

WHISTLEBLOWING POLICY

PURPOSE AND SCOPE

John Clark Motor Group is committed to ensuring that high ethical standards are maintained throughout its business. As part of this commitment, the Company seeks to support employees who report genuine concerns of malpractice or misconduct within the business.

This policy clearly outlines how employees can raise genuine concerns about wrongdoing in the workplace and details the Company's procedure for dealing with all such concerns.

The policy has been developed in accordance with the Public Interest Disclosure Act (1998) and as such ensures that all employees can raise concerns without fear of detriment or disadvantage.

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 organisation's responsibility to ensure that an investigation takes place.

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 his/her own contract has been, or is likely to be, broken, he/she should use the organisation's grievance procedure.

ABUSE OF THE POLICY

Voicing a concern about wrongdoing in the workplace should not be done lightly. Whilst the purpose of this policy is to support employees who come forward with information or concerns about wrongdoing, the Company will not tolerate the system being abused. If it should become clear that the procedure has not been invoked in the interest of the public, for example, for malicious reasons or to pursue a personal grudge against another employee or the interests of the Company, this could constitute misconduct and will be dealt with in accordance with the terms of the Company's disciplinary procedure.

In the event that the employee believes that they are being subjected to a detriment by another employee as a result of the decision to submit a concern, the employee must inform the person dealing with the concern or investigation immediately. Appropriate action will be taken to protect the employee from any reprisals.

EMPLOYEE PROCEDURE FOR DISCLOSING INFORMATION

Employees are encouraged to use the Company procedure set out below to raise any concerns about wrongdoing in the workplace.

Company Procedure:

Information may be disclosed or concerns may be raised either verbally or in writing to your Line Manager:

- 1) Employees who wish to raise a concern in writing must complete a Disclosure of Information Form and submit it to their Line Manager.
- 2) If the employee does not wish to raise a concern in writing, the employee may organise a meeting with their Line Manager, in order to inform him/her of the concern.
- 3) The Company recognises that some employees may not feel comfortable discussing their concerns with their Line Manager, particularly if it is the Line Manager who the employee suspects of wrongdoing. In these circumstances, the employee should contact their General Manager.
- 4) When the Line Manager receives the report of alleged wrongdoing, an assessment will be made of the form of action that should be taken. Some concerns or allegations may be resolved without the need for investigation; however others may require full investigation.
- 5) Under normal circumstances, the employee should expect to hear from their Line Manager within 10 working days of raising the concern. However, if the concern raised is of a serious nature, the Line Manager may refer the complaint to the employee's General Manager. This process may take some time, and the above deadline may not be achieved. In these circumstances the employee will be kept informed of the situation and notified when a proposed course of action has been determined.
- 6) Once a decision has been made on the proposed course of action, the Line Manager will complete a Proposed Course of Action Form. The individual will then be asked to sign the form to confirm that they consider the specified action to be appropriate.
- 7) If the proposed course of action is deemed to be inappropriate by the individual, does not occur in the time period proposed, or is unsuccessful, then the Public Interest Disclosure Act (1998) allows the employee to contact a prescribed external body. A full list of prescribed external bodies can be obtained from your Line Manager.

PROPOSED COURSE OF ACTION FORM

It is the responsibility of the Line Manager to complete this form and to ensure it is signed by both parties.

MANAGER'S NAME:	
EMPLOYEE'S NAME:	

BRIEF DEFINITION OF THE CONCERN

PROPOSED COURSE OF ACTION

I agree to the above proposed course of action and that I will follow the Company's internal investigation procedure to its fullest extent. I also agree to allow the action to be carried out in the time frame proposed, before any form of external action is started. I understand that all information relating to the concern is confidential, and should not be discussed with anyone other than those who are involved in the investigation. I understand it could be considered a breach of confidentiality if I do raise the concern externally, and therefore before I do this I should verify this with my Line Manager. Finally, I understand that if I raise a concern externally, there are prescribed bodies to whom I should raise the concern.

EMPLOYEE'S SIGNATURE:	MANAGER'S SIGNATURE:
Print :	Print:
Date :	Date: