



Whistleblowing Policy

Policy Statement

Optima Cars Limited is committed to the highest standards of openness, honesty and accountability. An important aspect of accountability and transparency is a policy to enable staff and other members of the Company to voice concerns in a responsible and effective manner.

Although employees sign a confidentiality Agreement upon commencing employment, there may be an incident where an individual discovers information which they believe shows serious malpractice or wrongdoing within the Company. This information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of Line Management (although in relatively minor instances the Line Manager would be the appropriate person to be told).

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice, impropriety or Criminal Offence. It is not designed to question financial or business decisions taken by the Company nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

Background

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

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;
- is being, has been, or is likely to be, committed.

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

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The Company encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the HR department.



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Principles

1. Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of;
2. Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue;
3. No worker 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 worker will not be prejudiced because he/she has raised a legitimate concern;
4. Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence;
5. If misconduct is discovered as a result of any investigation under this procedure the Company's disciplinary procedure will be used, in addition to any appropriate external measures;
6. Maliciously making a false allegation is a disciplinary offence;
7. 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, workers should not agree to remain silent. They should report the matter to a director.

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 his/her own contract has been, or is likely to be, broken, he/she should use the Company's grievance procedure.

Scope of Policy

This policy applies to all employees and officers of the Company. Other individuals performing functions in relation to the Company, such as agency workers and contractors, are encouraged to use it.

This policy is designed to enable employees of the Company to raise concerns internally and at a high level to disclose information which the individual believes shows malpractice, impropriety or a Criminal Offence. This policy is intended to cover concerns which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Dangers to Health & Safety or the environment
- Improper conduct or unethical behaviour
- Attempts to conceal any of these

Protection

This policy is designed to offer protection to those employees of the Company who disclose 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, impropriety or Criminal Offence and if they make the disclosure to an appropriate person.



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Confidentiality

The Company 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.

Procedure

In the first instance, and unless the worker reasonably believes his/her line manager to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach his/her line manager, any concerns should be raised with the worker's line manager. If he/she believes the line manager to be involved, or for any reason does not wish to approach the line manager, then the worker should proceed straight to stage 3.

The line manager will arrange an investigation into the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account, and he/she 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 worker 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.

If the worker is concerned that his/her 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, he/she should inform a Director of the Company, who will arrange for another manager to review the investigation carried out, make any necessary enquiries and make his/her own report to the board as in stage 2 above. If for any other reason the worker does not wish to approach his/her line manager, he/she should also in the first instance contact a Director of the Company. Any approach to the Director will be treated with the strictest confidence and the worker's identity will not be disclosed without his/her prior consent.

If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, he/she 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 Conduct Authority;
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency; and
- the Serious Fraud Office.



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Data Protection

When an individual makes a disclosure, the Company will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Urfi Hossain
Managing Director
1st January 2020