



## **Moredun Group Whistleblowing Policy**

### **1. INTRODUCTION**

The Moredun Foundation, Pentlands Science Park, Moredun Research Institute and Moredun Scientific, are committed to creating a safe, fair and honest working environment and will not condone any form of malpractice.

### **2. POLICY STATEMENT**

In line with this commitment, Senior Management encourage employees and others with genuine concerns about any person linked with the Group to come forward and voice those concerns.

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. The Moredun Group has endorsed the provisions set out below to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

This policy applies to all employees of the Moredun Group. It also protects others with links to the Group. People in management positions are expected to recognise their responsibilities and to adopt and implement the policy and adhere to the procedures.

### **3. SCOPE**

This policy applies to all employees of the Moredun Group and designed to enable employees to raise concerns internally and receive feedback on any action taken. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to invocation of other procedures e.g. disciplinary.

These concerns could include:

- Someone's health and safety is in danger
- Damage to the environment
- Financial malpractice or impropriety or fraud
- Illegal, improper or unethical acts
- Failure to comply with legal obligations
- Covering up of wrongdoing

#### **4. PRINCIPLES**

This policy is designed to offer protection to those employees who disclose such concerns in good faith, and in the public interest. As set out in the public interest disclosure act and they have reasonable belief that the behaviour in question is occurring, has occurred, or is likely to occur.

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against the individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes vexatious or malicious allegations disciplinary action may be taken against them.

Any reprisal or victimisation of an individual making an allegation will not be tolerated. If an employee feels that they have been subject to victimisation either directly or indirectly as a result of raising a concern, they should contact Human Resources.

All concerns will be treated in confidence and every effort will be made not to reveal anyone's identity in so far as this is consistent with the proper examination and investigation of the matter. It may be necessary to reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. This will be discussed with the individual at the earliest possible stage of the procedure.

This policy encourages employees to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Company. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The Likelihood of confirming the allegation from the attributable sources.

#### **5. PROCEDURE FOR MAKING A DISCLOSURE**

##### **a. Informal Procedure**

As a first step concerns should normally be raised with immediate line managers, senior management or the HR Manager, and seek to resolve the matter informally in confidence. The employee should set out their concerns and the reasons why they are a matter of public interest. The manager will promptly consider whether there is substance in the concerns and if so how they can be resolved, where necessary seeking advice from HR. No record will be made of informal concerns or any reference to them on official files etc., including any action taken to address them.

##### **b. Formal Procedure**

If the employee believes that the matter of concern is of a more serious nature, and/or that it cannot be resolved satisfactorily through the informal procedure, they can raise it formally and in confidence with their line manager, senior management or the HR Manager. The employee will be asked to provide details of their concern. They may choose to be accompanied at the meeting by a work colleague or trade union representative. The employee will be asked if they wish to disclose their identity. If they do not wish to make a written statement the manager will write a brief

summary of the meeting, and the employee raising a concern will be given the opportunity to comment on the note, which should be agreed by both parties.

- c. If the Concern is regarding the Group Chief Executive

If the concern involves the Group Chief Executive, the matter should be reported directly to the Chair of the Moredun Foundation who will take the responsibility for leading the investigation, supported by the Chair of the Group Audit Committee.

## **6. ACTION TAKEN**

Action taken will depend on the nature of the concern. It may be necessary to carry out an investigation and make an objective assessment of the concern. If the investigation reveals circumstances in which disciplinary action against individuals would be appropriate, the manager in consultation with HR will take the necessary procedural steps. In some cases, the manager may refer the matter to a more senior manager because the resolution of the concern does not rest within their authority. If there is evidence of criminal activity, then the investigating officer should inform the police.

## **7. PROCEDURE FOR INVESTIGATING A DISCLOSURE**

- In carrying out the investigation the following steps should be taken:
- Full details and clarifications of the complaint should be obtained
- The investigating officer should inform the employee against whom the complaint is made as soon as is practically possible. They will be informed of their right to be accompanied by a colleague or trade union representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Company Auditors and the Police if appropriate and consult with the Chief Executive.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate of other individuals/bodies.
- The investigating officer will remind the employee that will not be possible to protect their anonymity if they discuss the case with others out with the investigation.
- A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chief Executive.
- The Chief Executive will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company Procedures.
- The employee raising the concern will be kept informed of the progress of the investigations and if appropriate, of the final outcome.
- If appropriate a copy of the outcomes will be passed to the Company Auditors to enable a review of the procedures.

If the employee raising the concern is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive.

## **8. TIMESCALES**

The Investigating Officer should as soon as practically possible send a written acknowledgement of the concern to the employee who raises it, and there after keep them informed as to the progress. If the investigation is a prolonged one, the investigating officer should keep the employee informed, in writing as to the progress of the investigation and as to when it is likely to be concluded.

## **9. APPEALS PROCEDURE**

All employees have the right to appeal against the outcome of the original investigation. Details of the person to whom to appeal will be included in the decision letter. The purpose of the appeal is to review the outcome of the original investigation and basis upon which the original decision was made.

The appeal should indicate the full grounds upon which it is made and must be sent in writing within seven working days of receipt of the decision letter. New evidence can be submitted or other information considered relevant to the appeal, raise procedural issues or comment on matters they believe have received insufficient consideration. The employee should enclose copies of any new documentation to support their case.

The appeal will be heard by a person who has had no previous involvement in the case. In exceptional circumstances the appeal may be heard by someone out with the Company. The person hearing the appeal will be accompanied by an HR Professional. Employees have the right to be accompanied by a work colleague or recognised Trade union representative at the appeal.

The person hearing the appeal will notify their decision in writing, normally within 10 working days.

The possible outcomes are as follows:

- A. Uphold the current decision – confirm the outcome of the original investigation, thereby rejecting the appeal.
- B. Amend the current decision – i.e. substitute an alternative form of action. The decision could be changed in some way, for example, any actions required might be redefined in some way.
- C. Overturn the current decision – i.e. set aside the original decision, thereby upholding the appeal.

## **10. PROTECTION OUTWITH THIS PROCEDURE**

If the employee feels unable to use this internal procedure, there are other prescribed people they can make the disclosure to. For a list of the prescribed people/bodies the employee can make a disclosure to refer to [www.direct.gov.uk](http://www.direct.gov.uk) (external link).

## **11. MONITORING AND REVIEW**

This policy will be reviewed every 3 years to ensure that it remains up to date and reflects the requirements of the group.

For further information about any of the issues identified in this policy, please do not hesitate to contact Human Resources.

**October 2022**