

focus

BUILDING SERVICES ENGINEERS

Whistle-Blowing Policy (version 1 dated 25/1/26)

1. Policy statement

Focus Building Services Limited are committed to creating an open and transparent workplace culture where concerns can be raised with management, and where staff who raise concerns are supported and treated fairly.

- 1.1 This policy aims to enable and encourage staff to raise concerns within Focus Building Services Limited and that they are investigated in a timely and effective manner. It recognises a worker's legal rights to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998 and any subsequent legislation, as incorporated into the Employment Rights Act 1996¹.
- 1.2 Focus Building Services Limited employees are encouraged to raise concerns at the earliest opportunity. Focus Building Services Limited recognises that employees are often the first to realise that there may be something seriously wrong within an organisation.
- 1.3 It is important to Focus Building Services Limited that any misconduct or wrongdoing by workers, officers of the organisation and Third Parties is reported and properly dealt with. Focus Building Services Limited is committed to tackle malpractice and wrongdoing. Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. If any cases of wrongdoing are upheld they will be seriously dealt with.
- 1.4 Focus Building Services Limited encourages staff to use internal mechanisms for reporting malpractice or illegal acts or omissions by employees or ex-employees. Employees will be listened to and serious concerns will be investigated.
- 1.5 Focus Building Services Limited will provide regular training to all Directors enabling them to deal with concerns that are raised and is committed to treating all disclosures consistently and fairly.
- 1.6 Focus Building Services Limited will ensure that all new employees will receive information on the policy so that they are aware of whistleblowing law and know how to use this policy.
- 1.7 Adequate resources will be made available to fulfil the aims of this policy. The policy will be widely promoted, and copies will be freely available and displayed in Focus Building Services Limited's offices, staff communications and via our website for external parties.
- 1.8 This policy allows staff to take the matter further if they are dissatisfied with the management response and aims to reassure staff that they will be protected from harassment or victimisation from co-workers or from Focus Building Services Limited for raising concerns.

Office 1:11, Clockwise, Bromley Old Town Hall, 30 Tweedy Road, Bromley, Kent, BR1 3FE
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2. Definitions and scope

- 2.1 This policy applies to all staff including temporary, casual and agency staff, work experience, trainees and apprentices. Other individuals who work or have worked within the organisation, such as former staff, volunteers, the self-employed and subcontractors, are also encouraged to use it.
- 2.2 For the purpose of this policy, Focus Building Services Limited recognises that whistleblowing is the passing on of information about wrongdoing at work. The whistle-blower must reasonably believe that they are acting in the public interest.
- 2.3 The statutory categories for wrongdoing are:
 - a criminal offence
 - a breach of any legal obligation
 - a miscarriage of justice
 - endangering an individual's health and safety
 - damage to the environment
 - harassment
- 2.4 Examples of wrongdoing might include (but are not restricted to):
 - unsafe working conditions
 - poor response to a reported safety incident
 - inadequate training for staff
 - a bullying culture across the organisation
 - safeguarding issues
 - bribery
- 2.5 It is not necessary for the member of staff to have proof that wrongdoing is being, has been, or is likely to be committed. A reasonable belief is sufficient to disclose the concern. The member of staff has no responsibility for investigating the wrongdoing. It is the organisation's responsibility to ensure that an unbiased investigation takes place.
- 2.6 A member of staff 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.
- 2.7 Focus Building Services Limited recognises that any so-called 'gagging' or confidentiality clauses in settlement agreements or non-disclosure agreements with individuals do not prevent members of staff from making disclosures in the public interest and are void in such circumstances.
- 2.8 If the wrongdoing that the staff member wants to disclose is not included in the list above, advice may be sought from the designated officer.

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2.9 This policy is not for staff with concerns about their employment that affect only them.

2.10 Focus Building Services Limited recognises employees may wish to seek advice when using the provisions in this policy.

2.11 This policy will be reviewed annually from date of issue by the designated officer. Where review is necessary due to legislative change, this will happen immediately.

3. Roles and Responsibilities

3.1 The Directors are responsible and accountable for this Whistleblowing Policy and Procedure. They will:

- demonstrate commitment to developing an open culture within the organisation, through actions and strategy
- receive and review annual reports on whistleblowing activity
- appoint a designated officer

3.2 All staff have a duty to report wrongdoing under the circumstances set out in this policy.

3.3 Directors are responsible for:

- ensuring all staff are aware of this policy, procedure and their responsibilities
- investigating issues raised promptly, without prejudice and thoroughly
- fostering an open culture within their teams
- ensuring any whistle-blower is not subject to detriment
- escalating issues and engaging the support of the designated officer where required

3.4 The designated officer will have lead responsibility for the whistleblowing procedure and for dealing with issues raised. They will:

- oversee and review the whistleblowing policy and procedure
- provide advice and support to employees
- ensure learning from whistleblowing cases is fed back to the wider organisation
- ensure training is delivered to support the whistleblowing policy
- inform all reported disclosures to the Managing Director and the actions being taken
- ensure the process is monitored and improved where required
- provide reports on whistleblowing activity on an annual basis

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4. Designated officer

- 4.1 Cherisse Harris has nominated herself as designated officer for concerns under this procedure. Due to her status within the organisation it is agreed that this demonstrates the importance of how the Senior Team view this policy.
- 4.2 The designated officer will act as an independent and impartial source of advice to staff at any stage of raising a concern, with access to anyone in the organisation.
- 4.3 The designated officer has been given special responsibility and training in dealing with whistleblowing concerns and will give you information about where you can go for more support. They will:
 - treat the concern confidentially unless otherwise agreed
 - ensure the staff member receives timely support to progress their concern
 - escalate any indications that the staff member is being subjected to detriment for raising their concern
 - give the staff member timely feedback on how their concern is being dealt with
 - ensure the staff member has access to personal support as it is recognised that raising such a concern may be stressful

