



Post Office Whistleblowing Policy



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Document Control Sheet

SUMMARY			
GE Policy Sponsor	Policy Owner	Policy Implementor	Policy Approver
General Counsel Jane MacLeod	Employment Lawyer Nisha Marwaha	Employment Lawyer Nisha Marwaha	Post Office RCC and ARC Committees
Version and Policy Status:	Policy Review Period	Effective from:	Policy location:
Final V1.6	Annual Review (from Effective date)	19 th May 2016	Policy intranet site

REVISION HISTORY			
Version	Date	Author	Reason For Change
Final v1.4	27/04/16	Jane MacLeod	Sponsors review and sign-off
Final v1.5	10/06/16	Nisha Marwaha & Mark Rodgers	Impact assessment, new FCA non-binding guidance – no changes necessary
Final v1.6	22/09/16	Georgina Blair	Minor amendment to comply with FCA guidance

POLICY APPROVAL		
Role/Forum	Name	Date
Executive Owner and Sponsor	General Counsel (Jane MacLeod)	30 March 2016
Executive Committee	Post Office Risk and Compliance Committee (RCC)	5 May 2016
Board Committee	Post Office Audit, Risk and Compliance Committee (ARC)	19 May 2016

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Quality Control	Next review date
This document is periodically reviewed and at least once each year starting from the last effective date. This policy has been reviewed against the latest Post Office policy standards.	No later than 19 th May 2017

Section A. Introduction

Chief Executive's Note

Post Office is committed to conducting business with the highest standards of honesty, integrity and openness in order to create a workplace where workers feel able to raise concerns. A culture of openness and accountability is essential in order to prevent illegal, improper or unethical conduct and an effective Whistleblowing Policy helps us to identify and address situations when they occur.

Introduction by the Group Executive Policy Owner: General Counsel

As Post Office's General Counsel and the Group Executive Policy Owner and Sponsor, I have overall accountability to the Group Executive and the Board for ensuring that Post Office has appropriate controls in place to meet its Whistleblowing obligations. Post Office's Audit, Risk and Compliance Committee ("ARC") considers Whistleblowing as an agenda item and the Post Office Board is updated on a regular basis.

Section B. Context

About this Policy

The purpose of this policy is to encourage the reporting of suspected wrongdoing and/or dangerous practices, (see section entitled What is Whistleblowing below), within Post Office, to make it easier for management to address those concerns and therefore avoid serious accidents, fraud, regulatory breaches, financial impropriety and/or reputational damage.

The aims are:

- (1) to encourage staff to report matters as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that confidentiality will be respected,
- (2) to provide staff with guidance as to how to raise those concerns, and
- (3) to reassure staff that they should be able to raise concerns without fear of reprisals, even if they turn out to be mistaken.

This policy enables Post Office to comply with its Whistleblowing obligations under applicable legislation and to be in line with regulatory requirements. This Policy is effective as at 19th May 2016.

What is Whistleblowing

"Whistleblowing" refers to the act of exposing potential or actual wrongdoing and/or dangerous practices by reporting it either internally within an organisation, or externally, for example to a regulator. The law on Whistleblowing is contained in the Employment Rights Act 1996 as amended by the Public Interest Disclosure Act 1998. Wrongdoing includes criminal activity, civil offences (including negligence, breach of contract, breach of administrative law), miscarriages of justice, dangers to health and safety or to the environment and the cover up of any of these.

Workers should raise a concern if they are aware of, or suspect, wrongdoing which affects others (e.g. customers, members of the public, colleagues or the Post Office). Some examples (this is a non-exhaustive list) of situations where a worker may raise a concern are:

- Financial Crime including Fraud, Money Laundering and financing of terrorism, Bribery and Corruption,
- Giving, offering or taking of bribes,
- Financial mismanagement,
- Misreporting,
- Practices that could put individuals or the environment at risk,
- Breach of Post Office internal policies and procedures (including the Code of Business Standards),
- Concerns about slavery or human trafficking, and

- Any conduct likely to damage Post Office's reputation.

A Whistleblower is a person who raises a genuine concern relating to any wrongdoing including any of the above. If a worker has any genuine concerns related to suspected wrongdoing, they should report it under this Policy.

If a worker is uncertain about whether something is within the scope of this Policy, they should seek advice from the Whistleblowing Officer, whose contact details are set out in this Policy.

