

WHISTLEBLOWING POLICY AND PROCEDURE

Statement

Leslie Frances are committed to creating a culture that is open and supportive. We would like to reassure our staff that we are committed to the highest possible standards of openness and accountability. The whistleblowing policy is intended to encourage and enable staff to raise such concerns without fear of victimisation or subsequent discrimination or disadvantage. We encourage staff to raise serious concerns rather than overlooking them or raising them outside of our company.

Definition

Whistleblowing is the term used when you pass on information or concerns that you have relating to our company.

Scope

This policy is intended to cover the disclosure by any member of staff of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with Leslie Frances. It is intended to cover concerns which are in the public interest and which may at least initially be investigated separately before leading to the implementation other procedures.

Aims

The policy is designed to:

- Encourage staff to report suspected wrongdoings as soon as possible, in the knowledge that their concerns will be taken seriously and investigated appropriately, and that their confidentiality will be respected.
- Provide a process for concerns to be raised, investigated and, where appropriate, acted upon.
- Ensure those raising concerns receive a response to their concerns and how to pursue them if they are not satisfied.
- Reassure staff that they can raise genuine concerns in good faith without fear of reprisal.
- Demonstrate the company's commitment to combating fraud, corruption and malpractice.
- Act as a deterrent to potential perpetrators of misconduct.

When to use this policy

You should use this policy when you genuinely believe that our company or a colleague has taken, is intending, or has failed to act which you reasonably believe will lead or amount to:

- Financial mismanagement (such as fraud, stealing assets or the improper use of assets);

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- Failure to comply with any legal obligations;
- A miscarriage of justice;
- Danger to the health and safety of an individual;
- Damage to the environment;
- Bribery, corruption, improper conduct or unethical behaviour.
- Dishonesty including criminal activities.
- Failure to comply with a legal obligation.
- Miscarriage of justice.
- Academic or professional malpractice.
- The deliberate concealment of information relating to the concerns listed above.

Then above examples are not intended to be exhaustive.

Staff are subject to an implied contractual term of confidence and trust, which seeks to prevent them from disclosing Leslie Frances confidential information. There may also be within the Contract of Employment a specific confidentiality clause. The law allows employees to raise what is defined as a 'protected disclosure'. A protected disclosure must relate to a specific subject matter and be made in an appropriate way. A protected disclosure must, in the reasonable belief of the employee making it, be made in the public interest and show past, present or future wrongdoing. It must consist of information and not merely be an allegation of suspected malpractice .

This policy should not be used to address issues relating to your employment. The grievance policy should be used for these matters

Implications of Raising a Concern

We are committed to good practice and high standards and we want to be supportive of you. If you reasonably believe that your concern relates to any of the areas set out above and you disclose the information to the appropriate person in good faith, no action will be taken against you for making the disclosure.

If you are found to be victimising a colleague for using this policy or you deter a colleague from using this policy to raise genuine concerns, you may be subject to formal action via the disciplinary procedure. If a disclosure or allegation is found to be malicious or vexatious and has been made for personal gain or there were no reasonable grounds for believing that the information was accurate, the disciplinary procedure will apply.

Confidentiality and Anonymity

This policy does not affect the duty of confidentiality. Consequently, in using this policy, you must not disclose commercially sensitive data or unrelated confidential information. It is important that concerns are dealt with sensitively and quickly. This policy encourages you to put your name on the allegation wherever possible. Anonymous disclosures are strongly discouraged as they are much less powerful. However, they would still be investigated at our discretion. In exercising discretion, the following factors are taken into account:

- The seriousness of the issues raised;
- The credibility of the concern;

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- The likelihood of confirming the allegation from attributable sources.

Where information is disclosed in accordance with this policy, in so far as is reasonably practical, your identity will be kept confidential. At the appropriate time, however, you may need to come forward as a witness.

How to Raise Concerns

Concerns should initially be raised with the Training Manager. However, dependant on the seriousness and sensitivity of the issue and who is suspected (or where there are doubts), the concern may be raised to one of the Directors.

You should, as soon as possible, raise your concerns in writing giving the details of the background and history (including dates where possible) and stating the reason for your concern. You will need to demonstrate to the person that you are contacting that there are reasonable grounds for the concern, although proof beyond reasonable doubt is not necessary. However, care should be exercised in respect of confidentiality on the part of everyone concerned.

Where there are exceptional circumstances, for example where an employee feels that the raising of the concern within Leslie Frances could lead to the destruction of evidence of criminal activity. Staff have the right to make a disclosure outside of Leslie Frances where there are reasonable grounds to do so and in accordance with the law. Staff must make the disclosure to an appropriate external body prescribed by law; this list of prescribed bodies can be found at: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

Employees may also make disclosures on a confidential basis to a practising solicitor or barrister or their Member of Parliament.

Our Response

We will respond to your concerns within **5 working days** of you raising your concern with us. In order to protect you and those accused under this policy, initial enquiries will be made to decide whether an investigation is appropriate and if so, how it should progress. The overriding principles, which we will have in mind, are our customers, our employees and the public's interest.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Within a reasonable period of a concern being raised, and if possible, **within 14 days**, the responsible person will write to you to:

- Acknowledge receipt of your concern;
- Indicate how we will deal with the matter;
- Give an estimate of how long it will take to provide a final response;
- Advise whether any initial enquiries have been made;
- Advise where you may obtain support;

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- Advise whether further investigation will take place and if not, why not.

The amount of contact between managers considering the issue and you will depend on the nature of the matter raised and the clarity of the information provided.

We will take steps to minimise any difficulties, which you may experience as a result of raising a concern. We accept that you need to be reassured that we have addressed matters and subject to legal constraints, we will inform you of the outcome.

Taking Further Action

This policy is intended to provide you with an avenue to raise your concerns and have them addressed. If you are not satisfied with the outcome and consider it appropriate to take the matter outside the company, the following are possible contact points for you to consider:

- Public Concern at Work;
- Citizens Advice Bureau;
- Relevant professional bodies / regulated organisations;
- Police.

Remember that you have a duty of confidentiality to us. If you do take the matter outside of the company, care should be taken to ensure that there are no disclosures of confidential and / or commercially sensitive or unrelated confidential information without the proper authorisation.

If you are not able to check this with us, you must check with the person with whom you make the external contact in order to protect them.

Monitoring

It will be the responsibility of the Directors to monitor the effectiveness of this policy by:

- Assessing the nature and frequency of complaints or cases and identifying any patterns which need to be addressed.
- Monitoring individual complaints or cases to ensure that they are effectively resolved and that no victimisation occurs.

While this policy is to be followed by all staff of Leslie Frances, it does not form part of an employee's contract of employment.

Linked policies

Grievance Procedure.

Code of Conduct.

Disciplinary Procedures

This policy can be found under the policy section of www.lesliefrances.com