

Whistleblowing Policy

Introduction

The Company is committed to good governance and to providing a fair and effective mechanism for employees to raise whistleblowing concerns responsibly. We are committed to resolving concerns raised as soon as possible to ensure best client care and high standards of practice. This policy sets out the guiding principles for ensuring that whistleblowing issues are dealt with in a fair, timely and consistent way across the Company.

This policy has been developed in accordance with the Public Interest Disclosure Act (PIDA) 1998 (and any subsequent amendments), whereby employees and workers who raise legitimate concerns about specified matters, or “protected disclosures”, are protected from being treated badly or dismissed. The policy sets out the responsibilities of employees and other workers and enables management to demonstrate accountability.

All of us at some time may have concerns about what is happening at work. When such issues are about possible unlawful conduct or financial malpractice, it can be difficult to know what to do. Individuals may be worried about raising such issues for a variety of reasons so the Company has introduced this policy to give guidance, as it would rather the matter was raised when it is just a concern, rather than wait for proof. The Company believes by doing so, this would be in the best interests of the public, clients, employees and the organisation in the longer term.

Scope

This policy applies to all UK employees, casual and agency workers, students, volunteers, contractors, secondees and officers (collectively referred to as staff in this policy).

Volunteers and independent/self-employed consultants may raise any concerns as per the stated procedure. Whilst such individuals do not have any statutory rights to protection from detrimental treatment/dismissal for making a protected disclosure under current disclosure regulations (PIDA), the Company will respond as appropriate to the situation under review.

Statement

The purpose of this policy is to ensure that staff are able to raise their concerns about malpractice, illegal acts, breaches of codes of conduct and other concerns of a legal or ethical nature, which may have an impact upon or threaten the wider public interest. This is commonly known as “whistleblowing”

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Roles and responsibilities

The person raising the concern

The person raising the concern is responsible for:

- Raising the concern as soon as possible in an objective and factual way, using this policy and accompanying procedure.
- Keeping records where possible of any incidents and potential witnesses.
- Cooperating with any investigation, if appropriate, including being available for interview (notice will be given), providing a statement and/or documentation.
- Maintaining confidentiality of clients and staff and any other individuals concerned.

Line Managers

Line Managers are responsible for:

- Ensuring that all employees are familiar with and have access to this policy.
- Complying with procedures and principles as outlined.
- Ensuring concerns raised are taken seriously and responding to concerns in a timely fashion.

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- Evaluating the basis of any claim brought to their attention and referring upwards to a more senior manager if appropriate.
- Respecting confidentiality when handling sensitive/confidential information, and maintaining anonymity where necessary.

What is Whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. Examples include (but are not limited to):

- financial impropriety, fraud, mismanagement or money-laundering
- danger to health and safety
- damage to the environment
- bribery
- facilitating tax evasion
- failure to comply with a legal duty
- criminal acts
- miscarriages of justice; and
- deliberate concealment of information related to the above examples.

A whistleblower is a person who raises a genuine concern relating to any of the above. If employees have any genuine concerns related to suspected wrongdoing or danger affecting any of the Company's activities (a whistleblowing concern) they should report it under this policy.

General Principles

We take the issue of malpractice, illegal acts, breaches of codes of conduct and ethical issues very seriously and employees are able to raise their concerns in confidence.

Employees are encouraged to raise concerns at the earliest opportunity.

The Company's Code of Conduct provides guidance to all employees and helps employees to carry out their activities within appropriate ethical and legal standards. These obligations apply to relationships with service users, consultants, all business partners and between employees.

The whistleblowing policy is primarily for concerns which employees may have where the interests of others, the Company or both are at risk. If concerns relate to a personal grievance, or complaints relating to your own personal circumstances, such as the way you have been treated at work, the Grievance Policy should be followed. There are other policies and procedures designed to resolve other employee concerns. These policies and procedures are set out in the Employee Handbook. Similarly the whistleblowing policy is not an appeal mechanism for other procedures, unless the employee feels that that the other process was compromised as a result of the employee having raised concerns under this policy. If an employee is uncertain whether something is within the scope of this policy they should seek advice from [the Whistleblowing Officer], whose contact details are at the end of this policy.

The Company will support individuals who raise genuine concerns under this policy. As a result of doing so, the individual will be protected from reprisal, victimisation, discrimination or any form of disciplinary sanction. The continued employment, opportunities for future training or promotion of the individual will not be prejudiced because he or she has raised a legitimate concern. However, providing information known to be untrue is potentially gross misconduct and may be subject to disciplinary action.