Section C. Policy details

How to raise a concern

In the first instance, workers should raise concerns with their line manager, or a senior HR manager in Post Office. Alternatively workers can notify the Whistleblowing Officer directly, using the contact details provided in this Policy.

It is recognised that sometimes raising a concern directly with the business may not be possible, for example, if the worker considers that the line managers may be involved in the issue or if they have a concern about confidentiality.

In such instances workers should contact the **"Speak Up"** confidential reporting service which is run by InTouch MCS Ltd, an independent company (see section below entitled Whistleblowing Officer and Speak Up details for more information).

InTouch will treat concerns in complete confidence and the worker does not have to provide contact details. **Post Office treats all concerns raised under this Policy very seriously.**

Whistleblowing Officer and 'Speak Up'

The Whistleblowing Officer for the Post Office Group is Post Office's General Counsel, currently Jane MacLeod who can be contacted by telephone on: **GRO** or by email on: **GRO**

The Speak Up service is available on **GRO** or via a secure on-line web portal **GRO**

All reports to the Speak Up line will be acknowledged within five working days and will be passed to the Whistleblowing Officer.

Confidentiality and anonymous reporting

Post Office hopes that workers will feel able to voice Whistleblowing concerns openly under this Policy. However, if a worker wants to raise a concern confidentially, Post Office will make every effort to keep their identity secret. If it is necessary for anyone investigating a concern to know the worker's identity, the investigator will discuss it with that individual.

When reports are made anonymously via Speak Up, there is no requirement to provide contact details. However, not providing details may reduce Post Office's ability to undertake a thorough investigation into the concerns raised.

In all cases the individual's concern will be treated sensitively and in confidence.

Investigating concerns

All concerns (including those raised via Speak Up) will be passed to the Whistleblowing Officer who will carry out an initial assessment of the issue to determine the scope of any investigation.

The Whistleblowing Officer will decide whether an investigation is appropriate and what form the investigation should take. The type of investigation will depend on the nature of the concern and may be:

- investigated internally (or the Whistleblowing Officer may decide to appoint an external investigator if there are good reasons),
- resolved by agreed action as determined by the Whistleblowing Officer without the need for investigation,
- referred to the police, and
- referred to a regulatory authority.

If an investigation is appropriate, the Whistleblowing Officer will appoint an investigator. The appointed investigator should be an individual at an appropriate level for the matter under investigation and they must not have any conflict of interest with the individuals or issues concerned.

In some cases an investigator or team of investigators may be appointed including staff with relevant experience of investigations or specialist knowledge of the subject matter.

The Whistleblowing Officer may determine that the matter should be investigated under the terms of other more appropriate Post Office Group policies, such as those covering grievance or bullying and harassment matters, in which case the process described in the applicable policy will apply. The Whistleblowing Officer can also decide to take no action if the complaint appears to be without a reasonable basis.

During an investigation under the Whistleblowing Policy, the investigator may wish to contact the worker directly to request additional information. Where the worker's identity is known, this will be done only where the worker has consented to a representative from Post Office speaking to them directly. Where the worker's identity is anonymous, questions or requests for information can be raised anonymously either through the Speak Up service, or via secure voicemail or messaging on the web portal.

Subject to concerns about confidentiality, the worker may be required to attend meetings to provide further information. Workers can bring a colleague or union representative to any meetings under this Policy. The companion must respect the confidentiality of the worker and any subsequent investigation.

Investigators should consider the principles set out in Post Office's internal Investigations Policy and adhere to those wherever possible when undertaking the investigation.

Outcomes and Reports

The investigator should aim to keep the Whistleblower informed of the progress of the investigation and its likely timescale.

The investigator must write a report containing the findings of the investigation, including conclusions as to the validity of the allegations and recommendations for further action. The report should be submitted to the Whistleblowing Officer.

After the investigation, the investigator will inform the Whistleblower of the outcome of the investigation and what action, if any, has been taken. Sometimes the need for confidentiality may prevent Post Office disclosing specific details of the investigation or any disciplinary action taken as a result. If it is determined that no action will be taken, then the individual concerned should be informed of the reason for this.

