



Policy Document

# OCS Group Limited Whistleblowing Policy & Procedure

February 2020



## 1. Introduction

All colleagues have a duty to maintain appropriate confidentiality in relation to the Company's affairs. However, where an individual discovers activities or information they genuinely believe shows malpractice/wrongdoing, it should be disclosed in accordance with the Company's whistleblowing policy and procedure.

## 2. Background

The Company is committed to conducting its business with honesty and integrity and expects all colleagues to maintain high standards. However, all organisations face the risk of adverse events from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them if they do.

The aims of this policy are:

- To encourage colleagues to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated appropriately and in confidence.
- To provide colleagues with guidance on raising concerns.
- To reassure colleagues that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be unfounded.

## 3. Scope of the policy

This policy covers everyone working for OCS, including senior managers, officers, directors, employees, workers, consultants, contractors, trainees, home workers, part-time and fixed-term employees, agency staff and volunteers.

Former employees, workers, agency staff and consultants can also raise a concern under this policy.

## 4. What is whistleblowing?

Whistleblowing is the reporting of suspected wrongdoing, malpractice or risk in relation to Company activities. This may include:

- Criminal activity
- Failure to comply with any legal or professional obligation
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Security risks
- Bribery
- Financial fraud or mismanagement
- Conduct likely to damage the Company reputation or financial wellbeing
- Unauthorised disclosure of confidential information
- Negligence

The Public Interest Disclosure Act (1998) gives legal protection to employees against being dismissed or victimised if they make 'protected disclosures' as defined in the Act. In addition, the Company believes that individuals should be able to raise legitimate concerns that do not fall within the definitions set down in the Act, without fear of reprisal.

## 5. General principles

- An employee must only raise concerns under this policy about a suspected risk, malpractice or wrongdoing that affects others such as clients, suppliers, colleagues, customers, the Company or the public interest.
- Concerns which relate to a personal grievance or dispute should be dealt with in accordance with the Company's grievance policy and procedure. This policy is not intended as a means to re-open matters that have already been addressed under the grievance or disciplinary policies and procedures, or to question legitimate financial or business decisions taken by the Company.
- Abuse of this procedure by maliciously raising unfounded allegations, either internally or externally, will be regarded as a serious disciplinary offence and may result in dismissal.



- Where an allegation is made, the person or persons against whom the allegation is made will usually be informed of the allegation and the evidence supporting it and shall be allowed to comment and provide appropriate information before the investigation is completed.
- Any allegation of malpractice or wrongdoing shall be treated in the strictest confidence and investigated immediately. The identity of the individual raising the complaint shall not be disclosed to the alleged perpetrator of malpractice without that individual's prior approval, unless this is incompatible with a fair investigation.
- If an individual makes an allegation, they must have a reasonable belief the allegation is true, and it must not be made for personal gain.

## 6. Procedure

Any concerns can be reported by contacting your local independent SpeakUp service on the freephone numbers below.

Country	Phone Number
Australia	1800 312 928
Bangladesh	00 44 191 516 7782
Cambodia	1800 209 761
India	00 0800 440 1256
Rep. of Ireland	1800 812 740
Malaysia	1800 220 054
New Zealand	00 800 72 33 22 55
Qatar	8000 250
Saudi Arabia	800 844 2067
Singapore	800 448 1773
Thailand	001 800 72 33 22 55
UAE	8000 441 3376
UK & Northern Ireland	0800 915 1571

In the case of critical, major and minor incidents, referrals are made to OCS Group Director of Corporate Affairs or OCS Group Company Secretary be made within 24 hours.

The OCS Group Director of Corporate Affairs or OCS Group Company Secretary may amend the categorisation of the concern raised accordingly.

