

Whistleblowing at work

Policy

BW subscribes to moral principles and standards of behaviour, which create a harmonious and effective working environment. Continued subscription to these values will ensure BW is one of the best organisations and will be ideally positioned to deal with the challenges of the future. To achieve this, BW supports freedom of speech and encourages employees to use internal mechanisms for reporting any malpractice, illegal acts or omissions by its employees or ex-employees. British Waterways hope to encourage openness between employees in the workplace.

BW has a range of policies and procedures that deal with standards of behaviour at work. They cover discipline, grievance, equality of opportunity, and recruitment and selection. Employees are encouraged to use the provisions of these procedures when appropriate. There may be times, however, when the matter is not directly relevant to personal employment issues and needs to be handled in a different way.

Examples, although not exhaustive, may be:

- A criminal offence has been committed, is being committed or is likely to be committed
- Suspected fraud
- Disregard for legislation, eg in relation to health and safety at work, illegal use of software, illegal water abstractions
- The environment has been or is likely to be damaged
- Breach of BW Code of Conduct
- Information on any of the above being concealed.

BW will not tolerate any direct or indirect harassment or victimisation of a whistleblower and will treat this as a serious disciplinary offence and will be dealt with under the appropriate procedures.

Procedure

Raising a concern

Employees are encouraged to raise any genuine concerns with their Line Manager. If it is not appropriate to do so because for example, the concern relates to their Line Manager, then an approach should be made either to the next senior manager, Head of Personnel or Head of Audit. At this initial discussion the whistleblower will be offered the option of confidentiality and will, if taken up, be given assurances that their identity will not be disclosed, or if disclosure is approved offered assurances of protection from possible reprisals or victimisation.

Investigation

The investigation may need to be carried out under the terms of strict confidentiality, ie by not informing the subject of the complaint until it becomes necessary to do so. This may be appropriate in cases of, for example, suspected fraud. In certain cases however, for example allegations of inappropriate acceptance of hospitality, suspension from work may be considered immediately.

The Investigating Manager will endeavour to keep the whistleblower informed about the progress of the investigation and its outcome.

Following the investigation

If, as a result of the investigation there is a case to answer then disciplinary procedures will be initiated against relevant employee(s). If there is no case to be answered then the whistleblower will be informed of the reasons why and re-assured that he/she will suffer no reprisals. However, if it is found that false or malicious allegations have been made, then it may be appropriate to act in accordance with BW's disciplinary procedure.

This policy and procedure is in compliance with the Public Interest Disclosure Act 1998. This Act protects workers who raise legitimate concerns and have a reasonable belief that the disclosure is true. This policy refers to the disclosure internally or externally by employees of malpractice as well as illegal acts or omissions at work. There may be exceptional or urgent circumstances where it might be better to contact an external agency. Under the Act, disclosures can be made in good faith to "prescribed regulators" such as the Health and Safety Executive, the Inland Revenue and the Financial Services Authority.

BW recognises that employees may wish to seek advice and/or representation from their trade union when using the provisions of this policy. BW therefore acknowledges and endorses the role of trades unions and their officers and representatives as integral to the operation of the procedure.