



# WHISTLEBLOWING POLICY

Powertek Utilities Ltd (Powertek Utilities) is a specialist multi-utilities contractor providing gas, water, telecoms, cable jointing, cable laying and civil engineering services. The company is committed to ensuring that all of its activities are conducted in accordance with all applicable legal and regulatory requirements and the highest standards of ethical business conduct.

The purpose of this policy is to set out Powertek Utilities' position on whistleblowing, company rules relating to these and to provide guidance to employees on their and the Company obligations.

The corporate conduct of Powertek Utilities is based on acting safely, responsibly, honestly and with integrity. All employees are expected to act in a responsible, honest, ethical and lawful manner.

Powertek Utilities is committed to achieving continual improvement in standards of health and safety at work and seeks to reduce the risks to its staff whilst they are at their place of work, during the course of their work and to comply with any client site rules. Powertek Utilities is also committed to reducing the number of work accidents and incidents which occur as a consequence of its undertakings.

## 1. Introduction

1.1 Whistleblowing has been defined as:

'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employee or his/her fellow employees' (Public Concern at Work Guidelines 1997).

1.2 Statutory protection for employees who whistleblow is provided by the Public Interest Disclosure Act 1998 ("PIDA"). The PIDA protects employees against victimisation if they make a protected disclosure within the meaning of the PIDA and speak out about concerns about conduct or practice within the Powertek which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice.

1.3 This policy applies to all Powertek staff including full and part time, casual, temporary, substitute staff and to individuals undertaking work experience in the Powertek.

## 2. Aims and Scope of Policy

2.1 Powertek management is committed to high standards in all aspects of work and treats whistleblowing as a serious matter. In line with the management's commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated and appropriate action taken in response.

2.2 This policy aims to:

- give confidence to members of staff about raising concerns relating to conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with Powertek standards and policies so that he/she is encouraged to act on those concerns
- provide members of staff with avenues to raise concerns
- ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken

Ref:	Reviewer:	Authoriser:	Last Review Date	Next Review Date	Rev	Page
14 - Whistleblowing Policy	Mary Moody	Steve Higgins	01/2023	01/2024	8	Page 1 of 5

## WHISTLEBLOWING POLICY

- offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

2.3 This policy covers whistleblowing relating to alleged:

- unlawful conduct
- miscarriages of justice in the conduct of statutory or other processes
- failure to comply with a statutory or legal obligations
- potential maladministration, misconduct or malpractice
- health and safety issues including risks to the public as well as risks to other contractors on site and Powertek Utilities' employees
- action that has caused or is likely to cause danger to the environment
- abuse of authority
- unauthorised use of company or other funds
- fraud or corruption
- breaches of financial regulations or policies
- mistreatment of any person
- action that has caused or is likely to cause physical danger to any person or risk serious damage to Powertek Utilities property
- sexual, physical or emotional abuse of members of staff or pupils
- unfair discrimination or favouritism
- bullying and harrassment
- racist incidents or acts, or racial harassment and
- any attempt to prevent disclosure of any of the issues listed.

2.4 The PIDA sets out the full statutory rights and obligations of members of staff wishing to whistleblow.

### 3. Safeguard Against Reprisal, Harassment and Victimisation

3.1 Management will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA provisions. Any member of staff who victimises or harasses a member of staff as a result of them having raised a concern in accordance with the whistleblowing policy will be dealt with under the Company's staff disciplinary procedures.

### 4. Confidentiality

4.1 Management recognises that members of staff may want to raise concerns in confidence and will do its utmost to protect the identity of members of staff who raise a concern and do not want their name disclosed.

4.2 However, investigation into the concern could reveal the source of the information and statements may be required from the member of staff as part of the evidence, which would be seen by all parties involved. If the investigation leads to prosecution the whistleblower may be called in to give evidence in court.

Ref:	Reviewer:	Authoriser:	Last Review Date	Next Review Date	Rev	Page
14 - Whistleblowing Policy	Mary Moody	Steve Higgins	01/2023	01/2024	8	Page 2 of 5

## WHISTLEBLOWING POLICY

### 5. Anonymous Allegations

5.1 Staff should put their name to allegations whenever possible - anonymous concerns are much less powerful. Anonymous allegations may, however, be considered under this whistleblowing procedure, especially concerns raised relating to the welfare of children. In relation to determining whether an anonymous allegation will be taken forward management will take the following factors into account:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources and obtaining information provided.

