Introduction

This policy applies to any person working for, or providing services to, the Wessex Water group including all employees, agency workers, contractors and trainees. Anyone who falls into one of these groups and wishes to raise concerns about misconduct within the Wessex Water group should do so in accordance with this policy.

Purpose and Scope

All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. The company believes it has a duty to identify such situations and take the appropriate measures to remedy the situation. The duty is in part underpinned by the requirements of the Bribery Act 2010 (see Employee Guideline 1 - Bribery and Corruption for details) and the Competition Act 1998 (see Wessex Water Group UK and EU Company Law Compliance Manual and Policy for details). The aim of this policy is to help to create a culture of openness and encourage you to raise issues which concern you at work. By doing this the company believes it can help prevent malpractice. Prevention is better than cure.

Background

The law provides protection for workers who raise legitimate concerns about specified matters. These are called “qualifying disclosures”. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

• a criminal offence;
• a miscarriage of justice;
• an act creating risk to health and safety;
• an act causing damage to the environment;
• a breach of any other legal obligation; or
• concealment of any of the above;

is being, has been, or is likely to be, committed.

It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed. A reasonable belief is sufficient. Provided your disclosure was made in the public interest and your belief was reasonable it does not matter if you were mistaken. You have no responsibility for investigating the matter. It is the company’s responsibility to ensure that an investigation takes place.

Principles

• Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. You should be watchful for illegal or unethical conduct and report anything of that nature that you become aware of.
• Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially.
• You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
• Victimisation for raising a qualifying disclosure will be a disciplinary offence.
• If misconduct is discovered as a result of any investigation under this procedure
our disciplinary procedure will be used, in addition to any appropriate external measures.
• Maliciously making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Group General Counsel, the Group Director of Human Resources or the Group Finance Director.

If there is anything which you think the company should know about please use the procedure outlined in this policy. By knowing about malpractice at an early stage the company stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the company. In short, please do not hesitate to “blow the whistle” on malpractice.

Note: This Policy is not the procedure for general grievances. If you have a complaint about your own personal circumstances then you should use the normal grievance procedure (see related items link). If you have concerns about malpractice within the company, then you should use the procedure outlined in this policy.

Our guarantee

The company is committed to this policy and if you use it to raise a concern the company gives you its assurance that you will not suffer any form of retribution, victimisation or detriment. The company will treat your concern seriously and act according to this policy. You will not be asked to prove anything. If you ask for a matter including your identity to be treated in confidence the company will respect your request and only make disclosures with your consent or where the law requires us to do so. In any meetings that we might have with you to discuss your concerns if you choose you will be allowed to be accompanied by a trade union representative or colleague. Where appropriate you will be offered support throughout the process with access to mentoring advice and counselling. You will be given feedback on any investigation and the company will be sensitive to any concerns you may have as a result of any steps taken under this procedure.

How to raise your concern

• Tell your line manager - if you are concerned about any form of malpractice you should normally first raise the issue with your line manager. There is no special procedure for doing this. You can tell that person about the problem or put it in writing if you prefer.
• If you feel unable to tell your line manager - for whatever reason, please raise the issue with the Group Director of Human Resources, or the Group General Counsel.
• If you still have concerns - if you have raised your concerns and you are still concerned, or the matter is so serious that you feel you cannot discuss it with either of the two persons named above, you should raise the matter with the Group Finance Director or via the confidential whistleblowing line (01225 528090). Alternatively you may also provide details of your concerns in writing in a sealed envelope marked confidential, addressed to the Senior Independent Non Executive Director Gillian Camm at The Operations Centre, Claverton Down Road, Bath BA2 7WW.
Anonymous reports

If, despite the legal protections offered by the law and this policy, you only feel able to disclose your concerns on an anonymous basis, please make the disclosure in a format of your choice to the Group General Counsel, the Group Director of Human Resources, or the Group Finance Director. Disclosure on an anonymous basis may not be as effective in allowing the company to properly investigate the matter and will prevent the company from providing feedback to you on the investigation.

How the company will respond

After you have raised your concern the company will decide how to respond in a responsible and appropriate manner under this policy. Usually this will involve making internal enquiries first, but it may be necessary to carry out an investigation at a later stage which may be formal or informal depending on the nature of the concern raised.

As far as possible, the company will keep you informed of the decision taken and the outcome of any enquiries and investigations carried out. However, the company will not be able to inform you of any matters which would infringe the duty of confidentiality owed to others.

Further Guidance

Further guidance on Whistleblowing is available from the Advisory, Conciliation and Arbitration Service (ACAS) using the following Weblink: ACAS website - whistleblowing

Raising your concern externally (exceptional cases)

The main purpose of this policy is to give you the opportunity and protection you need to raise your concerns internally. The company would expect that in almost all cases raising concerns internally would be the most appropriate action for you to take.

However, if for whatever reason, you feel you cannot raise your concerns internally and you honestly and reasonably believe the information and any allegations are true and that disclosure is in the public interest, you should consider raising the matter with the appropriate regulator as below:

Health & Safety Executive

Weblink: HSE website - raising your concern

OFWAT
City Centre Tower
7 Hill Street
Birmingham  B5 4UA
Telephone: 0121 644 7500 or  0121 644 7725
Weblink: Ofwat website - whistleblowing

Caution: If you have good reasons for not using the internal or regulatory disclosure procedures described above, you may consider making wider disclosure by reporting the matter to the media, for example. However, whistleblowers who make wider disclosures of this type will only be protected (from victimisation and suffering detriment) in certain
circumstances. The company recommends that you take legal advice before following this course of action since we believe it will be in your own interests to do so.

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