

## Whistleblowing Policy

### Policy Statement

Sharp Group is committed to the highest possible standards of compliance with our legal requirements. Our whistle-blowing policy is intended to encourage and enable anyone who works in our organisation to raise concerns rather than to overlook them. The purpose of this policy is to allow workers/employees to make a disclosure (where appropriate) without fear of any negative consequences for doing so. The Protected Disclosures Act 2014 is a vital piece of legislation which sets in law the procedures and protections necessary for employees of any organisation to call attention to situations where wrongdoing is occurring.

This policy is designed to provide a framework within *our* organisation where this law is given effect and to provide a step-by-step guide for all of our employees so that you can understand the legislation and know what do if you have any concerns about wrongdoing which may come to your attention during the course of your employment. It is entirely separate from a Grievance Procedure because that only relates to your own contract of employment and does not cover situations where you may have a concern regarding what is known under the 2014 Act as a *relevant wrongdoing*. In order to put our policy in context, we will set out a few explanatory details before outlining the procedures to be followed within our organisation.

### What are "Relevant wrongdoings"?:

In order to be covered by the Protected Disclosures Act 2014, the situations which are considered appropriate to warrant giving protection to the person making the disclosure are the following:

- Offences that are being or are likely to be committed
- Failing to comply with legal obligations
- Miscarriage of Justice
- Health and Safety Risks (including risks to the public as well as to other workers)
- Damage to the environment
- Unauthorised use of public funds or resources
- Oppressive, discriminatory or grossly negligent action by and public body
- Information showing any matter falling into the above categories may be destroyed.

- › Suspicions of, or actual incidents of breach of anti bribery policy and process whether it is by a customer, supplier or fellow colleague

### Who is covered by this policy?

This policy applies to all “workers” i.e. our employees at all levels, trainees, agency workers, apprentices and interns, self-employed persons acting on our behalf and in certain circumstances the workers of companies that supply us with goods or services.

### What are the aims and purposes of this policy?

- › To encourage workers to feel confident about raising concerns about relevant wrongdoings
- › To provide a way for workers to make relevant disclosures and to receive feedback
- › To reassure workers that they will be protected from reprisals for making a disclosure in accordance with this policy.

### Must I be absolutely certain about the truth of the matter I am disclosing?

It is not necessary to be absolutely certain. What is required is a reasonable belief that the information tends to show one or more of the *relevant wrongdoings*. The second element that needs to be present is that the information must have come to your attention in the course of your employment. Thirdly, you cannot make a protected disclosure about something that is your responsibility to detect or supervise as part of your job anyway.

### If I make a Protected Disclosure will I be identified?

The short answer is that you will not be identified unless:

- › You are happy to be identified when making the disclosure
  - *OR*
- › Your identity may be revealed if that is necessary to enable a proper investigation to take place and in accordance with the principles of fair procedures and natural justice.

### What happens if I make a disclosure but the allegation turns out not to be true?

As long as you make the disclosure in good faith and have a reasonably held belief that the matter *is* true then no action can be taken against you for this honest mistake. The purpose of the Act is to protect workers and employees who make disclosures from any adverse treatment or discrimination or disadvantage for making the disclosure in the first place.

### What if I am the person about whom the disclosure is made?

If you are the subject of a protected disclosure, you are entitled to fair treatment. While any investigation is ongoing all reasonable steps will be taken to protect the confidentiality of those who are the subject of any protected disclosure. In any investigation or subsequent process you will be given the protection of fair procedures and natural justice. In the event that the fact of the investigation is widely known, the conclusion of the investigation may involve a statement of exoneration.

### What if my supervisor has requested, I carry out a duty that is higher than a Low Risk for Bribery?

Personnel will not suffer retaliation, discrimination or disciplinary actions for refusing to participate in or turning down any activity in respect of which they have reasonably judged there to be more than low risk of bribery that has not been mitigated by the organisations Anti Bribery Risk Assessment.

