

## Whistleblowing

You may, in properly carrying out your duties, have access to, or encounter, information of a confidential nature. Your terms and conditions of employment provide that except in the proper performance of their duties, you must not disclose, or make use of in any form whatsoever, such confidential information.

However, the law allows employees to make a ‘protected disclosure’ of certain information. In order to be ‘protected’, a disclosure must relate to a specific subject matter (detailed below) and the disclosure must also be made in an appropriate way as set out in this policy.

Whistleblowing protection is confined to a disclosure which, in the reasonable belief of the employee making the disclosure, is made in the public interest. This means that a disclosure must affect a wider group of people, such as work colleagues, customers, or the general public, and not just the individual making the complaint. Issues such as health & safety risks, financial misconduct, environmental damage, or legal breaches typically qualify.

The Company is committed to being compliant with all law and regulations concerning such matters, including the Bribery Act 2013 (Isle of Man) and the Bribery Act 2010 (UK), anti-money laundering law and regulations as well as health and safety laws and regulations.

Moreover, the Company will ensure that any incident of malpractice is prevented wherever possible, and immediately dealt with, should it arise. Employees are often the first to realise something is wrong, but they may feel they cannot express their concerns because to do so would be disloyal to their colleagues or the Company or could result in them being subjected to harassment or victimisation.

This policy sets out the procedure for raising such concerns. It is concerned only with regulatory or legal malpractice or a “specific subject matter”. It should not be used to raise grievances which would normally be dealt with by your line manager, an executive director, or the HR team.

Provided employees follow the procedural steps set out in this policy, they will be able to raise genuine concerns about malpractice or specific subject matter without fear of harassment or victimisation.

The Company encourages a culture of openness and honesty and therefore all employees are required to bring to their line manager, an executive director, the HR team, or Public Official’s attention any issue that they believe may constitute bribery, corruption or a breach of any law under which the Company normally operates.

### **Specific Subject Matter**

- That a criminal offence has been, is being or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with a legal/statutory obligation which he / she is subject.
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health and safety of any individual has been, is being, or is likely to be endangered.
- That bribery has or is likely to take place.
- That information tending to show any of the above is or is likely to be concealed
- Financial malpractice or impropriety or fraud.
- Damage to the environment
- Improper conduct or unethical behaviour.

### **Procedure**

The primary aim of this policy is to prevent malpractice from occurring in the first place. If it happens, it is our objective to prevent it recurring. If appropriate, every effort will be made to resolve the situation on an informal basis in the first instance. If this is not possible, formal action will be taken to investigate and take whatever steps are necessary.

Employees are encouraged to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of an Executive Director. In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from alternative credible sources.

### **First Step**

If you have a concern about malpractice or a specific subject matter, you should initially discuss it with your Line Manager, who will usually be in the best position to help. They will attempt to resolve the matter as promptly as is reasonably practicable.

There may be circumstances where you feel unable to approach your Line Manager and, in these circumstances, you should raise the concern directly with the Executive



Director for your business, or you feel unable to approach your Executive Director, the HR Department.

Concerns may be reported in writing to the following email address:

[People@hb.im](mailto:People@hb.im)

Alternatively, you may call head office on 01624 699400 and request to speak to our Head of People or an HR manager in their absence.

### **Further Steps**

If you are dissatisfied with the action taken in respect of your concerns, you should raise your concerns with another Executive Director, or the HR Department, who will deal with the matter as appropriate. You should be aware your concerns will, as far as possible, be dealt with in confidence. There may be circumstances, however, where it will not be practical to pursue a complaint or to deal with an alleged wrongdoer without the identity of the complainant becoming known and this is something which you must recognise when raising your concerns.

The person responsible for hearing your concerns will normally arrange a meeting with you. You may be required to set out your concerns in writing in advance of the meeting. Your concerns will then be discussed in full at the meeting and the person hearing the complaint will decide if any further action is needed to be taken and, if so, what the appropriate action will be. This may include requiring you to attend a further meeting with a higher level of management or asking you to provide any further evidence which is considered necessary. You will, unless circumstances do not permit it, be told what action has been decided and you must treat any such information with the strictest confidence.

### **Further Action**



If the concern raised is found to be valid then one or more of the following steps (which is a non-exhaustive list) may be appropriate:

Referral of the matter to the board of directors with a view to an internal investigation being carried out.

Referral of the matter to the appropriate external regulatory body for further investigation.

Referral of the matter to the police.

Referral of you to the grievance procedure.

### **External Disclosure**

If, after having followed the procedural steps set out above, you remain genuinely and reasonably dissatisfied with the outcome, you may raise your concern, on a confidential basis, with the appropriate external regulatory body.

### **Protection From Victimisation**

So far as possible your identity will not be deliberately disclosed at any time unless necessary for the purposes of the relevant investigations or to comply with a legal obligation. You will not be subjected to any harassment or victimisation because of raising the concern. So far as possible any supporting evidence relating to your concerns will be kept secure at all times.

### **Disclosures Outside This Policy**

This policy is designed to offer protection to employees if they disclose concerns and to protect employees from suffering detriment in relation to a “qualifying disclosure”, provided a disclosure is made:

- In the public interest



- In accordance with this policy in the reasonable belief of the individual making the disclosure that it tends to show malpractice.