

IMS POLICY

WHISTLEBLOWING POLICY

BELL GLOBAL PROPERTY SERVICES LIMITED

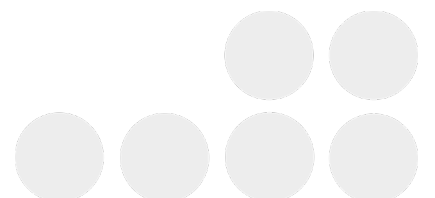


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1 Whistleblowing Policy

- 1.1 We committed to achieving and maintaining high standards with regard to behaviour in all our working practices. Employees are expected to conduct themselves with integrity, impartiality, and honesty. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
- 1.2 We have established procedures by which you can raise issues which concern you at work and these can be acted upon. At the same time striving to reassure you that in raising concerns you will not be opening yourself to victimisation, detriment, or risking your job security. In addition to what the Company regards as open management, you also enjoy statutory protection if concerns are raised in the right way.
- 1.3 The Public Interest Disclosure Act 1998 (see below) provides employees with protection against victimisation or being penalised should they reasonably report concerns.
- 1.4 This policy is accompanied by a procedure that should be followed when "blowing the whistle". The policy is designed to give you that opportunity and protection.
- 1.5 Bell will not tolerate harassment or victimisation of a genuine whistle blower (including informal pressures) and will treat such conduct as gross misconduct, which if proven, may result in dismissal.
- 1.6 This policy is non contractual, and Bell reserves the right to amend or withdraw the policy and procedure at any time.
- 1.7 If there is anything which you think the Company should know about, please use the procedure. By knowing about malpractice at an early stage the company stands a good chance of taking necessary steps to safeguard the interests of others and protect the organisation. In short, please do not hesitate to "blow the whistle" on wrongdoing.

2 What Is Whistleblowing?

- 2.1 This policy is designed to deal with concerns raised in relation to specific issues which are in the public interest and detailed below.
- 2.2 Bell has other policies and procedures that deal with other complaints, critical or constructive comments, and appeals. Disciplinary, Grievance, Harassment and Equal Opportunities policies also address standards of behaviour at work. The relevant policy should be followed where appropriate. If you are uncertain which policy is appropriate, you should speak with our Human Resources Department.
- 2.3 Whistleblowing is specific and means a disclosure of information in the interest of the public, made by both employees and non-direct employees, such as subcontractors and suppliers, where they reasonably believe that one or more of the following matters is; happening now, took place in the past or is likely to happen in the future:
- 2.4 Whistleblowing issues: -
 - a criminal offence.
 - a failure to comply with a legal obligation (e.g. breach of a contractual or other common law obligation, statutory duty or requirement or administrative requirement, including suspected fraud, malpractice, or breach of a code of conduct).

- a miscarriage of justice.
- a danger to the health and safety of any individual.
- damage to the environment.
- financial fraud or mismanagement
- bribery
- a deliberate concealment of information tending to show any of the above.

2.5 A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

2.6 Only genuine concerns should be reported. Whistleblowers must hold a reasonable belief that any information and/or allegation is substantially true, and the disclosure should not be made primarily or solely for personal gain. Malicious or false allegations will be treated as a serious disciplinary offence.

3 Who Does the Policy Apply To?

3.1 This policy applies to all employees, including whether full time, part time or temporaries (regardless of length of service), of Bell and its associated companies.

3.2 Agents, contractors, sub-contractors, consultants, suppliers, customers, or external bodies or agencies not covered above who have genuine concerns about malpractice or suspected wrongdoing are encouraged to report their concerns.

3.3 Please note that whistleblowing is specific to the issues listed above and matters relating to a complaint about your own personal circumstances or an appeal against a decision should be addressed through the Bell Grievance Policy and Procedure.

3.4 If you are uncertain whether something is within the scope of this policy, you should seek advice from the HR Department.

