



DRIVE  
SYSTEM  
DESIGN

# WHISTLEBLOWING

POLICY AND PROCEDURE

Drive System Design (DSD) is committed to the highest standards of openness, integrity and accountability, seeking to conduct its activities in a responsible way whilst creating a culture where concerns can be raised without fear of reprisal.

### **Purpose**

The aim of this policy is to enable and encourage individuals to raise matters of concern that are in the public interest, so that they may be investigated and, where appropriate, acted upon. All concerns raised by an individual will be treated fairly and properly and no individual will suffer any detriment for raising concerns under this policy.

### **Scope**

This policy applies to all employees and those who are engaged to work with DSD including apprentices, student placements, casual and temporary staff, agency workers, self-employed workers, contractors, clients and suppliers.

### **Review**

This policy will usually be reviewed every three years. Any changes to the policy and procedures may be made sooner for legal compliance.

### **What is Whistleblowing?**

Whistleblowing is when an individual reports suspected wrongdoing. Officially this is called 'making a disclosure in the public interest'.

A qualifying disclosure can be made by an individual when there is a reasonable belief that one of the following has been (in the recent past), is being, or is likely to be committed:

- A criminal offence
- A failure to comply with a legal obligation
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- Deliberate concealment of any of the above

### **Safeguards**

UK law protects employees from dismissal, harassment or victimisation and DSD will take action to protect individuals from such treatment, wherever possible, provided that:

- The concerns are raised in good faith
- The information provided is believed to be true
- Allegations are not made for personal gain

Every effort will be made to ensure confidentiality, however individuals should be aware that action taken as a result of a disclosure may lead to their identity being revealed, either by inference or as a result of disciplinary or legal proceedings.

It should be noted that the ability to provide appropriate feedback and protect against any detriment will depend on DSD knowing the identity of the individual making a disclosure.

### **False Allegations**

Individuals who make malicious, vexatious or false allegations knowingly may be subject to disciplinary action or other appropriate action. However, individuals who make allegations that turn out to be unfounded will not be penalised for being genuinely mistaken.

### **Making a Disclosure**

Individuals are encouraged to raise their concern with DSD first by contacting HR. This allows DSD the opportunity to right the wrong and give an explanation for the behaviour or activity.

If the disclosure isn't received by HR in the first instance, the member of staff who receives and takes note of the complaint, must pass this information to HR immediately.

HR will appoint a Designated Officer, as appropriate, to deal with the disclosure. The Designated Officer will acknowledge, in writing, any concerns raised within 5 working days.

The action taken will depend on the nature of the concern but could include (but not limited to):

- Investigated internally by an appropriate person
- Referred to the Police
- Referred to the Health and Safety Executive
- Referred to an external auditor

### **Investigation**

Complaints of malpractice will be investigated by an appropriate manager/director (Investigating Officer). If the complaint is against the Managing Director, then the complaint should be passed to the Chair who will act as the Investigating Officer.

The scope of the investigation will be determined by the Investigating Officer who may be supported by Human Resources (HR).

Investigations will be conducted as sensitively and promptly as possible, while having regard to the nature and complexity of the disclosure.

The intended timetable for the investigation will be notified to the individual making the disclosure. In order to seek to protect the identity of the parties concerned, those participating in the investigation will be reminded of the need to maintain strict confidentiality at all stages of the procedure.

The Investigating Officer may interview and/or seek a written statement from the individual who made the disclosure and any other individuals who they consider to be relevant to the investigation including anyone named in the disclosure. Any individual being interviewed under this policy and procedure may be accompanied to an investigatory interview by a work colleague or trade union representative. A refusal to participate in an investigatory interview may lead to disciplinary action.

When the Investigating Officer has concluded the investigation, they will provide a report with their findings to the Designated Officer. The Designated Officer will determine what action, if any, should be taken in the circumstances.

Individuals raising a concern will need to be assured that the matter has been dealt with properly, therefore will be notified when the process has been completed. This will normally be within 20 days of the concern being raised. In addition, details of what action has been taken may be given.

### **Raising Concerns Externally**

If an individual wished to raise a concern outside of DSD, they must ensure they do not disclose confidential information and also check they do not contravene the Public Interest Disclosure Act as this does not provide blanket protection.

The disclosure should be made to the prescribed person or body. Details of which can be found at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf)

The email address for HR is [hr@drivesystemdesign.com](mailto:hr@drivesystemdesign.com)

<b>Issue Number</b>	<b>Date</b>	<b>Changes Made</b>	<b>Owner</b>	<b>Approved By</b>
1.0	18/12/17	Initial Issue	AMF	AMF
2.0	19/12/17	Addition of contact details	AMF	AMF