If you are unsure, please seek advice from either the Protected Disclosure Manager (Jason Shields) or Anti Bribery Compliance Officer (Olivia Harrington). Details are outline below.

## The Procedure for making a protected disclosure within our organisation

### Internal Disclosure Procedure:

1. A disclosure about a *relevant wrongdoing* should be raised using the internal disclosure procedure (within the organisation). This of course depends upon the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing.

2. Disclosures should be made verbally or in writing to the "Protected Disclosure Manager." In Sharp Group the designated manager in this regard is Jason Shields. He has full authority to fully investigate or co-opt personnel either internal or external into an investigation team
3. Workers who wish to make a written disclosure are invited to use the following format and to keep a copy of the disclosure and any information provided. This format is intended purely as a guideline.
4. The investigation shall be carried out by and reported to personnel who are not part of the role or function being investigated

#### Format

- a) Give a description of the "relevant wrongdoing."
- b) Provide any information that tends to show the relevant wrongdoing so as to assist in the investigation of the matters raised in the disclosure.
- c) Date the disclosure.
- d) Provide your preferred contact details.
- e) State that the disclosure is made under the Protected Disclosures Act and state whether or not you expect confidentiality (ie. Whether or not you wish your identity to be made known)

#### 5. How the disclosure will be dealt with

- i) The Protected Disclosures Manager will respond to all concerns raised under the internal disclosure procedure.
- ii) The disclosure may be referred immediately to the relevant or appropriate authorities depending on the seriousness of the allegation.
- iii) Similarly, if urgent action is needed (for example to remove a health and safety hazard) this will be done before any other investigation is commenced.

- iv) In order to protect the rights of the person accused of the wrongdoing, an initial inquiry will be made as to whether an informal or a formal investigation is appropriate and also as to what form that should take. The range of steps available may include any of the following
- \*An investigation by management
  - \*A referral of the matter to An Garda Siochana
  - \*A referral to an external enforcement agency or regulator
  - \*An independent third-party inquiry
  - \*Or a decision that the matter is more appropriately to be dealt with in accordance with our grievance and disciplinary procedures.

6. Within 10 working days the Protected Disclosure Manager will write to the person who made the report and
- a. Acknowledge receipt of the disclosure
  - b. Give a short summary of how the organisation proposes to deal with the matter
  - c. Estimating how long that process will take
  - d. Provide a date by which the person who made the disclosure will receive a final communication
  - e. Or, setting out why no investigation will take place.

## 7. The Final Communication

When the issues raised in the protected disclosure have been dealt with by the organisation, the Protected Disclosure Manager will issue a Final Communication to the person who made the original disclosure. This will give some short detail in relation to the outcome of the matter stating that either. In either case relevant confidentiality will be maintained throughout.

- a. The matter has been dealt with, and indicating the steps which have been taken to rectify the wrongdoing, or
- b. where the investigation does not conclude that there was any wrongdoing or where the person making the disclosure is

mistaken or unaware of all of the relevant fact surrounding the issue, the Final Communication will take the opportunity to explain that the concerns were unfounded.

If you require any further information about this policy or the Protected Disclosures Act of 2014 please feel free to contact our Protected Disclosures Manager and your query will be dealt with as soon as practicable.

The anti bribery compliance function will be made aware of the investigation and relevant findings as appropriate.

It is an explicit requirement of all personnel that they fully cooperate in any investigation process when requested to do so. Failure to cooperate may result in disciplinary action.

Contact Details for the **Protected Disclosure Manager** are as follows: Jason Shields  
Telephone: 0872340950  
Email: [jason@sharpgroup.ie](mailto:jason@sharpgroup.ie)  
Postal Address: 411 Grants Park, Greenogue Business Park, Rathcoole Dublin 24 D24 DP62

Contact Details for the **Compliance Officer** are as follows: Olivia Harrington  
Telephone: 014586605  
Email: [olivia@sharpgroup.ie](mailto:olivia@sharpgroup.ie)  
Postal Address: 411 Grants Park, Greenogue Business Park, Rathcoole Dublin 24 D24 DP62