

## **Introduction**

The Public Interest Disclosure Act 1998 gives employment protection to employees who disclose certain types of information about possible wrong doings or malpractice by their employer, commonly known as “whistleblowing” when they genuinely believe there is a problem.

This does not mean that employees will be encouraged to disclose confidential information about The Compleat Food Group without good cause, although we do encourage individuals to report issues where they have a genuine concern, for example if they believe that the Company has behaved fraudulently or illegally or has knowingly done something which endangers food safety.

If any employee makes a disclosure without real grounds in a malicious or mischievous way, they may be subject to the Company’s disciplinary procedure.

The procedure below is designed to allow concerns to be raised. It is not intended to replace existing grievance, disciplinary or other consultation procedures.

## **Procedure**

### **What is a “disclosure”?**

A “qualifying disclosure” is the disclosure of information that, in the reasonable belief of the employee, is made in the public interest.

The sorts of matters that would be appropriately dealt with through this procedure are:

- Food Safety, Legality, Integrity or Quality e.g. unsafe finished product being despatched or Raw materials being used that are knowingly illegal or adulterated
- Criminal offences
- Failure to comply with a legal obligation
- Miscarriages of justice
- Endangering the health and safety of any individual
- Endangering the environment
- Financial malpractice, for example fraud or money laundering
- Criminal offences such as corruption, bribery or blackmail
- Tax or customs offences
- Breaches of competition law
- Concealment of any of the above

The disclosure can relate to wrongdoings anywhere in the world; it is not restricted to matters purely arising in the United Kingdom.

This procedure does not cover the following since there are existing procedures under which they can be dealt with:

- Grievances or disputes affecting terms and conditions of employment, working conditions or breaches of employment contracts. These would be dealt with through the Company Grievance Procedure

- Complaints involving an allegation of misconduct or incapability by a member of staff, which should be dealt with through the Company Disciplinary and Capability Procedures
- Complaints relating to the Company not complying with Equal Opportunity laws, which should be dealt with through the Company's Equal Opportunities Policy and Grievance Procedure
- Complaints involving an allegation of harassment or bullying, which should be dealt with through the Company's Harassment and Bullying and Grievance Procedures
- Complaints involving the termination of the employee's employment with the Company, which should be dealt with through the Company's Disciplinary Procedure

#### **Who is covered by this policy?**

This policy and procedure applies to all permanent and temporary employees of The Compleat Food Group, and agency workers working in the business.

#### **What does employment protection mean?**

This procedure is designed to offer protection to anyone who discloses the type of matters highlighted above as long as they are made:

- In the reasonable belief that malpractice or wrongdoings have or are about to occur and
- To an appropriate person as detailed in this procedure

If an allegation is made and the subsequent investigation confirms that there was no wrongdoing by the Company, the employee making the allegation will be not suffer any detriment, bullying or harassment from employees or the Company.

If an employee who has made an allegation suffers less favourable treatment than any other employee because they have disclosed a matter of concern under this policy, then the employee treating the discloser inappropriately may be subject to disciplinary action.

If, however, an employee makes malicious, slanderous or vexatious allegations, they may be subject to disciplinary action.

A disclosure will not qualify for protection if the person making the disclosure commits a criminal offence by doing so.

#### **Confidentiality**

The Company will treat all disclosures in a confidential and sensitive manner. The identity of the person making the disclosure will be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the employee may need to provide a statement as part of the evidence required.

#### **Anonymous Allegations**

The Company encourages its employees to make any disclosures openly. However, if an employee wishes to remain anonymous, the Company will only be able to consider a disclosure made in these circumstances if:

- The issue raised is so serious as to warrant it
- Withholding the name of the employee who has raised the matter does not harm the credibility of the disclosure



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- Withholding the identity of the discloser does not deter another identifiable source from confirming the allegation

The company has an anonymous reporting system available for all employees. The system is operated by an external company called EthicsPoint. Posters for these reporting systems are displayed throughout the 5 businesses.

To make an anonymous disclosure, the following steps must be followed:

Via Phone:

1. Telephone: 0800 89 0011
2. When prompted, please enter the corresponding telephone number specific to The Compleat Food Group: 833 613 0667
3. You will then be transferred to a communication specialist to handle any report

Via Internet:

1. Visit [addofoodgroup.ethicspoint.com](http://addofoodgroup.ethicspoint.com)

EthicsPoint supports the most common languages spoken within The Compleat Food Group to ensure clarity of communication and understanding.

