



## **WHISTLEBLOWING POLICY**

(the 'Policy')

### **1) Introduction**

Our Company is committed to the highest standards of quality, honesty, openness and accountability. As part of that commitment, we encourage employees within the company, or others with serious concerns about any aspect of work to come forward and express those concerns. We recognise that employees will need to come forward on a confidential basis. We want to make it clear that they can do so without fear of reprisal or victimisation. As an employee of our Company, you have a responsibility to voice any concerns that you have regarding possible malpractice so that appropriate investigative action can be taken.

### **2) Scope**

- a) There are existing procedures that allow employees to raise issues regarding their employment and it is not intended that this policy should replace these; nor is it to be used by those who are generally dissatisfied at work. It is to allow you to bring to the attention of those who can make a difference, any practice that you believe, or suspect:
  - i) is unlawful, committing a criminal offence, failing to comply with a legal obligation;
  - ii) is a serious breach of company policies;
  - iii) falls substantially below established standards of practice; or
  - iv) amounts to improper conduct.
- b) It is difficult to compile a complete list of issues which might cause concern but you should report fraud, corruption or financial irregularities, the physical, mental, or sexual abuse of employees or clients, unfair discrimination, abuse of power, dangerous practices, criminal conduct, serious damage to the environment, negligence, unprofessional behaviour and evasion of statutory responsibilities. Company employees, contractors or consultants might carry out the malpractice.

### **3) Safeguards**

- a) Confidentiality

In the UK, where the company is based, the Public Interest Disclosure Act 1998 (the "Act") gives legal protection to whistleblowers who honestly and reasonably believe that the information they disclose or the allegations they make are true. The Act extends the protection originally given and

intended for individuals who raise genuine concerns about health and safety or environmental risks. Our Company undertakes to extend that confidentiality to all its employees in every jurisdiction whether or not equivalent legislation exists.

b) Against Victimisation or Harassment

- i) It will often be very difficult to report a concern and we will provide support for those who do. We will not tolerate any harassment or victimisation and will take action to protect anyone who raises a genuine concern.
- ii) We will do our best to protect your identity if you do not want your name to be disclosed. You may, however, be required to come forward as a witness at a later date, and at that point your identity may have to be disclosed. If this happens, we will discuss with you the support and protection that we can offer.
- iii) If you believe the allegations and they are made in good faith, then even if they are not proven by the investigation, you will not suffer as a result.

c) Making Allegations Anonymously

We want people to provide their name when making an allegation so that we can check the facts with them and make sure that the allegation is not merely an act of malice or mischief. If you feel unable to give your name, then this should not deter you from reporting your suspicions. Anonymous allegations will still be considered, but will be much more difficult to investigate.

d) False Allegations

If you make an allegation frivolously, maliciously or for personal gain, you may be disciplined

#### **4) Procedure**

a) How to Raise a Concern with Line Management

- i) This will depend on who you think is involved in the malpractice and how serious the issues are. Normally you should first speak to your Line Manager. If, however, you feel that the matter cannot be resolved by talking to your Line Manager, for example, if you believe that they are involved, then you can speak to their Manager or raise it with your Department Director. You can also seek advice from Human Resources or your Works Council Representative or the Company Secretarial Department on the most appropriate way of reporting your suspicions.
- ii) Any concerns you may have should be expressed as early as possible and in raising an issue you should provide as much information as you can, (this might normally include names, dates, places, history and why you are concerned).
- iii) If it becomes necessary to question you about the allegations that you have made, you may bring a colleague with you to any meetings or interviews.

b) How to Raise a Concern Independently

- i) This Policy has been drawn up so that we can deal with your concerns. If you do not feel it is appropriate to raise your concern with your line manager (or after you have raised your concerns you feel they have not been appropriately dealt with), then you may consider contacting the confidential Whistleblower e-mail which has the following address:  
**admin@asmuk.net**
- ii) Our employees have a responsibility not to undertake any actions that might bring us into disrepute. If you do decide to report your concerns outside of our company, you must ensure that you have good reason for doing so and you must not disclose any confidential information.

c) How Independently Raised Allegations Will Be Dealt With

- i) All allegations will be investigated. This will initially be done by the Group Company Secretary who will assess the allegations received via confidential e-mail, and will allocate them as follows dependent on the nature:
  - for potential fraudulent concerns, the issue will be passed to the Group Finance Director for further investigation.
  - Human Resources issues will be dealt with directly by the relevant Head of HR; and
  - Health and Safety by the person responsible in each territory in which the Company operates.
- ii) If necessary, the investigation may be referred to the Police, or investigated by means of an independent inquiry.
- iii) If you raise concerns under this policy, then we will write to you within ten (10) working days stating:
  - what we intend to do;
  - how long we think this will take; and
  - whether any more information is required from you.
- iv) If we do need to meet with you, we will contact you to see how this can be done whilst maintaining confidentiality. We will try to minimise any difficulties you may have as a result of raising your concern. If you are required to give evidence in criminal or disciplinary proceedings, we will ensure that you receive appropriate advice and support.
- v) Providing that there are no legal constraints, we will inform you of the outcome of the investigation, so that you are aware that the matter has been properly addressed.

d) Using other Procedures

- i) Before raising any issue you should always consider carefully the nature of it and whether or not our Company has other procedures that you might wish to use instead depending on the

nature of your concern. These include procedures for Grievance and Harassment. If you do not know where to find these, or need advice on which procedure is the most appropriate to deal with your concern, please contact the Human Resources department.

## **5) Summary**

Whilst we try to ensure the very highest standards of conduct within the company, serious failure, irregularities, dishonesty and wrongdoing could occur.

Where employees fail to report their suspicions, they can become implicated by their silence in the wrongdoing. Therefore, any failure to report such matters will be treated seriously and may lead to disciplinary action being taken against you.

We encourage you to expose malpractice and our policy is to protect you and to ensure that your complaints are dealt with properly.

Managing Director

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