

PERSONNEL POLICY AND PROCEDURE NO: 1.12

WHISTLEBLOWING

1. POLICY

The Company encourages a free and open culture in its dealings between its managers, employees and all people with whom it engages. In particular, the Company recognises that effective and honest communication is essential to its success.

This policy is designed to provide guidance to all those who work with or within the Company who may from time to time feel that they need to raise certain issues relating to the Company with a relevant manager on a confidential basis. It seeks to implement current legislation and is not intended to confer any additional rights or to contractually bind the Company.

2. POLICY AIMS

- To ensure that if employees hold a 'reasonable belief' that malpractice has occurred, is occurring or is likely to occur that they are fully aware of how to disclose this information.
- To create a working environment which encourages employees to reveal information about any wrongdoing or malpractice.
- To ensure that managers are fully aware of their role and responsibilities in dealing with the disclosure of alleged malpractice whether this has occurred, is occurring or is likely to occur.
- To ensure that if employees hold a 'reasonable belief' that malpractice has occurred, is occurring or is likely to occur, they are able to disclose information about this without any detriment to their terms and conditions of employment and/or do not suffer from any other form of detrimental treatment or behaviour.
- To ensure that any proven malpractice is dealt with swiftly and effectively to stop its occurrence and to prevent any reoccurrence.
- To ensure that all appropriate action is taken against the party(s) responsible.

This procedure does not replace the Company's Disciplinary or Grievance procedures, which should be referred to and used in conjunction with this policy.

3. PROCEDURE

3.1 Subject Matters of Disclosure

This procedure will apply in cases where the employee genuinely and in good faith believes that one of the following sets of circumstances is occurring, has occurred or may occur within the organisation:

- a criminal offence;
- failure to comply with a legal obligation;
- a miscarriage of justice;
- the endangerment of the health and safety of an individual;
- environmental damage;
- financial misappropriation of Company funds, or
- the deliberate concealment of any of the above.

If the employee wishes to raise or discuss any issues which might fall into the above category the employee should contact the Managing Director who will treat the matter in confidence and, where necessary, will identify an appropriate manager to investigate the allegation under this procedure. A written note outlining the employee's concerns should be sent in confidence to the Group Company Secretary. Where an investigation is necessary the employee who raised the allegation may be required to attend a disciplinary or investigative hearing as a witness. So far as reasonably practicable, the employee's identity will not be disclosed at any time, unless necessary for the purposes of investigation or to comply with a legal obligation and appropriate steps will be taken to ensure that the employee's working environment and/or working relationships are not prejudiced by the fact of the employee's disclosure.

If the employee wishes to disclose information about wrongdoing or malpractice either in the organisation itself or in a wider context then they have an obligation to ensure that they:

- make a disclosure in good faith;
- hold a reasonable belief that the information is substantially true;
- are not motivated to make the disclosure for personal gain, and
- act reasonably.

If any disclosure is made maliciously, vexatiously or in bad faith (for instance, in order to cause disruption within the Company), or concerns information which the employee does not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for the purposes of the Company's disciplinary policy and procedures and may constitute gross misconduct for which summary dismissal is the sanction.

If the employee wishes to provide information regarding any wrong doing or malpractice but does not feel able to approach the Managing Director because they may be implicated or because of the seriousness of the allegations, the employee must give the information directly to the Director of HR with a written note to the Group Company Secretary.

The Director of HR, in conjunction with the Group Company Secretary, will nominate the most appropriate manager to investigate the matter based on the information provided and shall receive a report.

The manager or 'nominated manager' will interview the employee and investigate the matter thoroughly. This may require liaison with other managers depending upon the complexities of what has been alleged.

The employee will be kept informed on a regular basis of any and all developments of the investigation including the outcome.

Once the investigation has been completed the manager or 'nominated manager' will make a decision regarding the following:

- whether there is sufficient evidence to necessitate disciplinary action (see Company Disciplinary Procedure) against the alleged perpetrator(s);
- what (if any) follow up action is required to minimise the risk or a recurrence of the wrong doing or malpractice in the future; and

the manager or 'nominated manager' will submit a written report to the Group Company Secretary and the Director of HR outlining the details of the allegation(s), the outcome of any investigation and the rationale for any or no further action.

4. **APPEAL**

If the employee does not feel satisfied with the progress, manner or the outcome of the investigation, the employee must put their concerns in writing to the Director of Operations who will review the case. The Director of Operations will provide a written response within five working days or in extenuating circumstances when reasonably practicable. If any delay is necessary the employee will be informed.

If the employee has followed this procedure and is genuinely and reasonably dissatisfied the employee may raise his/her concerns confidentially with the appropriate regulatory authority as prescribed by the Public Interest Disclosure Act 1998.

If the employee reasonably believes that the relevant failure (ie one of the set of circumstances listed above) relates wholly or mainly to the conduct of a person or organisation other than the employer or any other matter for which a person other than the Company has legal responsibility, then the employee should make that disclosure to that other person.

5. **CORPORATE RESPONSIBILITY REQUIREMENTS**

It is essential that a written note of all concerns raised with the Managing Director or Director of HR under the provisions of this policy is forwarded to the Company Secretary of Johnston Press plc. This is to ensure that the Group complies with the terms of its Corporate Governance provisions.