### 6. Untrue and Malicious/Vexatious Allegations

6.1 If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain then Management will consider taking disciplinary action against the member of staff.

### 7. Procedure for Making a Whistleblowing Allegation

7.1 Concerns should be expressed in writing to the Managing Director. If the concern involves the Managing Director (Steve Higgins) then the Director of Multi-Utilities (Fraser Baxter) should be the first point of contact. It is expected that the person receiving the allegation will become the investigating officer. However, it is at the discretion of this person to delegate the investigation to another person if they feel this is appropriate.

7.4 Concerns should be presented in writing for the avoidance of doubt, setting out the background and history of the concern; giving names, dates and places where possible and explaining the reason for your concerns. If you feel unable to put the matter in writing you can still raise your concern verbally and should telephone or arrange to meet the appropriate person.

### 8. Response to Whistleblowing

8.1 The matter raised may:

- need inquiry internally within Powertek Utilities
- need to be passed to the Police if it relates to alleged criminal activity

8.2 At this stage concerns/allegations are neither accepted nor rejected.

### 9. Timescale for Response

9.1 A person raising a concern will normally receive a written response within 5 working days (except in the case of anonymous allegations):

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response

Ref:	Reviewer:	Authoriser:	Last Review Date	Next Review Date	Rev	Page
14 - Whistleblowing Policy	Mary Moody	Steve Higgins	01/2023	01/2024	8	Page 3 of 5

## WHISTLEBLOWING POLICY

- advising whether any enquiries have been made
- advising whether further enquiries will take place
- informing you of support available whilst matters are looked into
- maintaining confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

### 10. The Inquiry Process

10.1 The person carrying out the investigation will:

- look into the allegation - seeking evidence and interviewing witnesses as necessary.
- maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistleblower can remain anonymous.
- if appropriate, refer the matter to the Police if there are concerns relating to criminal behaviour

10.2 If the person carrying out the investigation needs to talk to you, you are permitted to be accompanied by a fellow member of staff not involved in the area of work to which the concern relates.

10.3 The target is to complete any inquiry within 15 working days from the date of the initial written response, although the enquiry may extend beyond this timescale.

### 11. The Inquiry Report

11.1 Following completion of the inquiry process the investigating officer will make a written report and if necessary take any action which may be required. This may result in a trigger for the grievance and/ or disciplinary procedure to be implemented against the person reported. The whistleblower will also be notified of the outcome. The report will not contain the whistleblower's name unless they have expressly stated that they wish to be named.

11.2 If the investigation was carried out by a person other than the Managing Director the written report must be submitted to the Managing Director and the Board of Directors to determine what further action (if any) is required. When considering further actions, the Managing Director and Board of Directors must act on any recommendations made in the report. If the Managing Director and Board of Directors cannot agree on further actions, further advice will be sought from external experts such as lawyers or accountants.

11.3 Following completion of the investigation, and any actions arising from the investigation, a copy of the report (anonymised) will be made available to all Board members.

### 12. TAKING THE MATTER FURTHER

12.1 If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the Powertek Grievance and Disciplinary Procedure.

#### Breach of this policy

Any breach of this policy will be treated as a potential disciplinary issue and dealt with through our disciplinary procedure.

Ref:	Reviewer:	Authoriser:	Last Review Date	Next Review Date	Rev	Page
14 - Whistleblowing Policy	Mary Moody	Steve Higgins	01/2023	01/2024	8	Page 4 of 5



## WHISTLEBLOWING POLICY

Employees must report all suspected breaches of this policy to their manager or directly to the Managing Director if concerning their manager.

The company is committed to continual improvement, monitoring and compliance with this policy and the constant improvement of policies, processes and procedures to improve performance and provide highest levels of safety, service and customer satisfaction.

Signed on behalf of Powertek Utilities Ltd:

A handwritten signature in black ink, appearing to read "Steve Higgins".

**Steve Higgins**

**Managing Director**

**Date: 1 January 2023**

**Next Review Date: December 2024**

Ref:	Reviewer:	Authoriser:	Last Review Date	Next Review Date	Rev	Page
14 - Whistleblowing Policy	Mary Moody	Steve Higgins	01/2023	01/2024	8	Page 5 of 5