The Whistleblowing Officer will determine what further action is required. If Post Office concludes that a Whistleblower has made false allegations maliciously or with a view to personal gain, the Whistleblower will be subject to disciplinary action.

Post Office cannot always guarantee the outcome the Whistleblower is seeking, but will aim to deal with concerns fairly and in an appropriate way. If a worker is unhappy with the way in which their concern has been handled, they should raise it with the Whistleblowing Officer or if that is not appropriate for any reason, the Chairman of the Post Office Board Audit and Risk Committee.

The investigator will share any reports with the Whistleblowing Officer. In all cases a report of the outcomes of any investigation will also be made to the Audit Committee as a means of allowing the committee to monitor the effectiveness of the Policy.

Copies of such reports should be held in accordance with Post Office's document retention policies.

External Disclosures

The aim of this Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases workers should not find it necessary to alert anyone externally.

However, the law recognises that in some circumstances it may be appropriate for workers to report their concerns to an external body such as a regulator. This includes the Financial Conduct Authority (FCA) for matters related to certain financial services. It will very rarely, if ever, be appropriate to alert the media.

The independent Whistleblowing charity, Public Concern at Work, have a list of prescribed regulators for reporting certain types of concern. Their contact details are as follows:

Helpline: **GRO**
E-mail: **GRO**
Website: **GRO**

Public Concern at Work operates free, confidential advice to people concerned about crime, danger or wrongdoing in the workplace. We strongly encourage you to seek advice from them before reporting a concern to external parties.

Protecting the Whistleblower

It is understandable that Whistleblowers are sometimes worried about possible repercussions. Post Office has a statutory obligation to protect Whistleblowers and will support workers who raise genuine concerns under this Policy, even if they turn out to be mistaken.

Post Office will take all reasonable steps to ensure that Whistleblowers do not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes disciplinary action, dismissal, threats or other unfavourable treatment connected with raising a concern.

Workers must not threaten or retaliate against Whistleblowers in any way. If anyone is involved in any such conduct, it will be taken seriously and they will be subject to disciplinary action.

If a worker believes that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. The Whistleblowing Officer should take steps to address any victimisation, which may include working with the HR team to put appropriate measures in place. If the matter is not addressed the Whistleblower should raise it formally using Post Office's Grievance Procedure.

Training will be provided to managers to make them aware of the rights of Whistleblowers.

Contact us

If you need further information about this Policy or wish to report an issue in relation to this Policy , contact Nisha Marwaha – Employment Lawyer on

GRO

or by email :

GRO

Who is responsible for this policy

Post Office's Board of Directors have overall responsibility for ensuring that Post Office has a framework to ensure compliance with legal, regulatory and contractual requirements. The Board is kept abreast of relevant matters relating to the Whistleblowing by reports from its committees including its ARC Committee.

- The General Counsel for Post Office is the Policy Sponsor, accountable to the Post Office Board overall.
- The Principal Employment Lawyer is the Policy Owner responsible for the day to day implementation of and compliance with this Policy. The Employment Lawyer is accountable to the General Counsel.

How we monitor compliance

The Principal Employment Lawyer will ensure that this policy is reviewed and remains effective. Post Office's internal systems and controls ensure that this policy is regularly independently assessed for effectiveness, suitability and adequacy. In addition, Internal Audit will periodically test compliance with this policy.

Review and assessment of compliance with this policy is done on a regular and timely basis. Reports are made to the Risk and Compliance Committee.

The General Counsel provides an annual summary of reports made via the Speak Up line and other known instances of Whistleblowing to (i) the Post Office Board and the Post Office Management Services Board as appropriate, and (ii) the Post Office Board Audit and Risk Committee. In making these reports, the confidentiality of Whistleblowers will be respected.

Any serious concerns reported by Whistleblowing will be escalated by the Whistleblowing Officer to the Chairman of the Post Office Board Audit and Risk Committee.

Section D. Key Terms and References

Key Terms

Term or Acronym	Description
HR team	Post Office Human Resources team

References

References	Description
Post Office Group ('Post Office')	Post Office Limited and all subsidiaries and entities within the Post Office Group which includes Post Office Management Services (POMS)
Executive Policy Owner	As defined by the Post Office Policy Framework-Roles and responsibilities Matrix document V0.5
Policy Owner	As defined by the Post Office Policy Framework-Roles and responsibilities Matrix document V0.5