



WHISTLEBLOWING POLICY AND PROCEDURE

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| For use by: | All employees of Burgess Farms and its subsidiary Companies. |
| Purpose: | To ensure employees may raise any concerns they have and how these concerns will be dealt with in relation to fraud, misconduct, or wrongdoing by employees of Burgess Farms. Also, to ensure these concerns are reported and properly dealt with. |
| This document supports: <i>Standards and legislation</i> | Employment Rights Act 1996 Public Interest Disclosure Act 1998 BRC Standard |
| Review date: | Changes to legislation / Changes to Company Policy |

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Definitions

“Company” means Burgess Farms

“Subsidiary Companies” means all Companies owned by Burgess Farms.

Whistleblowing encourages and enables employees to raise serious concerns within Burgess Farms rather than overlooking a problem or 'blowing the whistle' outside. Employees are often the first to realise that there is something seriously wrong with the business.

1. Policy Statement

This policy applies to all employees (including those designated as a casual, temporary, agency, authorised volunteer or work experience) of Burgess Farms. Other individuals performing functions in relation to the organisation, such as agency employees and contractors, are encouraged to use it.

It is important to the business that any fraud, misconduct or wrongdoing by employees or managers of the organisation is reported and properly dealt with. Burgess Farms conducts its business at all times with the highest standards of food safety, authenticity, legality and quality risks to product. The organisation therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the business or the way in which the business is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

2. Key principles

All employees should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

- Any matter raised under this procedure will be acknowledged within seven days of receipt, investigated thoroughly, promptly, and confidentially, and the outcome of the investigation reported back to the employee who raised the issue within 30 days. If it is not possible to respond within this time period, explanation will be provided for the delay and confirmation of when a response can be expected.
- No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the organisation's disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. They should report the matter to a director.
- All employees have the right to be accompanied by a fellow employee or trade union representative during any meeting organised as part of the procedure. If an employee wishes to be accompanied, they will inform the Company of the name of their fellow employee or trade union official prior to the meeting. An employee may not ask a member of HR to accompany them, as they may be present at the meeting in a facilitation and/or note-taking capacity. The employee representative is there to support the employee. They are permitted to address the meeting, but not allowed to answer questions for the employee. The employee

representative may request an adjournment to the meeting at any point if they feel the employee needs a break from the proceedings or to confer with the Employee.

3. Scope

This policy and procedure applies to all employees employed by Burgess Farms and its subsidiary companies.

4. Background

The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- a criminal offence
- alleged miscarriage of justice
- an act creating risk to health and safety
- serious food safety, authenticity, legality and quality risks to product
- an act causing damage to the environment
- possible fraud and corruption
- a breach of any other legal obligation
- abuse of authority
- other unethical conduct
- concealment of any of the above

is being, has been, or is likely to be, committed. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is Burgess Farms' responsibility to ensure that an investigation takes place.

An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

Burgess Farms encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether or not to raise a concern, they should discuss the issue with their line manager or the HR department.

5. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the employee's identity should they wish. At an appropriate time, the employee may be required to come forward as a witness.

6. Procedure

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the organisation's grievance procedure.

6.1 In the first instance, and unless the employee reasonably believes their line manager to be involved in the wrongdoing, or if for any other reason the employee does not wish to approach their line manager, any concerns should be raised with the employee's line manager. If they believe the line manager to be involved, or for any reason does not wish to approach the line manager, then the employee should proceed straight to stage 3.

6.2 The appropriate line manager will respond within seven days of receipt and arrange an investigation into the matter (either by investigating the matter themselves or immediately

passing the issue to someone in a more senior position). The investigation may involve the employee and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account, and they will be asked to comment on any additional evidence obtained. The line manager (or the person who carried out the investigation) will then report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the line manager (or the person who carried out the investigation) will report the matter to the human resources department and start the disciplinary procedure. On conclusion of any investigation, the employee will be told the outcome of the investigation and what the board has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained. Either response will be reported back within 30 days. If it is not possible to respond within this time period, explanation will be provided for the delay and confirmation of when a response can be expected.

- 6.3 If the employee is concerned that their line manager is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the board, they should inform the HR Department of Burgess Farms, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make their own report to the board as in stage 2 above. If for any other reason the employee does not wish to approach their line manager, they should also in the first instance contact the HR Department. Any approach to the HR Department will be treated with the strictest confidence and the employee's identity will not be disclosed without their prior consent.
- 6.4 If the employee does not wish to follow points 6.1, 6.2, and 6.3 they are entitled to contact, in confidence the HR team; All sites: 01733 240253, Sutton Bridge: 07747841598, Isleham and Yaxley: 07799874092, where they can leave details of the issue/complaint. This could be in relation to serious food safety, authenticity, legality, and quality risks to product. As much detail should be given so that a thorough investigation can be carried out. It would be helpful (but not compulsory) if the complainant could leave their contact details as more clarity may be required.
- 6.5 If on conclusion of stages 1, 2 and 3 the employee reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
- HM Revenue & Customs
 - the Financial Services Authority
 - the Office of Fair Trading
 - the Health and Safety Executive
 - the Environment Agency
 - the Director of Public Prosecutions
 - the Serious Fraud Office

7. Document Control

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