	Document Title	<b>Whistle-Blower Protection &amp; Anti-Retaliation Policy</b>		
	Doc. Number	GEN-POL-006	Doc. Owner	General Manager
	Author	Angela Byrne	Revision	Rev. 02
	Reviewed by	Angela Byrne	Approved by	Fiona Spillane
	Next Review Date	10/02/2024	Approved Date	10/02/2023

## 1. Policy Statement

At Shorcontrol Safety, we are committed to supporting a culture in which all ethical and legal concerns can be raised without fear of retaliation. We aim to provide channels for all employees and interested parties to report such concerns and prohibit retaliation against those who may do so in good faith.

It is important to us at Shorcontrol Safety that ethical and legal concerns are identified and resolved at the earliest possible opportunity and therefore we support a working environment in which employees, and all interested parties can report such concerns without fear of retaliation, including being penalised, discharged, demoted, suspended, threatened or harassed. Shorcontrol Safety do not tolerate retaliation against those who report ethical and legal concerns honestly and in good faith.

Further appropriate actions regarding the successful implementation of this policy will be identified and implemented on an ongoing basis.

## 2. Purpose

The purpose of this policy is to clearly identify how Shorcontrol Safety ensure that in carrying out its business activities, will have due regard in managing the identification and reporting of all ethical and legal concerns, and furthermore will ensure the whistle-blower is protected from retaliation, should the reported concerns confirm to be true.

## 3. Scope


The scope of this policy applies to all ethical and legal concerns raised, or reports made (anonymously or not). This policy aims to comply with the following:

- Protected Disclosures Act 2014
- Protected Disclosures (Amendment) Act 2022
- EU Whistle-blowing Directive

and is applicable to all internal processes, all members of Shorcontrol Safety Staff, Tutors, Learners, Subcontractors and Visitors.

## 4. Definitions

Term	Definition
<b>Whistle-blower</b>	An individual who without authorisation, reveals private, confidential, or classified information, pertaining to the operation of a business, related to ethical or legal wrongdoing.
<b>Retaliation</b>	An employer takes a negative action against an employee who files a complaint or grievance about workplace discrimination, harassment, or other unethical and illegal activities.
<b>Wrongdoing</b>	<ul style="list-style-type: none"> <li>• Criminal offences</li> <li>• Failure to comply with legal obligations</li> <li>• Breaches of certain European Union law</li> <li>• Endangering the health and safety of individuals</li> <li>• Damaging the environment</li> <li>• Miscarriage of justice</li> </ul>

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	<ul style="list-style-type: none"> <li>• Misuse of company funds</li> <li>• Oppressive, discriminatory, grossly negligent, or grossly mismanaged acts or omissions by company</li> <li>• Concealment or destruction of information about any of the above wrongdoing or any attempt to conceal or destroy such information.</li> </ul>
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## 5. General Policy Requirements

- The whistle-blower has the right to report the unacceptable event, behaviour, or practice anonymously, if they so wish to do so.

### 5.1 Disclosure to Employer

- This is the simplest form of disclosure. Where unethical or illegal practises are discovered, a whistle-blower should promptly report the suspected event to his or her supervisor upon discovery.
- Disclosures can be made in writing, verbally or both. A meeting can be requested to both verbally communicate and have a report written if the whistle-blower wishes.
- If the whistle-blower is reluctant to report to their supervisor, then they may report the event, behaviour, or practice to the next highest or another level of management, including to a Board member.
- Supervisors, managers and/or Board members who receive the report must promptly act to investigate and/or resolve the issue.

### 5.2 Anti-relation policy


- The whistle-blower shall receive no retaliation or retribution for a report that was provided in good faith; that was not done with malice or with a primary focus of causing damage to another individual or organization.
- A whistle-blower who makes a report that is not done in good faith is subject to discipline, including termination, or other legal means to protect the reputation of the organization and members of its Board or staff.
- Anyone who retaliates against the whistle-blower, of which reported in good faith, will be subject to discipline, including termination.

### 5.3 Disclosure to External Person

- Crimes against a person or property such as assault, arson, etc. should immediately be reported to local law enforcement personnel.
- Disclosures can be made to the new office of the Protected Disclosures Commissioner which has been set up under the 2022 Act and is part of the Office of the Ombudsman.

### 5.4 Dealing with Reports

- For internal reports, Shorcontrol Safety's Board or Management, shall establish a designated person within the organisation for dealing with disclosures. This person shall be competent and impartial following up or investigating reports.