The records, actions, responses are all retained on the EthicsPoint system. All anonymous allegations will be passed to the Operating Company HR Controller for consideration, who will consult with others as they feel it is appropriate including through senior management meetings.

### **Trade unions**

This procedure is not intended to stop matters of concern being raised by recognised Trade Unions through the agreed joint consultation procedures.

### **How to make a disclosure**

The Company aims to ensure that all issues raised under this policy are dealt with speedily and effectively. To achieve this, issues should be raised with the people most able to deal with them. This section gives guidance to individuals, who may wish to raise an issue, as to the most effective route to do so.

If a complaint is made, the employee will be allowed reasonable time to seek advice prior to any meeting which forms part of the procedure. They will also be allowed to be accompanied by a work colleague employed by the Company or trade union representative of their choice.

### **Raising issues within operating companies**

#### Level 1

Concerns about malpractice or wrongdoing should wherever possible be raised and resolved with the appropriate persons(s) responsible for the matter that is the subject of complaint. For the majority of employees, therefore, the complaint will be most appropriately made within their operating company. Should the matter not be resolved satisfactorily by this means, then the employee may refer it to Level 2.

Where a disclosure relates to the employee's immediate manager, or where the employee believes that the matter is so serious or important to warrant it, they may make the initial disclosure at Level 2.

#### Level 2

Where the matter has not been resolved at Level 1, or where it is deemed inappropriate for the matter to be raised at Level 1, the employee may raise it formally in writing with the HR Manager.

To raise it formally with HR this can be in the way of an anonymous confidential letter (posted under the HR office door or confidential post box), named letter or conversation with the HR Manager.

The HR Manager will determine whether the matter is one that falls within the scope of this Policy or would be better dealt with by another procedure e.g. Company Grievance Procedure. If it is appropriate to deal with the matter under this policy, they will inform the site General Manager who will ensure that the complaint is fully investigated. The General Manager will consider all the information and decide if there is a case to answer.

If it is believed that there is evidence of wrongdoing or malpractice, the General Manager will be responsible for taking appropriate action to remedy the situation. If the complaint is not resolved to the satisfaction of the employee raising the matter, they may refer it to Level 3. All matters will be dealt with as speedily as possible and certainly within 15 days.

### Level 3

Where the matter has not been resolved at Level 2, the employee may raise the complaint formally with the Group HR Manager. The Group HR Manager will determine whether the matter is one that falls within the scope of this Policy or is better dealt with by another procedure e.g. Company Grievance Procedure. If it is appropriate to deal with the matter under this policy, they will inform the Managing Director who will ensure that the complaint is fully investigated.

The Managing Director will consider all the information.

If they believe there is evidence of wrongdoing or malpractice, they will be responsible for taking appropriate action to remedy the situation.

### **Raising issues directly with The Compleat Food Group**

It is anticipated that in normal circumstances most issues will be resolved by local operating company management. If an employee believes at any stage that the complaint cannot be dealt with adequately or appropriately within the Operating Company because of the nature of the complaint, it may be directed in writing to the Group HR Director

### **Raising issues externally**

Any employee has the right to make their concerns known to an external regulatory or independent organisation if they feel that the matter has not been resolved appropriately internally or to their satisfaction.

### **Raising issues about a non-The Compleat Food Group Company or employee**

If an The Compleat Food Group employee reasonably believes that their concern relates to a Company other than The Compleat Food Group or an employee of that company, then they should make the disclosure to the other Company

### **Investigating complaints**

Investigations to establish all relevant facts will be conducted as sensitively and quickly as possible. Wherever possible, investigations will not be carried out by any person who has had previous involvement in the matter concerned or who will have to reach a decision on the matter.

In some instances the company may feel it necessary to refer the matter to an external authority for further investigation, such as the Police or HSE.

The person or persons against whom a complaint is made will be informed and will be given any evidence supporting the complaint. They will be allowed to comment before any action is taken. Where it is appropriate and necessary, that person or those people will be suspended on full pay pending further investigations.

The outcome of any investigation will be communicated to the employee who made the disclosure only if they agree to keep this confidential.

**Confidential support**

Any employee who wishes to raise an issue who is uncertain as to how they should proceed may approach any member of the HR function who will seek to advise them.

Wherever possible the fact that an employee has approached the HR Department will remain confidential, however if the matter is one that the HR Department must report due to its seriousness or if there is a risk to others they will inform the employee that they have no choice but to report it whilst still seeking to keep the identity of the discloser confidential.

**Advice**

Any employee wishing to raise an issue, who is uncertain as to how they should proceed, may approach any member of the HR function who will advise them and treat this enquiry confidentially.