

WHISTLEBLOWING



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ABOUT THIS POLICY

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations from occurring and to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.



1.0

PERSONNEL RESPONSIBLE FOR THE POLICY

The Whistleblowing Officer has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.



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2.0

WHAT IS WHISTLEBLOWING?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

This may include:

- Criminal activity.
- Failure to comply with any legal or professional obligation or regulatory requirements.
- Miscarriages of justice.
 - Danger to health and safety.
 - Damage to the environment.
 - Bribery under our anti-corruption and bribery policy.
 - Financial fraud or mismanagement.
 - Breach of our internal policies and procedures.
 - Conduct likely to damage our reputation or financial wellbeing.
 - Unauthorised disclosure of confidential information.
 - The deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure. If you are uncertain whether something is within the scope of this policy, you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.



3.0 RAISING A WHISTLEBLOWING CONCERN

We hope that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing, if you prefer. They may be able to agree to a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.

However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Whistleblowing Officer, Felicia Corbett
- General Counsel, Dave Huchel

Contact details are set out at the end of this policy.

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. A written summary of your concern will be taken down and a copy provided to you after the meeting. It will also be an aim of the meeting to give you an indication of how it is proposed to deal with the matter.



4.0 CONFIDENTIALITY

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you. We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish if the allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer or one of the other contact points listed in the table at the end of this policy. Appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you may seek advice from UK Policy| Manual | Rev. 1 | 22 Mar 2019 | Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are also at the end of this policy.



5.0

INVESTIGATION AND OUTCOME

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases, we may appoint an investigator or team of investigators, including staff with relevant experience with investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.



6.0

IF YOU ARE NOT SATISFIED

While we cannot always guarantee the outcome you are seeking; however, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this. If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts listed below. Alternatively, you may contact the board of directors or our external auditors. Contact details are set out at the end of this policy.



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7.0

EXTERNAL DISCLOSURES

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to any external party. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy. Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your Line Manager or one of the other individuals set out below for guidance.



8.0

PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken. Whistleblowers 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 you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

Alternately, you must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action.



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9.0 CONTACTS

Contact	Contact Information
Whistleblowing Officer	Felicia Corbett
	+1 562-308-5388
	fcorbett@moffattnichol.com
Chief Legal Officer	David Huchel
	+1 562-308-5370
	dhuchel@moffattnichol.com
Legal Counsel, UK and EMEA	Carol Hill
	+44 (0)7561 858 640
	chill@moffattnichol.com
Public Concern at Work (Independent Whistleblowing Charity)	Helpline: 02074 046 609
	whistle@pcaw.co.uk
	www.pcaw.co.uk
Ethics Hotline	+1 855-252-7606
	www.complianceresource.com/products/ hotline-service-centre/







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