Once a concern has been raised:

- The OCS Group Director of Corporate Affairs or OCS Group Company Secretary will acknowledge receipt of the complaint within 3 working days;
- An initial assessment by the OCS Group Director of Corporate Affairs or OCS Group Company Secretary will determine if the complaint warrants an initial fact-finding meeting or whether the complaint can be responded to in writing at this point;
- If a fact-finding meeting is arranged with the employee who has raised the concern, they will be entitled to be accompanied\* by a colleague or trade union representative. The fact-finding meeting will normally be conducted, dependant on the level of the complaint, by a sector manager;
- The manager will conduct an initial investigation to ascertain whether a full investigation is necessary and, depending upon the nature of the misconduct, whether it will continue to be investigated internally, or referred to an appropriate external party (e.g. independent auditors, the Police or a Regulatory authority).

*\*Except for former colleagues, workers, agency staff and consultants.*

If the initial assessment establishes a potential case to answer, the OCS Group Director of Corporate Affairs or OCS Group Company Secretary, in conjunction with a relevant HR colleague will appoint an appropriate independent investigating officer from a **separate business area which shall not normally be within the same sector**. The investigating officer will proceed to:

- Arrange a further investigation meeting with the individual to discuss the concern raised, unless the investigating officer believes they have all relevant information and documentation necessary;
- In some cases, appoint a specialist investigator, or investigators, including individuals with relevant experience or specialist knowledge of the subject matter;
- Where appropriate, make recommendations for change to the Regional Chief Executive Officer, HR Director or relevant Managing Director to enable the Company to minimise the risk of future wrongdoing;



- Keep the individual informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the investigating officer giving the individual specific details of the investigation or any disciplinary action taken as a result. The individual should treat any information about the investigation as confidential;
- Once the investigation is completed, complete the whistleblowing report and inform the individual, subject to any third-party rights, of the outcome of the investigation;
- Recommend their completed report is used to form part of an investigation under the Company's disciplinary policy and procedure and/or refer the matter to the Police or an external body (where appropriate) where it is determined there is a case(s) to answer;
- Provide the OCS Group Director of Corporate Affairs with a copy of their report to enable appropriate monitoring and auditing of the whistleblowing policy.

All matters raised will be treated in strict confidence and every effort will be made not to reveal the identity of the individual raising the concern, unless they give their express consent. However, the individual may be required to come forward as a witness if the report becomes the subject of a criminal investigation.

In the event that after investigation it is considered that a known employee has made a false, frivolous, or malicious claim then the matter should be referred to the HR department, who will ensure any appropriate disciplinary process is followed.

## 7. Timescales

The Company will endeavour to deal with all concerns raised within three months from first receipt of the complaint to the notification of the decision. As guidance, the initial fact finding meeting should be arranged within 7 days of receiving the complaint; the independent investigating officer should hold the further investigation meeting within 14 days of the outcome of the initial investigation and notify the decision to the employee within 28 days of the meeting, allowing enough time for any appeal to be concluded.

Individuals who are dissatisfied with the outcome of their request may lodge an appeal within 7 days of the outcome. The appeal should be dealt with by an independent investigating officer on the same level or above as the original investigating officer. Whenever possible, a meeting to discuss the grounds of appeal will be heard within 14 days. The individual should be informed of the outcome of the appeal within 14 days of the meeting.

## 8. Protection and Support for Whistleblowers

Understandably whistleblowers are sometimes worried about possible repercussions following their disclosure. The Company aims to encourage openness and will support individuals who raise genuine concerns under this policy, even if they turn out to be unfounded or mistaken.

Individuals must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an individual believes they have suffered any such treatment, they should inform their manager immediately. If the matter is not remedied the individual should raise it formally using the Company grievance policy and procedure. However, if it is their manager who is subjecting them to detrimental treatment, the individual should contact the investigating officer.

Individuals must not threaten or retaliate against whistleblowers in any way. Such conduct may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue the individual personally for compensation in an employment tribunal.

## 9. External body

In most cases you should not find it necessary to alert any external body. However, the law recognises that in some circumstances it may be appropriate for colleagues to report their concerns to an external body such as a regulator. The Company strongly encourages individuals to seek advice before reporting a concern to anyone external (other than to the SpeakUp service).