

WHISTLEBLOWING POLICY

Introduction

This policy applies to all employees of Pier Marketing Ltd (the Company). Other individuals performing functions in relation to the Company, such as agency employees and contractors, are encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by employees or officers of the Company is reported and properly dealt with. The Company therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Employees can get further advice on whistleblowing, protecting confidentiality, and being protected from reprisals at: www.protect-advice.org.uk.

Background

The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is the Company's responsibility to ensure that an investigation takes place.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

Pier Marketing Ltd encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether or not to raise a concern, they should discuss the issue with the Managing Director.

Principles

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.

No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because they have raised a legitimate concern.

Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence in line with the Disciplinary Procedure.

If misconduct is discovered as a result of any investigation under this procedure the Company's Disciplinary Procedure will be used, in addition to any appropriate external measures.

Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. They should report the matter to the Managing Director.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the Grievance Procedure.

Procedure

(1) In the first instance, if they believe the line manager to be involved, or for any reason does not wish to approach the line manager, then the employee should proceed straight to stage 3.

(2) The line manager will themselves, or immediately passing the issue to someone in a more senior position, instigate an investigation. The investigation may involve the employee and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account, and they will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the Managing Director, who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the Managing Director and start the Disciplinary Procedure. On conclusion of any investigation, the employee will be told the outcome of the investigation and what the Managing Director has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

(3) If the employee is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the Managing Director, they should inform the Managing Director, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make their own report as in stage 2 above. If for any other reason the employee does not wish to approach their line manager, they should also in the first instance contact the Managing Director. Any approach to the Managing Director will be treated with the strictest confidence and the employee's identity will not be disclosed without their prior consent.

(4) If on conclusion of stages 1, 2 and 3 the employee reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- the Director of Public Prosecutions; and
- the Serious Fraud Office.

Taking your concerns outside the Company

This policy outlines the process for raising, investigating, and resolving wrongdoing within the workplace. It is rarely necessary or desirable for anyone outside the Company to become involved when a whistleblowing allegation is made. In some exceptional circumstances, employees may, however, need to go to an external body, as described above.

Alerting the media to a concern, particularly before or during an internal investigation, is almost never justified or appropriate in any situation. We strongly discourage employees from doing so and will treat any contact with the press as a serious disciplinary issue justifying dismissal unless exceptional circumstances exist. We would normally expect employees to have taken all reasonable steps to deal with the matter internally, or with an external regulator, and to have taken full advice from a lawyer or from Protect (an independent charity offering an advice line 020 3117 2520) before being justified in approaching the press.