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- The designated person must provide official acknowledgement of the disclosure/ report made within seven days of receipt.
- The designated person shall diligently follow up and investigate the report and the whistle-blower shall receive a report within three months of the initial report, regarding the investigation, disposition, or resolution of the issue.
- If the investigation of a report, that was done in good faith and investigated by internal personnel, is not to the whistle-blower's satisfaction, then they have the right to the report the event, behaviour, or practice to the appropriate legal agency.
- Disclosures/ Reports made externally shall be dealt with in accordance with their respective relevant procedures, not included within the scope of Shorcontrol Safety's policy.

### 5.5 Identity Confidentiality


- Whistle-blowers will not be offered the protections laid out in this policy if they choose to report the event, behaviour, or practice to a news agency. Unless they are doing so after initially reporting the incident, of which has been made public by other means such as by an investigating legal entity (e.g., An Garda Síochána).
- The identity of the whistle-blower, if known, shall remain confidential to those persons directly involved in applying this policy, unless the issue requires investigation by law enforcement, in which case members of the organization are subject to subpoena.

### 5.6 Additional Information

- Nothing in this policy should be interpreted as preventing Shorcontrol Safety management from making decisions based on legitimate business reasons that are not retaliatory, for example, a personnel decision based on breach of contract.
- Ethical and legal concerns and investigations are often complex with many different facets and so it is important that all employees and interested parties contacted with respect to such concerns fully and honestly cooperate with Shorcontrol Safety to obtain information needed to respond to these matters promptly and appropriately.
- For further information please contact Shorcontrol Safety Directors and/or General Manager or refer to the additional policies and procedures as referenced to in *Section 8 'Related Information and Documents'* of this policy.

## 6. Responsibilities

Employee Title/Classification	Responsibility
Directors, Top Management & Senior Management	To ensure the necessary resources are available within the organisation for the implementation of this policy. To ensure the contents of this policy are implemented effectively. To investigate and act upon any breaches or violations which may arise or be reported in relation to this policy.
Employees/ Staff/ Instructors/ Sub-contractors	To adhere to the requirements set out in this policy. To report any breaches or violation of this policy to top/senior management for investigation and resolution.
Learners/ Delegates	To adhere to the requirements set out in this policy. To report any breaches or violation of this policy to instructor/employees/staff for investigation and resolution.

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## 7. Enforcement

Employee Title/Classification	Responsibility
General Manager	Has the discretion of determining the repercussion on the discovery of any member of staff, tutors, managers, visitors, or subcontractor's unacceptable behaviour related to this policy. Has the discretion of determining the repercussions on the discovery of a manager or assigned responsible personnel's failure to enforce or follow this policy or its procedures.
Managers and Heads of Departments	Has the discretion of determining the repercussions on the discovery of any subordinate or learner's unacceptable behaviour related to this policy.

## 8. Related Information and Documents

Document ID	Title
External Information	<a href="https://www.citizensinformation.ie/en/employment-and-work/whistleblowers/whistleblowers.html">Protection for whistleblowers (citizensinformation.ie)</a> <a href="https://www.workplacerelements.ie/en/what_you_should_know/employer-obligations/protection-of-whistleblowers/">www.workplacerelements.ie/en/what_you_should_know/employer-obligations/protection-of-whistleblowers/</a>  The Protected Disclosures Act 2014 The Protected Disclosures (Amendment) Act 2022 <a href="https://www.revisedacts.lawreform.ie/eli/2014/act/14/revised/en/">www.revisedacts.lawreform.ie/eli/2014/act/14/revised/en/</a> <a href="https://www.irishstatutebook.ie/eli/2022/act/27/enacted/en/">www.irishstatutebook.ie/eli/2022/act/27/enacted/en/</a>
GEN-POL-001	Code of Conduct & Ethics
GEN-POL-003	Equality, Diversity & Inclusion Policy
GEN-POL-011	Conflict of Interest Policy

## 9. Policy Review

This policy shall be reviewed when:

- There is a change of General Manager at Shorcontrol Safety.
- There is a change in any of the related policies or procedures found in section 8. 'Related Information & Documentation' of this document.
- As prescribed in Shorcontrol Safety's policy and procedure review schedule.
- As determined or requested by the General Manager at Shorcontrol Safety.

Revision Date	Author with Title	Description
01/10/2019	Adam Romans Quality Coordinator	Creation
08/02/2023	Angela Byrne QHSM	Review, update and reformat layout/structure.