



# Whistleblower Policy

## Introduction

Black Sun aims to conduct its business at all times with the highest standards of integrity and honesty. We expect all workers to maintain these same standards in everything they do. All those who work for us are therefore strongly encouraged to report any perceived wrongdoing by the business or its employees, contractors or agents that falls short of these principles.

We recognise that employees may not always feel comfortable discussing their concerns internally, especially if they believe that the business itself is responsible for the wrongdoing. The aim of this policy is to ensure that they feel confident to raise any concern about our business activities in the knowledge that it will be taken seriously, and that no action will be taken against them.

This policy applies to any protected disclosure made during employment and also after employment has ended. This policy is not contractual but sets out the way in which we plan to manage such issues.

Black Sun acknowledges that whistleblowing is protected by law – employees should not be treated unfairly or lose their job because they have aired any concerns around business practice.



## Definitions and Scope

Black Sun is committed to creating a safe, open and transparent workplace culture, where employees are encouraged to raise concerns at the earliest opportunity. Black Sun recognises that employees are often the first to realise that there may be something seriously wrong within an organisation.

All our workers are encouraged to use the procedure set out below if they have a concern about any of the following:

- wrongdoing at work, including any criminal offence;
- a failure to comply with legal obligations or breach of any statutory Code of Conduct;
- bullying or harassment;
- a miscarriage of justice;
- a health and safety danger;
- an environmental risk or;
- concealment of any of these; misuse of assets (including stores, equipment, vehicles, buildings, computer hardware and software);
- failure to comply with appropriate professional standards;
- bribery, corruption or fraud including the receiving or giving of gifts or hospitality in breach of our procedures;
- falsifying records;
- failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income to the business or would otherwise seriously prejudice the business;
- abuse of authority;
- using the power and authority of Black Sun for any unauthorised or ulterior purpose; or
- causing damage to the environment.

Black Sun understands that raising a concern can be difficult for an employee, especially if they fear reprisal from those responsible for the malpractice. Black Sun will not tolerate harassment and victimisation of anyone raising a concern, and there should be no impact on the continued employment and opportunities for future promotion or training of anyone raising a concern. Any such behaviour is a serious breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action potentially leading to dismissal.

If a member of staff makes an allegation in good faith, but the allegation is not confirmed by the investigation, no action will be taken against that member of staff. They will not be at risk of losing their job or suffering any form of reprisal as a result. Provided the member of staff is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.



## Raising a concern

In many circumstances, the easiest way a member of staff can get their concern resolved will be to raise it formally or informally with their line manager who should report it to the HR Director.

If this is not appropriate as the concern relates to the line manager, or if the member of staff does not feel able to raise it with them or if raising it with their line manager does not resolve matters, the member of staff can approach the HR Director directly. The HR Director will then confirm how the matter will be investigated.

Concerns should be raised in writing (including email). The letter should set out the background and history of the concerns, giving names, dates and places where possible, and the reason why the member of staff is making the disclosure. If the individual does not feel able to make the disclosure in writing, an interview will be arranged.

Confidentiality will be maintained as far as is possible. It is guaranteed at the point of making a protected disclosure and will be maintained throughout the investigation and hearings, other than when a disclosure of identity is needed due to cross-examination of the staff member as a witness to any subsequent procedure, or is required by law.

Employees may, if they wish, disclose information anonymously. However, it should be noted that in such circumstances, Black Sun will not be able to contact them to discuss their concern or ask them for further information, nor will they normally be able to give any feedback about any action it takes, although anonymous whistleblowers may seek feedback through a telephone appointment or by using an anonymised email address.

This policy aims to enable and encourage staff to raise concerns within Black Sun. It recognises an employee's legal rights to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998.

Black Sun will provide training to all managers enabling them to deal with concerns that are raised and is committed to treating all disclosures consistently and fairly.

Black Sun will ensure that all new employees, supervisors and managers will receive induction on the policy and will provide refresher training to all members of staff so that they are aware of whistleblowing law and know how to use this policy.

The policy will be promoted and available through the employee intranet.



## Roles and Responsibilities

The Black Sun Board are responsible and accountable for this Whistleblowing Policy and Procedure. They will:

- demonstrate commitment to developing an open culture within the organisation, through actions and strategy
- receive and review annual reports on whistleblowing activity.

All employees have a duty to report wrongdoing (whistleblow) under the circumstances set out above.

Line managers are responsible for:

- ensuring all staff are aware of this policy and procedure and their responsibilities
- investigating issues raised promptly and thoroughly
- fostering an open culture within their teams
- ensuring any whistleblower is not subject to detriment
- escalating issues and engaging the support of designated officer(s) where required.

## How Black Sun will respond

Any concern raised under this policy will be investigated thoroughly, promptly and confidentially.

Any approach to line managers and designated officers (HR Director) will be treated with the strictest confidence and the member of staff's identity will not be disclosed without their prior consent. All members of staff will be treated with respect at all times.

When an individual makes a disclosure, the organisation will process any personal data collected as part of the investigation in line with Black Sun's data protection policy which can be found in the Code of Ethics ensuring the data is stored securely and only accessed by those individuals essential for dealing with the disclosure.

Once a concern has been raised, the line manager or designated officer who received the disclosure will write to the member of staff setting out the following:

- Acknowledgement that the concern has been received, the date it has been received, whether the person who raised the concern has requested confidentiality, and a summary of the concern
- Indicating how the matter will be dealt with and by whom and how they can be contacted
- Telling the member of staff when an investigation has or is to be started and if further assistance will be needed from them.

The member of staff who raises the concern will be told how long to expect the investigation to take and will be kept up to date with its progress.

The matters raised may be investigated internally. Where it has not been possible to resolve the matter quickly (usually within a few days) with the line manager, someone suitably independent (such as a designated officer) and properly trained will carry out an investigation.

The investigation will be objective and evidence-based and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring. The investigator may decide that the concern would be better looked at under another process, such as the grievance procedure or dignity at work procedure. If so, this will be discussed with the member of staff.

On conclusion of any investigation, the member of staff will be told the outcome of the investigation and what Black Sun has done, or proposes to do, about it. Wherever possible, Black Sun will share the full investigation report with the member of staff who raised the concern (while respecting the confidentiality of others). If no action is to be taken, the reason for this will be explained.