



Whistleblowing Policy and Procedure

Policy Author
HR Caddy Ltd

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Introduction

The Studio is committed to the highest standards of openness and accountability. An important aspect of accountability and transparency is a mechanism to enable staff to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that employees should not disclose confidential information about the Company's affairs during the course of their duties. However, where an individual discovers information which they believe shows serious malpractice or wrongdoing within their organisation then this information should be disclosed internally without fear of reprisal.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Scope

This procedure applies to all employees of The Studio. Other individuals performing functions in relating to the Company, such as agency employees and contractors, are also encouraged to use it.

Background

The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee 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 the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is the Company's responsibility to ensure that an investigation takes place.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

The Company encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether or not to raise a concern, he/she should discuss the issue with his/her manager or the HR Manager.

Supporting Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be vigilant for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.
- No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's 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, employees should not agree to remain silent. They should report the matter to a director.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the organisation's grievance procedure.

Procedure

- In the first instance, and unless the worker reasonably believes his/her line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his/her line manager, any concerns should be raised with the worker's line manager. If he/she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.
- The line manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account, and he/she will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the human resources department and start the disciplinary procedure. On conclusion of any investigation, the worker will be

told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

- If the worker is concerned that his/her line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, he/she should inform a director of the organisation, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his/her own report to the board as in stage 2 above. If for any other reason the worker does not wish to approach his/her line manager he/she should also in the first instance contact [the HR Manager. Any approach to the director will be treated with the strictest confidence and the worker's identity will not be disclosed without his/her prior consent.
- If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made.

These include:

- HM Revenue & Customs;
- the Financial Conduct Authority (formerly Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Office for Police Conduct; and
- the Serious Fraud Office.

Reviewed by Dawn Broughton

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