5. How to raise a concern

- 5.1 In many circumstances, the easiest way a member of staff can get their concern resolved will be to raise it formally or informally with their line manager who should report it to the designated officer.
- 5.2 If this is not appropriate as the concern relates to the line manager, or if the member of staff does not feel able to raise it with them or if raising it with their line manager does not resolve matters, the member of staff can approach a designated officer directly. The designated officer will then confirm how the matter will be investigated. It is not appropriate for the member of staff to attempt to undertake their own investigation.
- 5.3 Any member of staff who wants to raise a concern that is potentially of public interest, is encouraged to get legal advice where appropriate.
- 5.4 Concerns should be raised in writing and this should set out the background and history of the concerns, giving names, dates and places where possible, and the reason why the member of staff is making the disclosure. If the individual does not feel able to make the disclosure in writing, an interview will be arranged.
- 5.5 The employee raising concerns does not have to prove the allegation but they must demonstrate that there are sufficient grounds for concern.
- 5.6 If the member of staff wants to raise the matter in confidence, they should please say at the outset so that appropriate arrangements can be made.

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- 5.7 It is best to raise a concern openly, because that makes it easier for Focus Building Services Limited to follow it up. Focus Building Services Limited will not disclose the whistle-blower's identity without their consent unless a disclosure of identity is needed due to cross examination of the staff member as a witness to any subsequent procedure or there are legal reasons that require them to disclose their identity.
- 5.8 Staff may, if they wish, disclose information anonymously. However, it should be noted that in such circumstances, Focus Building Services Limited will not be able to contact staff to discuss their concern or ask them for further information, nor will they normally be able to give any feedback about any action it takes, although anonymous whistle-blowers may seek feedback through a telephone appointment or by using an anonymised email address.

6. How Focus Building Services Limited will respond

- 6.1 All members of staff will be treated with respect at all times.
- 6.2 There may be a meeting with the member of staff raising the concern to ensure Focus Building Services Limited understands exactly the particular worry.
- 6.3 Within three working days of a concern being raised, the designated officer will write to the member of staff setting out the following:
 - Acknowledgement that the concern has been received, the date it has been received, whether the person who raised the concern has requested confidentiality, and a summary of the concern
 - Indicating how the matter will be dealt with and by whom and how they can be contacted
 - Telling the member of staff who they can contact for advice and to answer queries about the process
 - Telling the member of staff when an investigation has or is to be started and if further assistance will be needed from them.
- 6.4 The member of staff who raises the concern will be told how long to expect the investigation to take and will be kept up to date with its progress. Investigations should be undertaken by Focus Building Services Limited as quickly as possible to ensure that any wrongdoing is dealt with as soon as possible.
- 6.5 The investigation will be objective and evidence-based, and will produce a report that focuses on identifying and rectifying any issues, and learning lessons to prevent problems recurring. The investigator may decide that the concern would be better looked at under another process.
- 6.6 In the event that misconduct is discovered as a result of any investigation under this policy, the disciplinary policy and procedure will be invoked in addition to any external measures.
- 6.7 On conclusion of any investigation, the member of staff will be told the outcome of the investigation and what Focus Building Services Limited has done, or proposes to do, about it. Wherever possible, Focus Building Services Limited will share the full investigation report with the member of staff who raised the concern (while respecting the confidentiality of others). If no action is to be taken, the reason for this will be explained.

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- 6.8 If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the Managing Director who will arrange any further investigation as they think appropriate. The Managing Director will send a written response to the individual concerned.
- 6.9 Focus Building Services Limited will keep a record of all disclosures made under this policy and procedure in order to monitor the effectiveness of the policy, including any action taken and any confidentiality requests the discloser may have made. The record will be strictly limited to only necessary staff.

7. Harassment and victimisation

- 7.1 Focus Building Services Limited understands that raising a concern can be difficult for staff, especially if they fear reprisal from those responsible for the malpractice.
- 7.2 Focus Building Services Limited will not tolerate harassment and victimisation of anyone raising a concern, and there should be no impact on the continued employment and opportunities for future promotion or training of anyone raising a concern. Any such behaviour is a serious breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action potentially leading to dismissal.
- 7.3 Focus Building Services Limited will not tolerate any attempt to bully anyone into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action potentially leading to dismissal.
- 7.4 If a member of staff thinks they have or may suffer detrimental treatment as a result of raising a concern, they should contact Cherisse Harris.
- 7.6 If a member of staff makes an allegation in good faith, but the allegation is not confirmed by the investigation, no action will be taken against that member of staff. They will not be at risk of losing their job or suffering any form of reprisal as a result. Provided the member of staff is acting honestly, it does not matter if they are mistaken or if there is an innocent explanation for their concerns.

8. Reporting a concern to an external body

- 8.1 This policy is intended to provide a route by which members of staff can raise concerns internally. However, if an employee is unhappy with the outcome of an investigation or if, for any reason they do not feel comfortable raising their concern internally, they are free to take the matter outside of the organisation to a prescribed person or body.
- 8.2 The full list of prescribed persons and bodies can be found on the UK government website at www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/blowthe-whistle-list-of-prescribed-people-and-bodies

9. More information and support

- 9.1 Protect is the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing. They provide a legal advice service we offering free expert and confidential advice on how best to raise a concern and protection as whistle-blower.
<https://protect-advice.org.uk>

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