WORK SAFE AND WHISTLEBLOWING POLICY

It is our policy to ensure that employees do not carry out tasks where the risk to health, safety, or welfare of themselves or others is considered unacceptable, or where illegal or unethical practices are proposed or identified. We encourage employees to report such events to their manager or to Directors, without reprisals, in what we call a "Work Safe Report."

Where a Work Safe Report is made, we will ensure that the individual making the report can do so without fear of unfair treatment.

We have arrangements in place for the:

- Recording of Work Safe Reports,
- Managing the Refusal to Work on Compliance Grounds process,
- Ensuring that the rights of employees are protected without reprisals throughout the process.

We will communicate our policy and requirements to all interested parties.

We monitor achievement of the above arrangements through the management review processes.

We review the effectiveness and adequacy of this policy on an annual basis and as part of change planning, lessons learnt, knowledge transfer or following customer complaint or other failure to meet objectives.

As the individual with ultimate responsibility for compliance at Chiel Construction Limited I approve this Work Safe & Whistleblowing policy.



Martin Rush, Managing Director, Sept 26

DEFINITIONS

"WorkSafe" is the procedure in which an employee can stop work and report things that are or may cause harm, including for instance an event that may:

- place someone's health and safety are in danger,
- damage the environment,
- cause a criminal offence,
- cover up wrongdoing.

Whistleblowing officially means "making a Disclosure to a Government Prescribed Body in the Public Interest" and may be used where an Employee has unsuccessfully attempted to resolve an issue within the company, or where they believe that the company will not treat the issue seriously.

RESPONSIBILITIES

Directors shall:

- Ensure Work Safe Reports are adequately investigated, where required by a person independent of the work under investigation.
- Ensure that employees can make reports without fear of unfair treatment, and that those who have made Work Safe Reports are not made subject to unfair treatment.

Business Support Manager:

- Communicate to employees the Work Safe Policy through new employee induction and annually policy review.

Managers shall:

- On receipt of Work Safe Reports immediately evaluate the report and if necessary, stop works until safe working conditions are established.
- Produce a record of Work Safe Reports.
- For serious Work Safe Reports, report the issue to the Directors.

Employees shall:

- Make Work Safe Reports to prevent harm or the possibility of harm from occurring.
- Co-operate with any investigation undertaken either by the company or external bodies.

Investigator (e.g., HSQE Advisor)

- Where requested conduct independent investigation of the Work Safe Report, consulting relevant staff and provide report and recommendations to management team.
- Liaison and consultation with the person(s) involved in the Work Safe Report.

PROCEDURE

1 Identification of Unsafe Acts or Conditions

1.1 If an employee identifies an actual, potential, or suspected Work Safe Event, they will stop work, move to a place of safety, and make a Work Safe Report to their Line Manager, or if required, directly to a director.

1.2 The Manager reviews the Work Safe Report, and will either:

- re-allocate the employer to other task pending rectification of the issue,
- whilst recognising the concern raised not accept the report and will instruct the employee to continue working.

1.3 The Manager produces a record or the Work Safe Report, whether the issue was resolved or not.

1.4 For significant Work Safe Reports, the issue is reported to the Directors.

2 Rectification of Issue

2.1 Readily Remedied Work Safe Issues

2.1.1 For readily remedied work safe issues the Manager may be able to rectify the situation e.g., by providing additional resources, communicating the issue to the client, etc. More serious issues may require investigation as per below.

2.2 Investigation of Serious Work Safe Reports

2.3 Director shall appoint an Investigator to undertake the investigation. Dependant on the nature and severity of the report this person will ideally be independent of the task under investigation and be competent to undertake the investigation.

2.4 Investigator will investigate the report including interviews with relevant company and client staff and specialist advisors and will gather all related evidence and documentation.

2.5 The Investigation findings are consulted with the interested parties.

2.6 The Investigation is likely to have two categories of outcomes:

- That the WorkSafe Report is upheld, and that a Corrective Action Plan is produced and implemented.
- The Investigator may decide that the original process is compliant and after further consultation with all interested parties if all agree, the report is closed.

3 Further Escalation and Whistleblowing to Prescribed Body

3.1 If the employee still believe that they suspect wrongdoing at work and that the company is not accepting this, then they may implement the Whistleblowing Policy, where the employee is entitled to contact the relevant government Prescribed Body [See Appendix A].

