



POL15:
WHISTLEBLOWING
POLICY
Rev: 04

HENLEYS MEDICAL SUPPLIES LTD.

Brownfields
Welwyn Garden City
Hertfordshire
AL7 1AN

01707 385226
www.henleysmed.com

1. Policy Statement

Henleys Medical Supplies is committed to supporting employees who find it necessary to raise a concern. Whistleblowing means the reporting by employees of suspected misconduct, illegal acts, or failure to act within the company's code of conduct.

The aim of this policy is to encourage employees and others who have serious concerns about any aspect of the company's work to come forward and voice those concerns.

Employees are often the first to realise that there may be something seriously wrong within the company. 'Whistleblowing' is viewed by Henleys Medical Supplies as a positive act that can make a valuable contribution to the company's efficiency and long-term success. It is not disloyal to colleagues or the company to speak up. Henleys Medical Supplies is committed to achieving the highest possible standards of service and the highest possible ethical standards and in all of its practices. In order to help achieve these standards, freedom of speech is encouraged.

If you are considering raising a concern you should read this policy first. It explains:

- The type of issues that can be raised
- How the person raising a concern will be protected from victimisation and harassment
- How to raise a concern
- What Henleys Medical Supplies will do.

If you are unsure whether to use this policy or want independent advice at any stage, you may contact the independent charity **Public Concern at Work** on **020 7404 6609**. Their advisers can give you free, confidential advice on how to raise a concern about serious malpractice at work.

Company policies are available electronically at all times to internal employees, and externally upon request.

2. Policy

2.1. Scope

The aim of this policy is to ensure that employees of Henleys Medical Supplies feel able to raise concerns about wrongdoing or malpractice within the company without fear of subsequent discrimination, victimisation, disadvantage, or dismissal. This policy is designed to encourage and enable employees to raise serious concerns within the company, by providing avenues for employees to raise such concerns, and feedback on any action taken, providing a response to concerns and making employees aware of further action they may take if they are not satisfied, and reassure employees that they will be protected from possible reprisals if the disclosure has been made in good faith.

This policy covers all employees who become aware of wrongdoing within the company, though it is not intended to replace existing policies and procedures. The following people may raise a concern under this policy:

- Employees of Henleys Medical Supplies
- Employees of contractors working for Henleys Medical Supplies
- Employees of suppliers
- Those providing services under a contract or other agreement in their own premises
- Voluntary workers.

2.2. Responsibilities

2.2.1. Directors/Senior Management/Managers

All members of the management team may raise concerns of their own, and are also responsible for providing the necessary support to their staff who raise concerns with them. The Managing Director has overall responsibility for the maintenance and operation of this policy.

2.2.2. All Employees

All employees are encouraged to raise concerns under this policy if they are made in good faith.

2.3. What Should be Reported?

Any serious concerns about the service provision or the conduct of members of staff within Henleys Medical Supplies, or others acting on the behalf of the company, that fall into the below categories may be reported:

- Anything that makes you feel uncomfortable in terms of known standards
- Anything that is not in keeping with the company's code of conduct or policies
- Anything that falls below established standards of practice
- Any improper behaviour.

These might relate to:

- Conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- Disclosures related to miscarriages of justice
- Racial, sexual, disability, or other discrimination
- Health and safety of the public and/or other employees
- Damage to the environment
- Unauthorised use of public funds or other assets
- Possible fraud and corruption
- Neglect or abuse of clients
- Other unethical conduct.

Note: This list is not exhaustive.

2.4. Protecting the Whistleblower

2.4.1. Your legal rights

This policy has been written to take into account the Public Interest Disclosure Act 1998, which protects workers who make disclosures about certain matters of concern, when those disclosures are made in accordance with the Act's provisions and are in the public interest. The Act makes it unlawful for the company to dismiss anyone, or to 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 has participated in the action causing concern. In such a case it is in the employee's interest to come into the open as soon as possible. Henleys Medical Supplies cannot promise not to act against such an employee, but the fact that they came forward may be taken into account.

2.4.2. Harassment or victimisation

Henleys Medical Supplies is committed to good practice and high standards, and to being supportive of all employees. Henleys Medical Supplies recognises that the decision to report a concern can be a difficult one to make. If you honestly and reasonably believe what you are saying is true, you should

have nothing to fear, because you will be doing your duty to your employer, your colleagues, and those for whom you are providing a service.

Henleys Medical Supplies will not tolerate any harassment or victimisation of a Whistleblower (including informal pressures), will take appropriate action to protect you when you 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.