4 The Public Interest Disclosure Act 1998

4.1 This policy seeks to implement the Public Interest Disclosure Act 1998 ("the Act"), which protects employees making disclosures about certain matters of concern, where those disclosures are made in accordance with the provisions of the Act.

4.2 The Act applies to those making a protected disclosure in respect of the specific types of malpractice outlined above.

4.3 For a concern to be a protected disclosure it should wherever possible be made in accordance with this procedure.

5 The Whistleblowing Procedure

5.1 Employees raising a concern.

5.2 In order to encourage employees to report suspected wrongdoing, our aim is to create a culture of openness and accountability and an environment in which individuals feel confident that their concerns will be taken

seriously.

- 5.3 You should first raise your concern with your line manager. Your line manager may be able to address your concern quickly and effectively or may decide to refer the matter to another person within the organisation. If your concern relates to the conduct of your line manager or you feel that your line manager has not resolved your concern, you should report the matter to your Branch Manager/Head of Department. Alternatively, you may wish to discuss your concerns, in confidence, with a member of the HR Team.
- 5.4 Anonymous allegations can be harder to investigate than those from named individuals. All concerns raised will be dealt with confidentially and individuals are urged to avoid making anonymous allegations.
- 5.5 If your disclosure is about a director or a Senior Executive, you should report your concerns directly to the Chief of Staff who will decide how the investigation should proceed.
- 5.6 If you are unhappy with the way in which a concern you have raised has been dealt with, you may refer to the process for the 'right to appeal'.

6 Network Rail Whistleblowing

- 6.1 CIRAS, the confidential incident reporting and analysis system, as adopted by Network Rail, provides a corporate safety net that ensures safety, health or other concerns are captured within Organisations and with CIRAS' help, such concerns are investigated to a successful and satisfactory conclusion.
- 6.2 For any Bell Group employee working on a Network Rail project, on any site on behalf of Aio Scotrail or other transport projects, any concerns outlined above, categorised as 'whistleblowing issues, should be raised in the first instance with your Contract manager and may also be reported to CIRAS.
- 6.3 There are a number of ways to get in touch with CIRAS as follows:

POST: The Helicon, One South Place, London, EC2M 2RB

PHONE: General Enquiries: 0203 142 5369 / Report hotline: 0800 4 101 101 / Report Text line: 07507 285887

Phone: 020 3142 5367

EMAIL: enquiries@ciras.org.uk

7 Others Wishing to Report A Concern

- 7.1 Agents, contractors, sub-contractors, consultants, suppliers, customers, members of the public and external organisations are encouraged to raise a genuine concern about Bell relating to the areas outlined in the 'whistleblowing issues' listed above.
- 7.2 You should report the matter to the Chief of Staff, who is the nominated executive with responsibility for dealing with concerns raised under this policy and where appropriate ensuring that an investigation is conducted. We also have the Bell Investigation Team of 10 nominated senior and trusted leaders who will confidentially deal with any issue or concern raised without going through the normal local management channels.

8 The Investigation

- 8.1 The Company will decide how to respond in a responsible and appropriate manner under this policy and through our Human Resources Department. An investigation will be conducted as speedily and sensitively as possible. A written record will be kept at each stage of the procedure.

