

Whistleblowing Policy

This procedure is endorsed by the senior management of Make UK and the other trading names of EEF Limited and will be reviewed regularly. The aim of this policy is to encourage you, as an employee, to raise any genuine concerns you might have about certain wrongdoings within or related to the company without fear of reprisal, and to enable us, at the company, to investigate such concerns and deal with them appropriately.

We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with our Codes of Conduct. 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.

Introduction

- We will not tolerate wrongdoing by employees at any level.
- The purpose of this procedure is to enable the company to investigate and deal properly and sensitively with allegations of wrongdoing raised by employees.
- We believe that good communication amongst staff at all levels promotes better business practice.
- If you have a serious concern relating to one of the areas listed below, the matter can be reported, in the manner set out in this procedure, without fear of reprisals.
- This procedure should only be used by employees who wish to report or raise concerns about wrongdoing of the nature listed below.

Eligibility

This policy applies to all employees, apprentices, workers and anyone else who has a contract to carry out work for us personally. It does not apply to genuinely self-employed workers who run a profession or business on their own account.

Scope

You should not use this procedure for complaints relating to your own circumstances, such as the way you have been treated at work. In those cases, you should use the grievance procedure or the bullying and harassment procedure, as appropriate. This procedure is for making a disclosure of wrongdoing or malpractice where you reasonably believe that disclosure is in the public interest. If you are uncertain whether or not something is within the scope of this policy, you should seek advice from the HR Director.

Protection and support for Whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers 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 HR Director, your line manager or the central HR team immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action.

Interaction with Grievance Procedure

If you are an employee and would also like us to deal with a particular matter as a formal grievance, for example because it affects you personally, you should raise this in line with our Grievance Procedure.

Types of wrongdoing addressed by this policy

If you genuinely believe that we, or any of our staff has taken, is intending to take or has failed to take action that you reasonably believe could lead or amount to:

- a criminal offence
- a failure to comply with any legal obligations.
- a miscarriage of justice
- danger to the health and safety of any individual
- damage to the environment
- adoption or utilisation of modern slavery or bribery practices
- the deliberate concealment of information concerning any of the matters listed above

You can disclose this information verbally or in writing to:

- the HR Director,
- your line manager,
- the Chief Executive,
- the Finance Director, or
- a member of the EEF Limited Audit and Risk Committee via the company secretary (CompanySecretary@eef.org.uk)
 - Edward Jones (Chairperson)
 - David Bramwell
 - Ann Watson

If you make such a disclosure, you should provide full details and, where possible, supporting evidence.

You should not bypass this procedure and air concerns externally, other than in exceptional circumstances, for example if you have good reason to believe that evidence would be destroyed if you did not do so. We strongly encourage you to seek advice before reporting a concern to anyone external. Protect is an independent whistleblowing charity which operates a confidential helpline. Their contact details are: Helpline: (020) 7404 6609; E-mail: whistle@protect-advice.org.uk; Website: <https://protect-advice.org.uk/>. Remember also that social media sites such as Twitter and Facebook are public rather than private spaces, and they are not the appropriate channel for raising concerns. It will very rarely, if ever, be appropriate to alert the media.

Investigating allegations of wrongdoing

If you disclose information in accordance with this policy, wherever reasonably practicable we will keep your identity confidential and deal with your complaint independently of any individual complained about.

We will investigate your allegation promptly. During the course of our investigation we may require your assistance. We discourage anonymous disclosures as they are likely to hinder effective investigation.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator (or investigators) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We 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, an outcome or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

Action we may take

If you reasonably believe that the nature of your concern relates to any of the areas set out above and you disclose this information to the appropriate person under this policy in good faith, no action will be taken against you for making the disclosure.

We will, however, take appropriate action against any person found to be:

- victimising another person for using this policy
- deterring any person from reporting genuine concerns under this policy
- making a disclosure/allegation maliciously or vexatiously or where there were no reasonable grounds for believing that the information supplied was accurate

For employees this may involve us taking disciplinary action, which may result in dismissal.

If you are not satisfied with the outcome

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts set out at the end of this policy. Alternatively, you may contact the chairperson or our external auditors. Contact details are set out at the end of this policy.

Confidentiality, data protection and record keeping

We aim to deal with allegations raised under this policy sensitively and with due respect for the privacy of the individuals involved. All employees must treat as confidential any information communicated to them in connection with an allegation made under this Policy.

Conducting investigations and hearings under this policy involves us processing the personal data of

the employees concerned. We use this personal data in order to investigate and deal with whistleblowing allegations. Our legal grounds for doing so are that it is necessary:

- to comply with our legal obligations and for the performance of the employment contract (i.e. to investigate and deal with allegations of wrongdoing in accordance with our duty of trust and confidence to our employees)
- in our legitimate interest to deal effectively with whistleblowing allegations, whether you are the subject of them or are otherwise connected to the issues raised.

Special category data¹ and data relating to criminal offences or convictions may occasionally need to be processed under this policy – for example, where an employee raises an allegation of wrongdoing in the company which involves treating individuals badly because of their race or sexual orientation, or where an employee requires a reasonable adjustment to the operation of this policy to accommodate a disability. Our additional legal grounds for using such data are that this is necessary: to exercise legal rights/comply with legal obligations in relation to employment; and to establish, exercise or defend legal claims.

Where we take witness statements from employees with information about the allegations being investigated under this policy, such statements will be treated confidentially and will only be shared with individuals who need to be involved in the investigation and any follow-up action. This will ordinarily be HR and the person/people conducting investigations. In addition, if in the course of investigations under this policy it becomes apparent that misconduct has taken place which requires investigation under our disciplinary policy, witness statements taken under this policy may be used in any subsequent disciplinary procedure and may therefore be shared with the person/people conducting investigations and hearings, as well as the employee whose conduct is the subject of disciplinary proceedings, to enable them to prepare for the hearing and respond to the allegations against them.

We will ordinarily keep records of allegations raised under this procedure for 12 months from the date of completion of investigations and any follow-up action. However, there may also be circumstances in which it is appropriate for us to keep records under this policy for a longer period. In such circumstances, we will decide how long records should be retained in accordance with the criteria set out in our main employee privacy notice.

More general information, including details of who your personal data is shared with, your rights under data protection law and who you should contact if you have any concerns is contained in our employee privacy notice, which can be accessed via the staff intranet.

Status of this policy

This policy does not give contractual rights to individual employees, workers or contractors. The company reserves the right to alter any of its terms at any time, although we will notify you in writing of any changes.

Contact details

If you want to raise a whistleblowing case you must do so verbally or in writing to either:

¹ (i.e. personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health conditions, sexual life or sexual orientation, or biometric or genetic data that is used to identify an individual)

- the HR Director,
- your line manager,
- the Chief Executive,
- the Finance Director, or
- a member of the EEF Limited Audit and Risk Committee via the company secretary (CompanySecretary@makeuk.org)
 - Edward Jones (Chairperson)
 - David Bramwell
 - Ann Watson

Should you feel the need to report a concern entirely anonymously you may submit a report at makeuk.whistlelink.com using password MakeUKEEF.

Policy owner

Company Secretary
Last updated: September 2023
Approved by: Ethics Committee