



**Document Number**

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**Document Title**

**Whistleblowing Policy**

**Prepared by:** Samantha Rattray  
Group QHSE Manager

**Approved by:** Craig Russell  
Regional Director (EMAC)

**CONTROL STATUS**

Unless over stamped “controlled” in red, this document has been provided for information only and will not be updated.

## AMENDMENTS

Amendment Description	Rev.	Date	Amended By	Approved By	Pages Affected
Original Policy	00	13/12/10	JT	CR	ALL
Reviewed and no changes	01	10/4/13	DR	CR	ALL
Renumbered in line with new numbering system, Table of Contents included	02	11/11/13	KH	DH	ALL
Reviewed as Part of Annual Review No Change	02	08/10/14	KH	DH	N/A
Annual Review, New front page, Reformatting changes	03	11/05/15	KH	DH	ALL
Annual Review, New front page	04	02/05/16	SR	DH	ALL
Add in references to the Modern Slavery Act 2015 and Foreign Corrupt Practices Act 1977 and UK Bribery Act 2010 in Section 4	05	12/01/16	SR	DH	5
Change approver and layout. General paragraph updates, Appendix A added	06	17/12/18	SR	CAR	ALL

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## 1.0 Introduction

OEG Offshore Limited (OEG) is committed to encouraging a culture of openness within OEG to prevent incidents of malpractice. OEG recognises that, from time to time, things may go wrong or OEG may be unknowingly harbouring malpractice. OEG has a duty to identify malpractice and take the appropriate measures to remedy the situation.

It is sometimes difficult to know whether to speak up about something that concerns us. Often people are reluctant to get involved but this could result in serious consequences for OEG and its employees. That is why we have implemented this Whistleblowing Policy.

If you see or find out about something you think is wrong at OEG you should report it. You should go first to your line-manager or any other senior person. If you cannot or do not wish to do this for any reason you should follow this whistleblowing policy. Raising concerns about wrongdoing can be one of the most difficult and challenging things to do in a work environment. Under this policy you may come forward with legitimate concerns without fear of being blamed or suffering any disadvantage for doing so.

OEG encourages all employees to raise issues which concern them at work direct with their line manager in the first instance.

## 2.0 Purpose

The aim of this policy is to:

- a) ensure all employees feel supported in speaking up in confidence and reporting matters they suspect may involve anything, improper, unethical or inappropriate;
- b) encourage all improper, unethical or inappropriate behaviour to be identified and challenged at all levels of the organisation;
- c) provide clear procedures for the reporting of such matters;
- d) manage all disclosures in a timely, consistent and professional manner; and
- e) provide assurance that all disclosures will be taken seriously, treated as confidential and managed without fear of retaliation.

## 3.0 Statutory Obligations

All employees have legal protection under the Public Interest Disclosure Act 1998 from any form of retribution, victimisation or detriment as a result of publicly disclosing certain serious allegations of malpractice.

Employees who disclose information of a specified category to a specified individual in specified circumstances, in accordance with the Public Interest Disclosure Act 1998 will be afforded protection. It will also enable them, if necessary, to make a complaint or assist in an investigation without fear of reprisal.

## 4.0 When should a report be made

This policy is designed to deal with concerns raised in relation to specific issues which are in the public interest and detailed below. Only genuine concerns should be reported.

Whistle blowing means a disclosure of information made by an employee or contractor, an external person or body 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. This is a non – exhaustive list of examples:

- a) a criminal offence;
- b) fraud;
- c) 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 the Informa Code of Ethics);
- d) a miscarriage of justice;
- e) a danger to the health and safety of any individual;
- f) damage to the environment; and
- g) a deliberate concealment of information tending to show any of the above. Informa has other policies and procedures that deal with 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.

## 5.0 Employer Responsibility

OEG views any issue of potential malpractice or misconduct extremely seriously and therefore all complaints raised under this policy shall be dealt with promptly and in strictest confidence. OEG shall appoint a senior manager to meet with the employee who raised the complaint to compile a full report into the nature of the allegations and alleged misconduct or malpractice.

Once the report is completed in full, the Management Team shall appoint an appropriate person to undertake a full investigation into the allegations of malpractice or misconduct. OEG will ensure that both management and employees comply with this policy. The Management Team will be responsible for coordinating the implementation of this policy and monitoring it thereafter.

## 6.0 Employee Responsibility

Employees should raise the matter with their line manager or another senior manager as appropriate where genuinely and in good faith they believe that one of the following sets of circumstances is occurring, has occurred or may occur within OEG:

- a) That a criminal offence has been committed, is being committed or is likely to be committed;
- b) That a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;
- c) That a miscarriage of justice has occurred, is occurring or is likely to occur;
- d) Potential breach of the requirements in, or made under, the Modern Slavery Act 2015 (Slavery or Human Trafficking)
- e) Potential breach of the Foreign Corrupt Practices Act 1977 (FCPA) or UK Bribery Act 2010.
- f) That the health and safety of any individual has been, is being or is likely to be endangered;
- g) That the environment has been, is being or is likely to be damaged;
- h) That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Employees who raise an issue which may fall into the above category should be aware that further investigation will normally be necessary and that they may be required to attend a disciplinary or

investigative hearing as a witness. Employees wishing to make a complaint should do so orally or in writing, describing the incident(s) as fully as possible to their line manager, or a more senior manager if appropriate and should include the following information;

- i. an outline of the known or suspected wrongdoing;
- ii. details, to the best of your knowledge, about when, where and how it occurred;
- iii. a list of the names of those suspected of being involved (both within Informa and externally);
- iv. a list of the names of anyone who may have relevant information;
- v. details of how you came to know about the suspected activities;
- vi. what, if any, do you estimate to be the value of the loss to Informa or other parties;
- vii. what, if any, breaches of internal controls, policy, procedure or other requirements you believe took place;
- viii. any specific recommendations you have for actions;
- ix. the names of anyone who you have discussed or reported this incident to;
- x. your name and contact details. Please note – these will be kept confidential as far as is reasonably practicable; and
- xi. the date and time of making the report.