2.4.3. Support to you

Throughout this process:

- You will be given full support from senior management
- Your concerns will be taken seriously
- Henleys Medical Supplies will do all it can to help you throughout the investigation.

If appropriate, the Company will consider temporarily re-deploying (where possible) you for the period of the investigation.

For those who are not company employees, Henleys Medical Supplies will endeavour to provide appropriate advice and support wherever possible.

2.4.4. Confidentiality

All concerns will be treated in confidence, and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered advice and support.

2.4.5. Anonymous allegations

Henleys Medical Supplies encourages you to put your name to your allegation whenever possible. If you do not tell us who you are it will be much more difficult for us to protect your position or to give you 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 Henleys Medical Supplies. 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.

2.4.6. Untrue allegations

If you make an allegation in good faith and reasonably believing it to be true, but it is not confirmed by the investigation, Henleys Medical Supplies will recognise your concern and you have nothing to fear. If, however, you make an allegation frivolously, maliciously, or for personal gain, appropriate action, that could include disciplinary action, may be taken.

2.5. Raising a Concern

2.5.1. Who should you raise your concern with?

Depending on the seriousness and sensitivity of the issue(s) involved, and who is suspected of the wrongdoing, a concern may be raised with:

- Your line manager
- Your departmental manager

- A Director of the company.

The address for correspondence is: **Henleys Medical Supplies Ltd, Brownfields, Welwyn Garden City, Hertfordshire, AL7 1AN**. The main telephone number is: **01707 385226**.

If the concern is about a Director of Henleys Medical Supplies, your concern should be raised with the Chairman, who will decide how the investigation will proceed. This may include an external investigation.

If you are unsure who to contact, you may call the independent charity **Public Concern at Work** on **0207 404 6609** for advice.

2.5.2. How do you raise a concern?

You may raise a concern by telephone, in person, or in writing. The earlier a concern is expressed, the easier it is to take action. The following information is usually required in the first instance:

- The nature of the concern and why you believe it to be true
- The background and history of the concern, including relevant dates if possible.

Although you are not expected to prove the truth of your suspicion, evidence that it is a reasonable, genuine concern must be demonstrated.

You may wish to consider discussing your concern with a colleague first, and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. You may invite your trade union, professional association representative, or a friend to be present for support during any meetings or interviews in connection with the concerns you have raised.

2.6. What Henleys Medical Supplies Will Do

Henleys Medical Supplies will respond to your concerns as quickly as possible, but an investigation may be necessary before any formal action is taken. The overriding principle for the company will be the public interest. In order to be fair to all employees, including those who may be wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

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, however, 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 the external auditor
- Be referred and put through established adult/child protection/abuse procedures
- Form the subject of an independent inquiry.

Within ten working days of a concern being raised, the person investigating your concern will write to you:

- Acknowledging that the concern has been received
- Indicating how the company proposes to deal with the matter

- Supplying you with information on staff support mechanisms
- Telling you whether further investigations will take place and if not, why not.

The amount of contact between you and the investigators will depend on the nature of the matter(s) raised, the potential difficulties involved, and the clarity of information. It is likely that you will be interviewed to ensure that your disclosure is fully understood. Any meeting can be arranged away from your workplace, if you wish, and a union or professional association representative or a friend may accompany you in support.

Henleys Medical Supplies will do what it can to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are asked to give evidence in criminal or disciplinary proceedings, the company will arrange for you to receive appropriate advice and support.

Unless there are any legal reasons why this cannot be done, you will be kept informed of the progress and outcome of any investigation.

2.7. Taking the Matter Further

This policy is intended to provide you with an avenue within the company to raise concerns. Henleys Medical Supplies is committed to taking appropriate action wherever necessary, but if you are not satisfied with the response, you may take the matter further using one of the following prescribed contacts:

- The police
- Your trade union
- Other relevant bodies, prescribed by legislation or Public Concern at Work, who will be able to advise you further.

If you raise concerns outside the company, you should ensure that it is to one of these prescribed contacts. A public disclosure to anyone else could take you outside the protection of the Public Interest Disclosure Act and of this policy.

You should not disclose information that is confidential to the company or to anyone else, such as a client or contractor of the company, except to those included in the list of prescribed contacts.

Note: This policy does not prevent you from taking your own legal advice.

3. Review

This policy shall be maintained and reviewed by the Managing Director.



Danielle Henley, Managing Director

4. Revision History

Revision	Modified by	Date	Description of Change
01	Andy Cleveland	October 2016	Initial issue.
02	Vikki Patis	April 2017	Annual review.
03	Vikki Patis	April 2018	Annual review. New format.
04	Vikki Patis	December 2020	New format.