

P42 Whistle-Blowing Policy

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1 INTRODUCTION

The term ‘whistleblowing’ has no legal definition under UK law; however, it has been used to describe incidents where an employee, volunteer, associate, or other reports some alleged wrongdoing within an organisation.

The Public Interest Disclosure Act 1998 aims to promote greater openness in the workplace and, by amending the Employment Rights Act 1996, protects ‘whistleblowers’ from detrimental treatment, i.e. victimisation or dismissal, for raising concerns about matters they reasonably believe to be in the public interest.

This statement sets out TCHC’s Policy and provides in some detail advice and guidance to everyone on the scope of the Policy. It explains that a member of staff, who has a reasonable belief that serious malpractice has occurred or is likely to occur, can make a confidential disclosure.

TCHC Group Ltd is committed to maintaining the highest standards of integrity, honesty and professionalism in the workplace and complying with its legal obligations.

Staff are made aware of this policy by its publication within the Company Documents on the Employment Hero platform.

2 POLICY STATEMENT

Under the Public Interest Disclosure Act 1998 (“PIDA”), you have the statutory right to disclose concerns relating to the Company without fear of victimisation or detriment.

The concerns covered by PIDA relate to one or more of the following events. You must reasonably believe that the event has happened, is happening, or is likely to happen soon:

- A criminal offence
- A failure to comply with any legal obligation
- Financial or non-financial maladministration, malpractice, impropriety or fraud
- Academic or professional malpractice

- A risk to the health or safety of any individual
- Environmental damage
- A miscarriage of justice
- sexual harassment (unwanted conduct of a sexual nature, as defined in the Equality Act 2010)
- Attempts to suppress or conceal any information relating to any of the above
- Deliberate concealment of any one of the above

If, in the course of investigation, any concern raised in relation to the above matters appears to the investigator to relate more appropriately to a grievance, bullying or harassment, or discipline, those procedures will be invoked, instead of or, where appropriate, in addition to this procedure.

If your concern relates to any internal procedure or act which affects your employment directly, then this should be raised through the TCHC's grievance procedure, which can be located in the company handbook.

Any person who genuinely and in good faith believes that one of the above events has happened, is happening or is likely to happen in the near future, they should raise the issue with their Line Manager or, in their absence, or if the concern relates to their Line Manager, it should be raised with the HR department.

3 ADVICE FOR RAISING A CONCERN

We acknowledge the difficult choice a member of staff may have to make when raising a concern. Some recommendations for those wishing to make a disclosure are:

Make any objections to illegal, unsafe or unethical practices promptly so as to avoid any misinterpretation of the motives for doing so.

Focus on the issues and proceed in a tactful manner to avoid unnecessary personal antagonism, which might distract attention from solving the problem.

Be accurate in any observations and claims, and keep formal records documenting relevant events.

4 REPORTING PROCESS

4.1 Confidentiality

TCHC will endeavour to maintain confidentiality where possible, but this cannot be guaranteed. Depending on the nature of the complaint, the police or a regulator, for example, may need to be involved. Although you may raise your concerns anonymously, it may be impossible to investigate or take further action if you do so.

4.2 Internal Process

- You should first report the concern or issue to your Line Manager as soon as possible (unless it involves your Line Manager, then inform the HR department)
- The Line Manager must then inform the HR department, who will then keep official written records
- You will be informed who will investigate your concerns and be advised of the likely timescale of the investigation. You may be asked to put your concerns in writing, provide as much information and evidence as possible, and attend further meetings as part of the investigation. You are entitled to be accompanied to any meeting which you attend in connection with the investigation by a work colleague or a trade union representative.
- If, for any reason, you feel that the person with whom you initially raised your concern has failed to deal with the issue in a satisfactory manner, you should set out your concerns to the Managing Director, Yuen-Man Yau (yuen-man.yau@tchc.net).

If you are still not satisfied with the outcome, then you can raise the matter with the appropriate official organisation or regulatory body.

4.3 External Process

- In the first instance, please set out your concerns in writing to the Managing Director (Yuen-Man Yau (yuen-man.yau@tchc.net)) who will then appoint an appropriate person to investigate the matter.
- If, for any reason, you feel that the person with whom you initially raised your concern has failed to deal with the issue in a satisfactory manner, you should set out your concerns in writing to the Managing Director (Yuen-Man Yau (yuen-man.yau@tchc.net)).

If you are still not satisfied with the outcome, then you can raise the matter with the appropriate official organisation or regulatory body.

5 DOCUMENT SIGN OFF



Kim Kitchener – Head of Quality – TCHC

Document History

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Revision and Amendment Register

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