

**PUBLIC INTEREST DISCLOSURE
(WHISTLEBLOWING)
POLICY & GUIDELINES**

VERSION CONTROL

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1. POLICY STATEMENT

- 1.1 Brockwell Energy Limited (the Company) is committed to conducting its business with honesty and integrity, and the Company expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. The Company believes that a culture of openness and accountability across Brockwell Energy Ltd is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2 The aims of this policy are:
- (a) To encourage staff to use this policy in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
 - (b) To provide staff with guidance as to how to raise those concerns.
 - (c) To reassure staff that they should be able to raise genuine concerns under this policy without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy takes account of the Whistleblowing Arrangements Code of Practice, issued by the British Standards Institute and Protect (formerly, Public Concern at Work).
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. WHO IS COVERED BY THIS POLICY?

- 2.1 This policy applies to all individuals working at all levels of its business, including senior managers, officers, directors, employees, consultants, contractors, trainees, part-time and fixed-term workers, casual and agency staff (collectively referred to as **staff** in this policy).

3. WHAT IS WHISTLEBLOWING?

- 3.1 **Whistleblowing** is the disclosure of information which relates to suspected serious wrongdoing or serious dangers at work. This can be internal wrongdoings (company matters) and well as wrongdoings that may have an impact on the general public ("in the public interest"). To gain the full protection of the legislation in such matters, the wrongdoing that is disclosed by the whistleblower must be "in the public interest" (it will not apply to internal matters only). Despite this, the Company will provide comparable protection, as afforded through the legislation, for whistleblowing of wrongdoings concerning company matters.

This may include:

- (a) criminal activity;
- (b) miscarriages of justice;
- (c) danger to health and safety;
- (d) damage to the environment;
- (e) failure to comply with any legal obligation, professional obligation or regulatory requirements;
- (f) bribery
- (g) financial fraud or mismanagement;
- (h) breach of its internal policies and procedures;
- (i) conduct likely to damage its reputation;
- (j) unauthorised disclosure of confidential information; and

(k) the deliberate cover-up of any of the above matters.

- 3.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above, reasonably believing that one or more of the above has occurred or is likely to occur. If you have any genuine concerns relating to suspected wrongdoing or danger affecting any of its activities (a **whistleblowing concern**) you should report it under this policy.
- 3.3 This policy should not be used for complaints relating to your own personal circumstances or the way you have been treated at work. In those cases, you should use the Grievance Procedure.
- 3.4 If you are uncertain whether something is within the scope of this Policy you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

4. RAISING A WHISTLEBLOWING CONCERN

- 4.1 The Company hope that in many cases you will be able to raise general concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.
- 4.2 Where you believe that the matter is serious and falls within the scope of this policy, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following via the contact details set out at the end of this policy:
- (a) the Whistleblowing Officer; or
 - (b) Brockwell Energy's confidential external hotline, operated by SeeHearSpeakUp. Contact numbers set out at the end of this policy.
- 4.3 The Company will arrange a meeting with you as soon as possible to discuss your issues. You may bring a colleague to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 4.4 The Company will take down a written summary of your concern and provide you with a copy after the meeting. The Company will also aim to give you an indication of how the Company propose to deal with the matter.

5. CONFIDENTIALITY AND ANONYMITY

- 5.1 The Company hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, the Company will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, the Company will discuss this with you.
- 5.2 The Company do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Company cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.
- 5.3 Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer or one of the other contact points listed in paragraph 4 above and appropriate measures can then be taken to preserve confidentiality.
- 5.4 If you are in any doubt, you can seek advice from Brockwell Energy's SeeHearSpeakUp service or Protect, the independent whistleblowing charity, who offer a confidential helpline.

6. THIRD PARTIES

- 6.1 Whistleblowing concerns are likely to relate to the conduct of its staff, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. However, the Company encourage you to report such concerns internally first. You should contact the Whistleblowing Officer for guidance.

7. EXTERNAL DISCLOSURES

- 7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most instances, you should not need to alert anyone externally.
- 7.2 If you feel that the problem is not being investigated properly or thoroughly enough, or that the problem is so large and/or is in the public interest you should make a disclosure directly to one of the government designative agencies which can be found on the governments website <https://www.gov.uk> and search for 'blowing-the-whistle-list-of-prescribed-people-and-bodies'.

8. INVESTIGATION AND OUTCOME

- 8.1 Once you have raised a concern, the Company will carry out an initial assessment to determine the scope of any investigation. The Company will inform you of the outcome of its assessment. You may be required to attend additional meetings in order to provide further information.
- 8.2 The Company will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 8.3 In some cases, the Company may need to appoint an investigator or team of investigators including staff with relevant experience or specialist knowledge of the subject-matter to undertake an investigation. The investigator(s) may also make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 8.4 The Company will promptly investigate all allegations and will take whatever action the Company consider appropriate. The Company will inform you of the outcome of the investigation as soon as practicable.
- 8.5 If you reasonably believe that the nature of your concern relates to any of the areas set out in paragraph 3.1 above and you disclose this information to the appropriate person under this policy no action will be taken against you for making this disclosure, provided there has not been the making of false allegations maliciously or with a view to personal gain.
- 8.6 The Company will take appropriate action against any staff member who is:
- a) found to be victimising another person for using this policy or deterring any person from reporting genuine concerns under it; or
 - b) making the disclosure/allegation maliciously, or vexatious, or with a view to personal gain or where there were no reasonable grounds for believing that the information supplied was accurate.
- 8.7 If any such person is employed directly by this organisation, they will be subject to disciplinary action, which may result in dismissal.

9. IF YOU ARE NOT SATISFIED

- 9.1 While the Company cannot always guarantee the outcome you might seek, the Company will try to deal with your concern fairly and in an appropriate way. By using this Policy, you can help us to achieve this aim.
- 9.2 If you are not happy with the way in which your concern has been handled, you can raise it with the Whistleblowing Officer, or raise it externally to a government agency, see 7.2 above.

10. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

- 10.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Company aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 10.2 Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If then the matter remains unremedied you should raise it formally using the Company's Grievance Procedure.
- 10.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue you personally for compensation in an employment tribunal.
- 10.4 A confidential hotline is available to whistleblowers who raise concerns under this policy. All staff can access the Group's whistleblowing hotline, operated by SeeHearSpeakUp. Contact details are set out at the end of this policy.
- 10.5 The full legal protection against detriment for whistleblowers only applies to disclosures that are in the public interest.

11. RESPONSIBILITY FOR THE SUCCESS OF THIS POLICY

- 11.1 The Executive Directors have overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 11.2 The Whistleblowing Officer has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
- 11.3 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.
- 11.4 The Whistleblowing Officer, in conjunction with the Executive Directors, will review this policy from a legal and operational perspective at least once a year.

12. CONTACTS

Whistleblowing Officer – Internal – Iain Cockburn, CFO

Telephone: | 0131 297 5001

Email: | iain.cockburn@brockwellenergy.co.uk

Whistleblowing Service – External – SeeHearSpeakUp

Hotline	0800 988 6818
Email	report@seehearspeakup.co.uk
Web Reporting	https://www.seehearspeakup.co.uk/en/file-a-report
Username	Brockwell
Password	Energy793
Protect	www.pcaw.co.uk 020 3117 2520

APPROVED

Signed:

A blue ink signature of Iain Cockburn, consisting of a stylized 'I' and 'C' followed by a horizontal line.

Print Name:

Iain Cockburn

Date:

01/06/2022