages them to voice their concerns**

### 1.1 Purpose

---

The purpose of this policy is to provide clarity to the arrangements implemented by the Group when an employee or worker (or a group of employees or workers) raises a concern about malpractice or wrongdoing or provides certain types of information, usually about illegal or dishonest practices within an organisation.

### 1.2 Objectives

---

1. Maintain compliance with all relevant legal, regulatory and contractual requirements, including as a minimum, Public Interest Disclosure Act 1998.  
See also the Trade Secrets Directive 2016/244/EU.
2. Provide a reference document for training purposes.
3. Provide guidance for best practice.

### 1.3 Scope

---

This policy should be applied to:

- All areas of operations of the Robert Walters Group.
- All staff employed both permanent and contracted and candidates visiting Group premises.

### 1.4 Principles

---

This policy will be subject to review under the following circumstances:

- As part of an annual policy review by the Document Invigilator.
- Following change in regulation.
- Following an issue (such as a complaint relating to whistleblowing).
- On request by a Board member.

All managers are responsible for implementing the policy within their business areas.

### 1.5 Integration with other documents

---

This procedure may need to be read in conjunction with the following documents:

- Ethical Conduct Policy
- Equality & Diversity Policy
- Group's Disciplinary Procedure

## 2.0 Policy Statement

The Robert Walters Group is firmly committed to maintaining the highest standard of ethics, honesty, openness and accountability. It recognises that all of its staff have an important role to play in achieving this goal.

This policy is intended to encourage and enable staff of Robert Walters (the Company) including employees, temporary workers and fixed term contractors, to raise genuine concerns or disclose information which the individual believes shows malpractice or wrongdoing within the Company's activities, in an effective and timely manner, without fear of reprisal and in the knowledge that their concerns will be taken seriously and investigated as appropriate.

### Who is covered by this policy?

This policy applies to all individuals working at all levels of the Company including senior managers, directors, employees, consultants and temporary workers (collectively referred to as "staff" in this policy).

### Procedure

This policy and procedure is intended to conform to the guidance in the Public Interest Disclosure Act 1998 (PIDA) also commonly known as the "Whistleblowing Act" which came into effect in July 1999.

## 3.0 What is Whistleblowing?

- 3.1 Someone "blows the whistle" when they report matters (including but not limited to) a genuine belief of potential dangers or wrongdoing at work such as health and safety risks, potential environmental damage, fraud, cover-ups or corruption, to someone who has the authority to do something about it.
- 3.2 Under PIDA, qualifying disclosures include one which, (in the reasonable belief of the worker making the disclosure), suggests that one or more of the following has been committed, is being committed or is likely to be committed:
- A criminal act
  - A breach of a legal obligation (such as negligence or breach of internal rules and regulations)
  - Miscarriage of Justice
  - Danger to health and safety
  - Bribery
  - Financial fraud or mis-management
  - Damage to the environment
  - Deliberate covering up of information tending to show any of the seven matters above.
- 3.3 This procedure is not a substitute for the Company's Grievance Procedure. The procedure is not a channel for staff to raise matters in relation to their terms and conditions of employment, or other aspects of the working relationship, complaints of bullying, harassment or disciplinary matters. These matters are likely to be dealt with under other policies, such as Equal Opportunity & Diversity and Anti-Harassment, which should be referred to.

## 4.0 Raising Concerns

- 4.1 Any individual who genuinely and reasonably has a malpractice concern should inform their line manager/Head of Department of their concern. In the event that this is not considered to be appropriate, concerns should be reported to the Senior Independent Non-Executive Director. Concerns may be raised in person or in writing.

- 4.2 All concerns raised will be taken seriously and investigated to its full extent.
- 4.3 We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 4.4 We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.
- 4.5 In addition a Contact Us email address is available on the Group's websites so any negative feedback or improper conduct can be acted upon swiftly by the Group Marketing Director and local senior management".

## 5.0 Your Protection

- 5.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if any individual wants to raise their concern confidentially, we will make every effort to keep their identity secret; although, this may not always be possible. Concerns expressed anonymously will be acted upon where possible, however due to the difficulties of investigating anonymous allegations, we encourage individuals to come forward. If the situation should arise where it is not possible to resolve a concern without revealing the identity of the individual who raised it, the Company will discuss with the relevant individual how to proceed.
- 5.2 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- 5.3 Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or any other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your line manager or Head of Department. If the matter is not remedied you should raise it formally using our Grievance Procedure.
- 5.4 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action, which could include dismissal or termination of an assignment.
- 5.5 In order to qualify for protection the individual must ensure that they are making a "qualifying disclosure". The individual must honestly and reasonably believe that the information and any allegation in it are substantially true; making sure that the disclosure is reasonable in all of the circumstances and, not make the disclosure for personal gain.
  - 5.5.1 **False allegations** - Individuals who raise a concern in good faith, which is shown to be unsubstantiated by the investigation, will not have action taken against them. However, if anyone makes a frivolous or malicious allegation, makes an allegation for personal gain or makes an allegation knowing it to be untrue, then disciplinary action will be taken, which could include dismissal or termination of an assignment.
  - 5.5.2 **Contractual duties** - Any provision in an agreement/contract between a worker and his employer which would prevent the worker from whistleblowing would be deemed void.
  - 5.5.3 **Outside the UK** - The protection under this policy applies even if the qualifying disclosure concerns a relevant failure which took place overseas, or where the law applying to the relevant failure was not that of the United Kingdom.

## 6.0 Procedure for External Regulatory Disclosure

- 6.1 This policy is intended to provide staff with an internal mechanism for raising concerns with the Company. The Company hopes that any staff making use of the policy will be satisfied with any action taken and should not find it necessary to alert anyone externally. However, if any member of staff is not satisfied with the action taken, or if they otherwise feel unable to raise a concern within the Company, PIDA provides protection for an employee who makes a qualifying disclosure to an external source. The prescribed regulatory bodies include, but are not limited to, FSA, HM Revenue and Customs, Office of Fair Trading, Health and Safety Executive and BIS.
- 6.2 Public Concern at Work is a charity, completely independent of the Company, which specialises in providing free and confidential legal advice on how to raise a concern about serious malpractice at work. Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.
- Public Concern at Work  
Telephone: +44 (0) 207 404 6609  
Email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)
- 6.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a client or other agency. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage staff to report such concerns internally first - for example, with a line manager or Head of Department.

## 7.0 Response

- 7.1 Once the concern or disclosed information has been reported, the Company will look into the matter to initially assess what action should be taken. If your concern falls more within the Company's other policies for example, Grievance or Harassment Policies, we will tell you.
- 7.2 The Company will institute the appropriate enquires and/or investigations:
- The Company will tell you who is handling the matter and how you can contact them; and
  - Advise whether your further assistance may be requested.
- 7.3 While the main purpose of the policy is to enable the Company to investigate possible incidents in relation to the discussed above, and take appropriate steps to deal with it, we will give you as much feedback as we can. However, we may not be able to tell you the precise action we take where this would infringe on a duty of confidentiality owed by us to someone else. Staff should treat any information about our investigation as confidential.
- 7.4 This policy does not form part of any staff contract and it may be amended at any time – to reflect changes in the law, for example.



.....  
Darren Cox  
Group HR Director



.....  
Giles Daubeney  
Deputy CEO

30<sup>th</sup> July 2018