The Company recognises that in exceptional cases there may be situations where individuals wish to raise a concern in confidence and to remain anonymous. In such cases, the Company will protect anonymity as far as possible, however, some cases may be difficult to investigate and resolve the concern without the identity of the complainant becoming known.

This Policy is intended to reassure all staff so that they have the confidence to raise a concern that they

reasonably believe is in the public interest, and is a means of improving standards. If a concern is raised anonymously, or if a person asks for their identity to be protected, the Company will not reveal it unless it is necessary in order to investigate and resolve the concern. This will be considered on a case by case basis and discussed with the individual concerned before disclosure is made. In some cases there may be circumstances where the individual's identity may be made public. This could happen during legal proceedings, disciplinary or police investigations. In some cases, the Company may be forced to disclose the identity by a court order. The Company does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Company cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the [Whistleblowing Officer] and appropriate measures can then be taken to preserve confidentiality.

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Procedure

General Approach

In many cases concerns may be resolved between the individual and their line manager. Employees are encouraged to report their concerns in the first instance, verbally or in writing, to their line manager as soon as they become aware that the alleged act or omission is happening, or has happened, or is likely to happen.

Where the matter is more serious, or employees feel that their line manager has not addressed their concern, or they prefer not to raise it with them for any reason, they should contact [the Whistleblowing Officer],

Contact details are set out at the end of this policy.

It is important that any disclosures are reported promptly and as soon as reasonably practicable to allow the Company to investigate as quickly as possible.

The line manager will acknowledge receipt, in writing, usually within 5 working days or as soon as reasonably practicable thereafter. They will usually arrange a meeting with as soon as possible to discuss the concern. Staff may bring a colleague or union representative to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation. The purpose of the meeting will be to discuss the concern in more detail and discuss proposals for dealing with the matter.

All reasonable endeavours will be made to investigate any concerns raised. The Company aims to keep the employee updated as to the progress of any investigation and timescales. However, sometimes the need for confidentiality may prevent the Company giving the employee specific details of the investigation or any disciplinary action taken as a result. The employee should treat any information about the investigation as confidential.

When raising a concern, it is helpful for employees to confirm how they think the matter might be best resolved.

In the event that the employee is not satisfied with how the matter has been dealt with, the employee may raise this with a more senior manager. The employee must set out the full reasons why they are dissatisfied in writing. The manager will keep the employee updated on any further action taken.

All employees are encouraged to report any concerns internally in the first instance in accordance with this policy and to exhaust the internal procedure set out in this policy. There may, however, be circumstances where employees can properly report matters to outside bodies such as regulators or

to the police and the law recognises that this may be appropriate in some case. If so, staff must reasonably believe that the failure falls within that person's remit, and that the information they disclose, and any allegations, are substantially true. It will very rarely if ever be appropriate to alert the media. The Company strongly encourages employees to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Protection and support for whistleblowers

The Company aims to encourage openness and will support staff that raise genuine concerns under this policy, even if they turn out to be mistaken.

In Tritax's case, the Financial Conduct Authority is the prescribed person for concerns about the conduct of funds, markets, firms and individuals subject to FSMA (including banks, building societies, investment or insurance businesses) and about the operation of mutual societies that they register under relevant legislation. Contact details for the FCA are set out below.

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 employees believe that they have suffered any such treatment, they should inform [the Whistleblowing Officer] immediately. If the matter is not remedied they should raise it formally using the Grievance Procedure.

Complaint of detriment or dismissal is made to an Employment Tribunal, and only an employment tribunal can decide after the event whether or not a disclosure was protected under PIDA, and whether it may result in compensation.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct may be subject to disciplinary action/other sanctions.

Independent Advice

If employees want free, confidential advice on what is protected by the Public Disclosure Act 1998 and how best to raise concerns, they can contact the independent charity Protect - 020 3117 2520 / www.pcaw.org.uk. This includes advice on properly reporting a concern to an outside body.

How to blow the whistle

An employee who wishes to whistleblow can do so either by contacting the Whistleblowing champion Catherine Fry, or if the disclosure is about that person then any one of the Partners of the firm. If a worker wishes to blow the whistle externally, they may do so by contacting either:

Contact the Financial Conduct Authority:

Whistleblowing contact line: 020 7066

9200 Email: whistle@fca.org.uk

Post: Enforcement and Financial Crime Division (ref PIDA)

Financial Conduct Authority

12 Endeavour Square London E20 1JN

Website: www.fca.org.uk/site-info/contact/whistleblowing

Further information

See: www.hms.gov.uk/si/si1999/19991549 and use 'search' to find the Public Interest Disclosure Act.

“How am I protected?”

For free, confidential advice, contact Public Concern at Work, an independent charity:

Tel: 0207 404 6609

Website: www.pcaw.co.uk