Employees are not required to prove the malpractice or misconduct and are entitled to raise matters on reasonable suspicion. However, employees will not be protected from the consequences of making such a disclosure if, by doing so, he/she commits a criminal offence. Employees will only be entitled to protection if the disclosure is carried out in accordance with the policy in good faith.

## 7.0 Reporting Complaints

All allegations of malpractice or misconduct will be dealt with seriously, confidentially and speedily.

**If you wish to make a complaint you should follow the following steps:**

You should report the details in the first instance to your line manager. If you do not wish to speak to your line manager, you can instead speak to, where appropriate, our external HR Consultants or our CEO.

You should report the incident promptly so that investigation may proceed and any action taken quickly. As part of the investigatory process, you will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it.

Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, OEG must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. OEG reserves the right to arrange for another manager to conduct the investigation other than the manager with whom you raised the matter.

You will be invited to attend at least one meeting at a reasonable time and place at which your complaint can be discussed. You should take all reasonable steps to attend that meeting and you have the right to be accompanied by either a trade union official or a fellow employee of your choice or other individual who does not act in a legal capacity for you.

If the investigation proves that malpractice or wrongdoing has occurred, OEG's Disciplinary Procedure will be invoked and disciplinary action, up to and including dismissal, may be taken against the individual responsible for the offence.

You will not be penalised for raising a complaint of discrimination even if it is not upheld, unless the complaint was both untrue and made in bad faith.

## **8.0 External Disclosure**

If an employee is not satisfied with the outcome of the investigation, the employee is legally entitled to make a disclosure to a prescribed person or, where justified, other bodies. It is nevertheless recommended that, in the first instance, the employee report his/her dissatisfaction to the CEO.

## **9.0 Penalties**

Any employee who raises a concern, which the investigation proves to be deliberately vexatious or malicious, will become the subject of disciplinary proceedings, up to and including dismissal.

Where the investigation proves the concern to be unfounded, but the employee raised the concern in good faith and without malice, the local office Senior Management Team will ensure that the employee is not subjected to victimisation or any other reprisals.

## **10.0 Data Protection and Privacy**

All information shall be treated confidentially as far as reasonably practicable. There may be circumstances where, because of the nature of the investigation or disclosure, it will be necessary to disclose your identity. In such circumstances every effort will be made to inform you before such disclosure is made.

If it is necessary for you to be involved in an investigation (for example by providing evidence), the fact that you made the original disclosure will, so far as reasonably practicable, be kept confidential and all reasonable steps will be taken to protect you from any victimisation or detriment as a result of having made a disclosure.

## **11.0 Monitoring, Reviewing & Record-Keeping**

OEG will seek to establish effective monitoring, reviewing and record-keeping systems to ensure effective implementation and development of this policy.

## Appendix A – Management of Investigations

An investigating manager will be appointed to lead the investigation into the allegations and will have the following responsibilities:

- Arrange individual interviews with relevant witnesses or individuals and inform them of their right to be accompanied at the meeting by a legal advisor / trade union representative / work colleague.
- Establish the facts/obtain statements/collect documentary evidence.
- Maintain detailed records of the investigation process.
- Make any recommendations for action to be submitted to a more senior manager.

The investigating manager will have the following responsibilities towards the employee or party who raised the disclosure:

- Hold a formal meeting with the employee making the complaint to discuss the matter.
- Inform them of their right to be accompanied at any interview by a legal advisor / trade union representative / work colleague.
- Keep the employee up to date with progress on the matter and agree timescales for action.
- Notify the employee making the disclosure about the outcome of the investigation, including how the matter will be dealt with and whether they will be required to attend an investigatory interview.
- Give details of employee support mechanisms available.

The investigating manager will have the following responsibilities towards the party against whom the disclosure is raised, pending consideration of the severity of the allegations, legal advice and safeguards to avoid tipping off:

- Inform the individual/individuals about whom the disclosure is made in writing of the disclosure, the seriousness of the allegations and provide any supporting evidence.
- Advise in writing of the procedure to be followed.
- Give the person the opportunity to respond in person and in writing to the claims made, and receive and consider any relevant evidence.
- Inform them of their right to be accompanied at any interview by a legal advisor / trade union representative / work colleague.
- Give details of employee support mechanisms available.
- The investigating manager may also be required to act as a witness at any subsequent disciplinary hearing if required.
- Where necessary the Company will provide support, counselling or mediation to any team subject to investigation in order to ensure normal working relationships are resumed as effectively as possible.

The manager appointed to hear an appeal will have the following responsibilities:

- Hold appeal meeting with employee who made the disclosure.
- Ensure all parties are informed of their right to be accompanied at any meetings by a legal advisor / trade union representative / work colleague.
- Review the investigation report/procedure followed and findings.
- Decide whether to uphold appeal or not.

- Initiate a new investigation if necessary.
- Report the appeal findings in writing to the Chief Executive Officer, if applicable.
- Communicate outcome in writing to the employee making the disclosure and the employee against whom the disclosure is made.