

Whistleblowing Policy

Introduction

It is important to A-Gas (“A-Gas” or “the Company”) that any fraud, misconduct or wrongdoing by colleagues of the Company is reported and properly dealt with. The Company therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run, without fear of reprisal. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Scope

This policy applies to all colleagues, apprentices, workers and anyone else who has a contract to carry out work for A-Gas personally. Other individuals performing functions in relation to the Company, such as agency workers and contractors, are also encouraged to use it.

This procedure is for disclosures about matters other than a breach of a colleague’s own contract of employment. You should not use this procedure for complaints relating to your own circumstances as personal grievances are not covered by whistleblowing law, unless it is in the public interest. If a colleague is concerned that their own contract has been, or is likely to be, broken, he/she should first raise it with their line manager. If this does not resolve the issue, you can raise the matter to a formal grievance using the Company’s grievance procedure.

This policy is non-contractual and may be amended from time to time.

Background

The law provides protection for workers who raise legitimate concerns about specified matters (see the end ‘Law Relating to this Document’ section for further information). These are called “qualifying disclosures”. A qualifying disclosure is one made in the public interest by a colleague who has a reasonable belief that:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any other legal obligation; or
- Concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the colleague to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The colleague has no responsibility for investigating the matter – it is the Company’s responsibility to ensure that an investigation takes place.

A colleague who makes such a protected disclosure has the right not be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The Company encourages colleagues to raise their concerns under this procedure in the first instance. If a colleague is not sure whether or not to raise a concern, they should discuss the issue with their line manager and/or their People & Culture Leader.

Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Colleagues should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.
- No colleague will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training will not be prejudiced because he/she raised a legitimate concern.
- Victimisation of a colleague for raising a qualified disclosure or deterring any person from reporting genuine concerns under this procedure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the Company's disciplinary procedure will be used, in addition to any appropriate external measures.
- Colleagues must exercise sound judgement to avoid baseless allegations. Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, colleagues should not agree to remain silent. They should report the matter to a relevant senior manager.

Procedure

If you genuinely believe that we, or any of our workers, has taken, is intending to take or has failed to take action that you reasonably believe could lead or amount to:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any other legal obligation; or
- Concealment of any of the above;

you should disclose this information verbally or in writing to your line manager and/or your People & Culture Leader. If you make such a disclosure, you should provide full details and, where possible, supporting evidence.

If for any reason you do not wish to approach your line manager or People & Culture Leader, or you believe your line manager or People & Culture Leader to be involved in any alleged wrongdoing, then you should approach the Managing Director of your business.

Any concerns covered by this procedure should be raised with the Company to allow us the chance to deal with them. You should not bypass this procedure and air concerns externally, other than in exceptional circumstances, for example if you have good reason to believe that evidence would be destroyed. Remember also that social media sites such as YouTube and Facebook are public rather than private spaces, and they are not the appropriate channel for raising concerns.

Investigation

The Company discourages anonymous disclosures as they are likely to hinder effective investigations however if you disclose information in accordance with this procedure and it is appropriate, we will, wherever reasonably practicable, keep your identity confidential.

We will investigate your allegation promptly. During the course of our investigation we may require your assistance.

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 information about the investigation as confidential.

While we cannot always guarantee the outcome you are seeking, our goal is deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.

We will inform you of the outcome of the investigation as soon as practicable. We will take whatever action we consider to be appropriate which could include reporting the matter to any appropriate government department or regulatory agency, and/or taking any required disciplinary action internally. If no action is to be taken, the reason for this will be explained.

If you are not happy with the way in which your concern has been handled, please raise it directly with your Managing Director and/or your People & Culture Leader. If, after this, you maintain that appropriate action has not been taken, you can report the matter to the proper authority.

Monitoring and Review

This policy reflects the current law and the Company's current practice. A-Gas will update the policy from time to time to reflect legal and operational requirements.