



**Title:** Whistleblowing Policy

## **Procedures & Forms**

HR Policies and Procedures

## **Effective Date:**

This version supersedes all previous policy and practices related to Visitors in the workplace Policy. This policy is effective 1<sup>st</sup> February 2014

## **Background**

The KOJ Group LLC is committed to the highest standards of openness, probity and accountability.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the KOJ Group LLC nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the "whistle blowing procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the KOJ Group LLC

## **Scope**

All employees under the umbrella of the "Group" are governed by this policy.

## **Policy and Procedure**

An important aspect of accountability and transparency is a tool to enable staff and other members of the KOJ Group LLC to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs.

## **Protection**

Protection will be offered to the employee who discloses such concerns provided the disclosure is made:

- In good faith
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure.

## **Confidentiality**

KOJ Group LLC will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

## **Anonymous Allegations**

Individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the KOJ Group LLC.

In exercising this discretion, the factors to be taken into account will include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

### **Untrue Allegations**

if an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

### **Procedures for Making a Disclosure**

On receipt of a complaint of malpractice, the employee who receives and takes note of the complaint must pass this information as soon as is reasonably possible, to the appropriate designated HRD as follows:

- Complaints of malpractice will be investigated by the appropriate Line Manager unless the complaint is against the Line Manager. In such cases, the complaint should be passed to the Human Resources Department for referral.
- The complainant has the right to bypass the line management structure and take their complaint direct to the Director. The Director has the right to refer the complaint back to management if he/she feels that the management without any conflict of interest can more appropriately investigate the complaint.

If there is evidence of criminal activity then the HRD should inform the police. KOJ Group LLC will ensure that any internal investigation does not hinder a formal police investigation.

### **Investigating Procedure**

The HRD should follow these steps:

- Full details and clarifications of the complaint should be obtained.
- The HRD should inform the employee against whom the complaint is made as soon as is practically possible. The employee will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- The HRD should consider the involvement of the KOJ Group LLC auditors and the Police at this stage and should consult with the Group HRD.
- The allegations should be fully investigated by the HRD with the assistance where appropriate, of other individuals / bodies.
- A judgment concerning the complaint and validity of the complaint will be made by the HRD. This judgment will be detailed in a written report containing the findings of the investigations and reasons for the judgment. The report will be passed to the Group HRD as appropriate.
- The Group HRD will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate KOJ Group LLC procedures.
- The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the KOJ Group LLC Auditors to enable a review of the procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the HRD, they have the right to raise it in confidence with the Group HRD, or one of the designated persons described above.

A toll free number has been created for all employees and you may call any time, from 7am-7pm Sunday to Thursday on

**KOJHELP 800 5654357 or you can contact a 24 hours 7 days a week mobile which will only be kept with the HR Director or Regional HR Manager (UAE&GULF) +971 50 246 5222**

**Maintenance and amendment of the policy**

As with all Group policies (the “Group”) may amend this policy at its discretion at any time.