

WHISTLEBLOWING POLICY

Definition of whistleblower

A whistleblower is a worker reporting certain types of wrongdoing. This will usually be something workers have seen at work - though not always. The wrongdoing being disclosed must be in the public interest. This means it must affect others, for example the general public.

As a whistleblower a worker is protected by law – the worker should not be treated unfairly or lose their job because they ‘blow the whistle’.

Concern can be raised at any time about an incident that happened in the past, is happening now, or is believed that will happen in the near future.

Who is protected by Law

- Avantgarde Tiling Limited employees
- trainees
- agency workers
- self-employed working for our organisation

We would recommend seeking independent advice to ensure you are protected under this policy from [Citizens' Advice](#) for example.

Complaints that count as whistleblowing

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

Complaints that do not count as whistleblowing

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless the particular case is in the public interest.

Report these under your [employer's grievance policy](#), copy of which is included in your contract of employment documentation.

Contact the [Advisory, Conciliation and Arbitration Service \(ACAS\)](#) for help and advice on resolving a workplace dispute.

Who to tell and what to expect

You can tell and discuss with your employer. You can either discuss with Miss Barbara Zanasi or Mr. Silviu Damian, or both.

There are other options if you do not want to report your concern to your employer, for example you can [get legal advice](#) from a lawyer, or tell a [prescribed person or body](#).

If you tell a prescribed person or body, it must be one that deals with the issue you're raising.

Making your claim anonymously or confidentially

You can tell your employer or a prescribed person anonymously, but we may not be able to take the claim further if you have not provided all the information we need.

You can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity.

If you report your concern to the media, in most cases you'll lose your whistleblowing law rights.

What your employer or a prescribed person will do

Your employer or the prescribed person will listen to your concern and decide if any action is needed. You may be asked for further information. You must say straight away if you do not want anyone else to know it was you who raised the concern.

You will not have a say in how your concern is dealt with.

Your employer or the prescribed person can keep you informed about the action they've taken, but they cannot give you much detail if they have to keep the confidence of other people.

A prescribed person cannot help you with your relationship with your employer.

If you're not satisfied with how your employer dealt with your concern, tell someone else (for example a more senior member of staff) or a [prescribed person or body](#) if you believe your concern was not taken seriously or the wrongdoing is still going on.

Contact the [Advisory, Conciliation and Arbitration Service \(ACAS\)](#), the whistleblowing charity [Protect](#) or your trade union for more guidance.

If you're treated unfairly after whistleblowing

You can take a case to an [employment tribunal](#) if you've been treated unfairly because you've blown the whistle. You can get further information from the [Advisory, Conciliation and Arbitration Service \(ACAS\)](#), [Citizens' Advice](#), the whistleblowing charity [Protect](#) or your trade union.

If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing. You must raise any claim of unfair dismissal within 3 months of your employment ending. You must notify ACAS if you want to take your case to an employment tribunal.

Barbara Zanasi
Avantgarde Tiling Ltd
Managing Director

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