

This policy is designed to ensure transparency and understanding of the company's whistleblowing policy and the processes should someone want to raise a confidential complaint.

What is whistleblowing?

A whistleblowing policy is a guideline that helps you, as an employee, report any wrongdoing at work. These issues might relate to unethical practices, illegal actions, or safety. The policy ensures you know where to go and how to safely raise your concerns without fear of retaliation.

At its core, the policy provides a safe environment for you to report these issues. It's designed to be transparent and supports open communication. A whistleblowing policy shows that workplaces are committed to integrity and accountability.

- Who can report: Usually, any worker, from permanent staff to temporary workers, can make a disclosure.
- Types of issues: These can range from fraud and corruption to health and safety concerns.
- Reporting process: Clear steps on how and where you can report, whether internally or to external bodies.
- Confidentiality: Assurance that your identity will be protected as much as possible.
- Support and Protection: Guarantees against victimisation or unfair treatment due to reporting.

Having a policy like this ensures that misconduct gets identified and addressed efficiently. It's not just about ticking a box for compliance but genuinely valuing the safety and well-being of everyone in the organisation. This safeguarding encourages more workers to speak up without hesitation, knowing they're supported.

The employee must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- Criminal offences (examples: theft, fraud including food fraud)
- Concerns relating to product safety, integrity, quality and legality.
- Failure to comply with an obligation set out in law
- Miscarriages of justice
- Endangerment to someone's health and safety
- Damage to the environment
- Hiding or covering up wrongdoing in the above categories

Whistleblowing law is in the Employment Rights Act 1996. Workers are legally protected under this law, so should an employee use the process to raise legitimate concern, they will never be penalised for this. The company would welcome this feedback and will always ensure that the employee was fully protected.

Aims of the policy

The Policy is designed to ensure that an employee can raise concerns about wrongdoing or malpractice within the company without fear of victimisation, subsequent discrimination, disadvantage or dismissal.

It is also intended to encourage and enable an employee to raise serious concerns **within** the company rather than ignoring a problem or 'blowing the whistle' outside of the company.

This Policy aims to:

- Encourage employees to feel confident in raising serious concerns at the earliest opportunity and to question and act upon concerns about practice.
- Provide avenues for employees to raise those concerns and receive feedback on any action taken.
- Ensure that employees receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied with the response.
- Reassure employees that they will be protected from possible reprisals or victimisation if they have made a disclosure in good faith.

The confidential whistleblowing policy is not intended to replace existing procedures if the employees concerns are related to their own treatment as an employee, this should be raised under the existing [grievance procedure](#). We would always encourage staff to raise a grievance before using this procedure but understand that anonymity may be important to the individual.

Legal rights

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and in the public interest.

The Act makes it unlawful for the company to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

Rarely, a case might arise where it is the employee that raised the concern that has participated in the action that they are reporting. In such a case it is in the employee's interest to raise the concern. The company may still act against the employee but the act of whistleblowing will be taken into account as a positive action.

Harassment or victimisation

The company is committed to good practice and high standards and to being supportive of all employees.

The company recognises that the decision to report a concern can be a difficult one to make. If an employee honestly and reasonably believes what they are saying is true, they should have nothing to fear because they will be doing their duty to the employer, their colleagues and those for whom the company is providing a service.

The company will not tolerate any harassment or victimisation of a whistle blower and will take appropriate action to protect an employee when they raise a concern in good faith and will treat this as a serious disciplinary offence which will be dealt with under the disciplinary rules and procedure.

Support provided

Throughout this process:

- Employees will be given full support from senior management
- Employees concerns will be taken seriously
- The company will do all it can to help an employee throughout the investigation
- If appropriate, the company will consider temporarily re-deploying the employee for the period of the investigation.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal an employee's identity if that is their wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action because of the disclosure without the employees help, so the employee may be asked to come forward as a witness. If the employee agrees to this, they will be offered advice and support.

Anonymous allegations

This policy encourages an employee to put their name to the allegation whenever possible. If the employee does not tell the company who they are it will be much more difficult for us to protect their position or to give them feedback. This policy is not ideally suited to concerns raised anonymously.

Concerns expressed anonymously are much less powerful but they may be considered at the discretion of the company. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from other sources

False allegations

If an employee makes an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, the company will recognise their concern and they have nothing to fear. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, appropriate action that could include disciplinary action, may be taken.

Who should the concern be raised with?

This will depend on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. The employee should normally raise concerns with:

- Their manager (If the employee does not wish to contact their manager, they can instead contact an alternative manager)
- The Office or HR Manager directly.
- A member of the senior management team
- Through the company's whistleblowing process – These are available on posters throughout the building as a QR code.
- Through a third party whistleblowing scheme. There are several retailer or Berryworld whistleblowing schemes promoted throughout the building.

How to raise a concern

An employee may raise their concern by telephone, in person or through the dedicated whistleblowing website, all the information is available on the staff notice board. The earlier an employee expresses their concern, the easier it is to act. The employee will need to provide the following information:

- the nature of their concern and why they believe it to be true
- the background and history of the concern (giving relevant dates)

Although employees are not expected to prove beyond doubt any allegation that is made, it is asked that they can demonstrate that they have a genuine concern.

An employee may wish to consider discussing their concern with a colleague first. They may find it easier to raise the matter as part of a group.

What the company will do

The company will respond to an employee's concerns as quickly as possible.

To be fair to all employees, the company has a duty to

- Fact find to start to establish the facts
- Protect the identity of all employees
- Investigate the allegations impartially
- Decide if and at what level investigations of the allegations should be held.
- Operate within its own and all legal parameters when investigating and pursuing allegations further.

The investigation may need to be carried out under terms of strict confidentiality, i.e. by not informing the subject of the complaint until or if it becomes necessary to do so.

In certain cases, such as allegations of ill treatment of others, suspension from work may have to be considered immediately. Protection of others is paramount in all cases.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary/grievance process
- be referred to the police
- be referred to an external auditing company.

Within ten working days of a concern being raised, the person doing the initial fact finding the concern will contact the employee to:

- acknowledging that the concern has been received
- indicating how the company proposes to deal with the matter
- supply employees with information on staff support mechanisms
- explain whether further investigations will take place and if not, why not.

It is likely that the employee will be interviewed to ensure that the allegation is fully understood.

Any meeting can be arranged away from the workplace, if the employee wishes, and a union or any other employee may accompany to support.

The company will attempt to minimise any difficulties that an employee may experience because of raising a concern and whistleblowing.

If the employee is asked to give evidence in criminal or disciplinary proceedings, the company will arrange for them to receive appropriate advice and support. Any time away from work as a result of making a complaint will be reimbursed by the company.

Employees need to be assured that their disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, the employee will be kept informed of the progress and outcome of any investigation.

The complainant will not be informed of the results of a disciplinary meeting for any other member of staff.