- 8.2 In any instance, our Head of Human Resources is the principal person responsible for managing all whistleblowing issues. Our Head of Human Resources can be contacted at HR@bellgroup.co.uk.
- 8.3 Incidents of whistleblowing or misconduct arising through our work with Network Rail or Aio Scotrail shall be reported through CIRAS. Any such instance, together with root cause, lessons learned, and corrective action would be managed by Safety Services, led by the Director of Health and Safety and Sustainability. The process shall be overseen by our Human Resources Department to ensure investigations are in line with legislation and Bell, especially where the issues concern a grievance, disciplinary, employee wellbeing or otherwise.
- 8.4 A decision as to whether an investigation should be carried out will be made as soon as possible following receipt of the complaint having been made. Where this is not possible, the person making the complaint will receive an explanation of the delay.
- 8.5 You are entitled to be accompanied by your union representative (if any) or a work colleague throughout the process when reporting your concerns.
- 8.6 Your line manager or the person to whom you have raised the concern will investigate your concern(s) as follows:
- (a) Arrange a meeting with you as soon as possible to fully understand ascertain your area(s) of concern. You may be required to attend additional meetings in order to provide further information.
 - (b) An initial assessment will be undertaken to determine the scope of the investigation.
 - (c) Where necessary, you will be asked whether you are comfortable having your identity disclosed and will be reassured about protection from possible victimisation or being penalised.
 - (d) The appointed investigator will undertake an investigation. We shall keep you updated on the progress and likely timescales.
 - (e) The person against whom the disclosure is made will normally be told at an early stage, provided with supporting evidence, and allowed to respond. However, it may be necessary to conduct the investigation in confidence (i.e. without informing the subject of your allegation/s) until (or if) it becomes necessary to do so. Alternatively, depending on the nature and seriousness of the complaint, the person(s) against whom the allegation/s are made may be suspended while investigations are undertaken.

9 Outcome of the Investigation

- 9.1 If there is a case to answer, the investigating officer will consider how to deal with the matter. If potential disciplinary offences are uncovered during the investigation, then it may be that Bell will commence disciplinary proceedings.
- 9.2 You will be informed of the outcome of the investigation as soon as possible following completion of the investigation (including any disciplinary investigation). The exact nature of any disciplinary action taken against any person will remain confidential.
- 9.3 Whether there was a case to answer or not, and provided that your disclosure was made because you reasonably believed it to be true, the Company will ensure that you are protected from reprisal or victimisation as a result of your complaint.
- 9.4 Only where it is established that your allegations were false and made maliciously will disciplinary action be taken against you. Such disclosures will be treated as gross misconduct and may result in your dismissal without notice or payment in lieu of notice.
- 9.5 If, as a result of investigations you are implicated in some way in any wrong doings disciplinary action may be

taken against you. The fact that you have blown the whistle will be taken into account if an action is considered.

- 9.6 If you are not satisfied with the outcome of the investigation, you may consider informing other bodies and Bell recognises that workers have a right to make a disclosure about certain matters of concern, as set out in the Whistleblowing issues listed above, to prescribed external bodies such as regulators. However, this will only be appropriate where certain strict conditions have been met. Bell encourages employees to seek advice before reporting a concern externally. An external disclosure in inappropriate circumstances may lead to disciplinary action against you.

10 Confidentiality

- 10.1 Bell understands that usually individuals wish to keep the fact they have reported a whistleblowing concern confidential and, as far as possible, confidentiality will be maintained. However, there may be circumstances in which a fair investigation would not be possible without disclosing the identity of the whistle-blower. In those circumstances, your identity would only be disclosed on a "need to know" basis and the people to whom your identity was disclosed would be told that they must keep the information confidential. If a person then breaches confidentiality, that may be a matter for us to deal with under the Disciplinary Policy. Bell would also inform you of who we anticipate disclosing your identity to in advance of the disclosure being made.
- 10.2 You should treat all information relating to the investigation as confidential. If you are accompanied by a colleague or a trade union representative at any meeting referred to in this policy, that individual must also maintain confidentiality.

11 Protection and Support for Whistleblowers

- 11.1 You should not be concerned about being victimised or penalised because you have told us about a concern you have. That is the case even if you turn out to be mistaken in your suspicion.
- 11.2 The law protects individuals from being treated detrimentally because they have raised a concern. If you believe that you have suffered any detrimental treatment, you should inform the HR Department immediately. If the matter is not remedied, you should raise it formally using the procedure contained in the Grievance Policy.
- 11.3 If an employee is found to have treated an individual detrimentally because they have raised a whistleblowing concern, for example, by threatening them, treating them unfavourably or retaliating against them, that will be investigated, and Bell will deal with it in accordance with the Disciplinary Policy.