4 Employee Protection

4.1 The employment rights of an employee are protected by law throughout the process, and they are protected from unfair treatment so long as the work safe report was valid and made with good intention, regardless of it was upheld or not.

If the above is achieved, and the employee is unfairly treated or dismissed, they can submit a valid claim for unfair treatment.

Personal grievance, for example bullying, harassment, discrimination, are not covered by whistleblowing law, unless the case is in the public interest.

5 Records

5.1 Work Safe Report Records and any related investigation and other records shall remain in the Management System Records for a period of six years.

APPENDIX: LEGAL AND OTHER REQUIREMENTS

Management of Health and Safety at Work Regulations 1999

The Employment Rights Act 1996 (Protection from Detriment in Health and Safety Cases) (Amendment) Order 2021 amending Employment Rights Act 1996 Section 44

Public Interest Disclosure Act 1998

Data Protection Regulations 2015 & 2018

Limitations Regulations 1980

APPENDIX PRESCRIBED BODIES WITH RESPONSIBILITIES FOR WHISLTLEBLOWING

Issue	Areas of Interest	Prescribed Body	Contact Details
Employment	• Workplace rights, rules, and best practice	ACAS	https://www.acas.org.uk/ 0300 123 1190
Environment	• Acts and omissions which have an actual or potential effect on the environment or the management or regulation of the environment. • This includes those relating to pollution, waste, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout.	Environment Agency	http://apps.environment-agency.gov.uk/contact 03708 506 506
Equalities and Human Rights	• Equalities and Human Rights	Equality and Human Rights Commission	www.equalityhumanrights.com/whistleblowing 0161 829 8100
Health & Safety	• Health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work	Health and Safety Executive	https://www.hse.gov.uk/contact/concerns.htm 0300 003 1647
Fraud - Financial	• Money laundering, financial crime, and other serious financial misconduct	Financial Conduct Authority	www.fca.org.uk/site-info/contact/whistleblowing 0800 111 6768
Fraud, Bribery & Corruption	• serious or complex fraud, including bribery and corruption and civil recovery of the proceeds of unlawful conduct.	Serious Fraud Office	www.sfo.gov.uk/contact-us/reporting-serious-fraud-bribery-corruption
Fraud and Tax	• the administration of UK taxes • the administration of national insurance and tax credits systems • customs and border-related functions • criminal investigations	Her Majesty's Revenue and Customs (HMRC)	www.gov.uk/government/organisations/hm-revenue-customs/contact/reporting-tax-evasion 0800 788 887

Issue	Areas of Interest	Prescribed Body	Contact Details
Fraud and Unfair Competition	• proper conduct of public business, value for money, fraud, and corruption in relation to the provision of public services.	The Comptroller and Auditor General	020 7798 7999 www.nao.org.uk/contact-us/whistleblowing-disclosures/
Fraud in Companies	• fraud and other misconduct in relation to companies.	Secretary of State for Business, Energy, and Industrial Strategy	www.gov.uk/insolvency-service 0300 678 0017
Fraud - Bribery	• Corrupt individuals or companies offering or receiving bribes to secure a benefit for themselves or others.		Email: communication@nca.x.gsi.gov.uk 0370 496 7622
Fraud - Anti-Competitive Practices	• Anti-Competitive Practices, price fixings, cartels etc.	Competition and Markets Authority	https://www.gov.uk/guidance/tell-the-cma-about-a-competition-or-market-problem 0800 085 1664
Freedom of Information and Data Protection	• Data protection • Freedom of information	Information Commissioner's Office	https://ico.org.uk/global/contact-us/ 0303 123 1113
Reporting Other Crime	• Reporting of any crime	Crime Stoppers	https://crimestoppers-uk.org/ 0800 555 111
Reporting Other Non-Emergency Crime	• Any non-emergency crime	Police Non-Emergency	101
Other	• Food standards • H&S in offices, commercial / retail premises etc • Consumer protection • Litter, fly tipping, nuisance. • Planning and Building Control • Highways	Local Authorities	https://www.gov.uk/find-local-council

Note: For the full and current list of prescribed bodies see:: https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies