



### Whistleblowing Policy

**EMPLOYEE GROUP POLICY APPLIES TO:**

All Erinys employee, contractors, consultant and temporary staff

**OBJECTIVE AND INTENT:**

The purpose of the Whistleblowing Policy is to protect staff from making a protected disclosure. Erinys is committed to creating an environment that promotes openness and provides protection to staff from possible reprisals or victimisation from reporting behaviour which maybe illegal, improper or unethical.

**SCOPE:**

Whistleblowing process for employees, contractors, consultant and temporary staff.

**POLICY DIRECTIVES:**

Erinys is committed to operating in an ethical and transparent fashion in all its dealings with its various stakeholders. It is important to the Company that any employee, contractor, consultant or temporary staff are encouraged to raise any concern about a risk, malpractice or wrongdoing which affects others (Erinys staff, visitors, clients, suppliers) without fear of retribution (victimisation, harassment or disciplinary action). Providing the concern was raised in good faith and not with any malicious intent.

1. This policy covers actions that may be considered illegal, contrary to policy or actions which could damage the Company's reputation and conflicts of interest.

Concerns may include:

- a. A breach of Human Rights
- b. An illegal act
- c. Gross misconduct
- d. Any breach of SOPs likely to endanger others
- e. Wanton damage to property or the environment
- f. Bribery, fraud or any other corrupt act

NB. Other procedures are available to employees e.g. the Grievance procedure HR-001 which relates to complaints about employment.

## 2. How to report a concern

### 2.1 Internally

In the first instance, this must be to their direct line manager; unless there are sensitivities concerning this manager regarding the issue, in which case the initial report should be made to the next level of management, or via the whistleblowing website, directline. The initial report may be oral but having discussed the issue with a manager, the Protected Person must complete a formal written report (Subject Title: WHISTLEBLOWING) giving full details of what was witnessed/suspected, including the people involved, the time(s) and place(s) of the occurrence(s). The report may remain anonymous, but the receiving manager must acknowledge its receipt. Corporate level of management must be informed of any such reports and an independent investigator must be appointed. Those making a whistleblowing report must:

- a. Disclose the information in good faith, believing it to be substantially true.
- b. NOT make false allegations.

because only whistleblowers making reports in good faith will be accorded protection; abuse of the Whistle-blower Protection Policy may result in disciplinary action.

### 2.2 Externally

If a Protected Person feels that by reporting the matter internally is likely be an unsatisfactory course of action for reasons such as fear of reprisal or being ignored, then he/she has the option to make their report externally to an appropriate authority. The same caveats, which are stipulated in paragraphs 6 and 7.1, still apply. Table 1 provides a list of Appropriate Authorities, it is not exhaustive but provides some guidance.

## 3. Confidentiality

3.1 All concerns will be treated on confidence. This policy encourages name and position is included in the concern whenever possible. If an anonymous complaint has been submitted, there is no guarantee of a full investigation as barriers may be encountered in finding the full disclosure of information. Please note that:

- a. Employees/Contractors must disclose the information in good faith.
- b. Employees/Contractors must believe it to be substantially true.
- c. Employees/Contractors must not act make false allegations.

d. Only legitimate complaints are made, as abuse of the Whistle-blower Protection Policy and Procedure may result in disciplinary action.

3.2 Every effort will be made to protect confidentiality until such a time that a formal investigation is conducted. There may, however, be circumstances in which, because of the nature of the investigation, it will be necessary to disclose the identity of the person making the complaint. This may occur in connection with associated disciplinary or legal investigations or proceedings. The Erinys Representative will make efforts to inform the person that identity is likely to be disclosed.

Sr	Nature of Act	Authority
1	Criminal	MOI,
2	Unethical	ICOCA
3	Health & Safety Breach	UK Health & Safety Executive
4	Financial – eg Fraud, Corruption, False Accounting	MOI, Tax Office,

**Table 1: List of Appropriate Authorities**

#### 4. Investigations

4.1 Erinys is committed to conducting investigations disclosures fairly, promptly and confidentially.

Once the investigator has been appointed, he/she is to receive a copy of the report and should interview the Protected Person<sup>1</sup> and manager involved in raising the case. The investigator's task is to establish the facts of the case and decide whether any form of illegal or unethical act, or a breach of SOPs/certified standards has taken place. The following guidelines are to be followed:

Investigations are to be instigated promptly, conducted objectively and fairly, and completed as soon as possible.

Confidentiality regarding the source and the 'suspects' is paramount throughout the investigation.

The investigator must garner evidence to the maximum extent practicable – this should include documents, interviews with 'suspects' and anyone who may be able to corroborate the facts, or otherwise, (appropriate records to be kept) and observations.

Those implicated in the report are to be advised of the allegations made against them and be given the opportunity to explain/refute them. Their explanation is to be included in full within the report. Finally, they must be informed of the outcome of the investigation and, particularly, any adverse comments that may be included in the report before it is finalised.

The investigator's report must include analysis of the facts (supported by evidence) and draw conclusions as to whether the whistleblowing allegations are substantiated or otherwise. It is not the investigator's task to make recommendations concerning corrective or disciplinary action that may need to be taken.

<sup>1</sup> The decision upon maintaining anonymity must be made on a case by case basis; the inability to interview the whistleblower may well limit the investigation

Where the investigator finds that the allegations are unfounded or that there is insufficient evidence to justify them, the report must clearly support those deductions. The significance of confidentiality is increased as those involved (particularly the whistleblower and the implicated) must be protected from disclosure.

#### 5. Follow-up Action

Once completed the investigator's report is to be presented to the MD, who will decide upon the follow up action required, taking legal advice as necessary.

- a. All whistleblowing reports (those of the whistleblower and the investigator) are to be treated as Confidential and their distribution tightly controlled; their storage and access are to reflect these restrictions. This particularly the case concerning reports, which prove to be unfounded.
- b. When a whistleblowing report is found to be substantiated the MD may decide that the matter requires a further investigation to establish the root causes of the problem so that appropriate corrective action can be taken to prevent any reoccurrence.
- c. Disciplinary action is almost certain to be an outcome; this will be decided upon a case-by-case basis, but malpractices covered in sub-paragraphs 6a-c are likely to result in summary dismissals.

In sum the two main outcomes are to be disciplinary action and a corrective action plan to improve the processes and procedures involved, thereby minimising the chance of reoccurrence.

#### 6. Confidentiality

6.1 The issue of confidentiality has been a constant and high-profile theme throughout this policy and its procedure. Its significance cannot be overstated, and breaches of confidentiality are likely to render the policy ineffective because potential whistleblowers will be discouraged from fulfilling their duty in making a report. Every effort is to be made to protect confidentiality until a formal investigation is instigated; this is to protect the whistleblower, the implicated and the Company's reputation. There may be circumstances during the investigation when it will be necessary to disclose the identity of the whistleblower; for example, legal requirements may demand this. Erinys management are to keep those affected by disclosure informed.

#### 7. Resolution and Review



7.1 On completion of the investigation, the Investigator will provide an analysis and make recommendations for changes to practices to minimise further reoccurrence with Senior Management.

7.2 The taking, maintaining, storage of records is an essential element of the Whistleblower Procedure; access to them needs to be restricted.

7.3 The Company is committed to continual improvement and will periodically review the policy to ensure that information is updated and relevant.

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