


PO-111

Whistleblowing Policy

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1. Purpose

The Public Interest Disclosure Act (PIDA) 1998 protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they blow the whistle on wrongdoing. The Act seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

This policy aims to provide TDR employees with a means for raising genuine concerns of suspected fraud, bribery, breaches of the law and other serious wrongdoings.

2. Scope

This policy applies to all employees of TDR, including any associates.

Employees might be unsure whether it is appropriate to raise their concern under this policy and procedure or whether it is a personal grievance, which is more appropriate to raise under the TDR staff grievance procedure (PO-107).

Any employee in this situation is encouraged to speak to their line manager or other member of the management team in confidence for advice.

3. Definition of whistleblowing

Whistleblowing is a term which is used when an employee (or ex-employee) publicly discloses perceived wrongdoing within an organisation. This is referred to as making a disclosure in the public interest. This means it must affect others, for example the general public. It does **NOT** include personal grievances and is usually only used as a last resort when all other channels have been exhausted.

4. Specific subject matter

If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following, they must use this policy and procedure:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That an individual has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- That the health or safety of any individual has been, is being, or is likely to be, endangered.
- That the environment, has been, is being, or is likely to be, damaged.
- That information tending to show any of the above, is being, or is likely to be deliberately concealed.

5. Procedure for making a disclosure.

Information which an employee reasonably believes to show one or more of the situations detailed in **Section 4** should be disclosed promptly to their line manager so that any appropriate action can be taken.

If it is inappropriate to make such a disclosure to their line manager, the employee can raise the issue with another member of the Management Team.

If the disclosure relates to the Chief Executive Officer (CEO), the employee can raise the issue with the Chairman of the TDR Board, Olivia Grant.

Employees are encouraged to identify themselves when making a disclosure. If an anonymous disclosure is made, TDR will not be in a position to notify the individual making the disclosure of the outcome of the action taken. Anonymity also means that TDR will have difficulty in undertaking an investigation.

TDR reserves the right to determine whether to apply this procedure in respect of an anonymised disclosure in light of the following considerations:

- The seriousness of the issues raised in the disclosure.
- How likely it is that the concern can be confirmed from attributable sources.

For further guidance in relation to this policy and procedure, or concerning the use of the disclosure procedure generally, employees should speak in confidence to a member of the Management Team.

6. Procedure for investigation of a disclosure

When an employee makes a disclosure, the recipient will acknowledge its receipt, in writing, within a reasonable time, normally within 5 working days.

The recipient of the disclosure will carry out an initial assessment to determine the scope of any investigation. They will inform the employee of the outcome of the assessment.

If the recipient considers that the disclosure does not have sufficient merit to warrant further action, the employee will be notified in writing of the reasons for that decision and advised that no further action will be taken by TDR under this policy and procedure. Considerations taken into account when making this determination may include (but is not limited to) the following:

- If the recipient is satisfied that an employee does not have a reasonable belief that suspected malpractice is occurring.
- If the matter is already the subject of legal proceedings or appropriate action by an external body.
- If the matter is already subject to another, appropriate TDR procedure.

When an employee makes a disclosure which has sufficient substance or merit warranting further action, the recipient will take action it deems appropriate (including action under any other applicable TDR policy or procedure). Possible actions could include an internal investigation; referral to TDR's auditors; referral to relevant external bodies such as the police, OFSTED, Health and Safety Executive or the Information Commissioner's Office.

If appropriate, any internal investigation would be conducted by a TDR manager or director without any direct association with the individual to whom the disclosure relates, or by an external investigator appointed by the TDR as appropriate.

Any recommendations for further action made as a result of the investigation will be addressed to the CEO who will take all steps within their power to ensure the recommendations are implemented unless there are good reasons for not doing so.

The employer making the disclosure will be notified of the outcome of any action taken by TDR under this policy and procedure within a reasonable period of time. However, sometimes the need for confidentiality may prevent TDR giving the employee specific details of the investigation or any disciplinary action taken as a result. Employees should treat any information about the

investigation as confidential.

If the employee is not satisfied that their concern has been appropriately addressed, they can raise it with the CEO within 10 working days. The CEO will make a final decision on action to be taken and notify the employer making the disclosure.

Any protected disclosures made by ex-employees after the termination of their employment/contract will also be dealt with under this procedure. In such cases, TDR would normally ask that the ex-employee sets out the details of their concerns in writing, TDR will then respond in writing having undertaken such investigations as deemed to be appropriate.

7. Safeguards for employees making a disclosure

An employee making a disclosure under this procedure can expect their matter to be treated confidentially by TDR and, where applicable, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval.

TDR will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation, produced by TDR does not identify the employee making the disclosure without their written consent, or unless TDR is legally obliged to do so, or for the purposes of seeking legal advice.

No formal disciplinary action will be taken against an employee on the grounds of making a disclosure made under this policy or procedure. This does not prevent TDR from bringing disciplinary action against an employee where TDR

has grounds to believe that a disclosure was made maliciously, or where a disclosure is made outside TDR without reasonable grounds.

An employee will not suffer dismissal or any detrimental action or omission of any type (including informal pressure or any form of victimisation) by TDR for making a disclosure in accordance with this policy and procedure. Equally, where an employee is threatened, bullied, pressurised or victimised by a colleague for making a disclosure, disciplinary action will be taken by TDR against the colleague in question.

8. Disclosure to external bodies

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases workers should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for employees to report concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. TDR strongly encourages employees to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. Employees may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found on the GOV.UK website - <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

9. Accountability

TDR will keep a record of all concerns raised under this policy and procedure

(Including cases where TDR deems that there is no case to answer and therefore, that no action should be taken) and will report to the TDR Training Board as and when appropriate.

10. Malicious accusations

If the Whistleblowing Procedure is used knowingly to make false or malicious accusations, a disciplinary offence will be committed. Wilful misuse of this procedure could constitute an act of gross misconduct which may lead to an employee's dismissal.

11. Annex 1 – Records of Review

Date	Review Overview
06/02/2023	Revised into new format and updated to reflect TDR's organisational structure.
12/09/2024	Logo updated in footer. Added PO-107 to TDR Staff Grievance Policy.

12. Annex 2 – If required

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