

Freedom to speak up (whistleblowing) policy

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1.0	-
2.0	Policy updated with new whistleblowing process and company roles. Updated with new key policy design.
3.0	Policy updated with new Speak Up Guardian contact details.
4.0	Updated table in appendix two: the difference between a Whistleblowing and Grievance Claim.
5.0	Annual review, updated with clearer description of process and how people who work with BWC can raise concerns.

Our Values



We work together

We are one team who encourage and support each other.



We communicate

We listen, and open communication is important to us.



We do what's right

We are one team who encourage and support each other.



We perform

We strive to be our best and celebrate our wins.

Our business principles

Our business principles provide a strong ethical framework. They ensure we act with integrity while complying with laws, regulations and our own commitments.

Health & Safety

We will care for the health and safety of each other, our products and our operations.

Obeying the law

We will act within the law and meet our regulatory obligations.

Compete fairly

We will compete vigorously but fairly in our markets, being honest and trustworthy.

Inducements

We will not offer or accept gifts, hospitality or other inducements which encourage or reward a decision, or engage in any form of bribery.

Conflicts

We will declare and manage conflicts of interest fairly.

Environment

We will minimise the potential harmful effects of our activities on the environment.

Risks

We will continually assess and manage potential risks to our business.

Assets

We will protect our brand, physical, financial and intellectual assets.

Commitments

We will ensure others have confidence in the business commitments we make, and that agreements are suitably authorised.

Diversity

We will treat all individuals fairly, impartially, without prejudice and not tolerate discrimination or harassment in any form.

Communication

We will be transparent, helpful and accurate in our communication.

Information

We will protect the confidentiality of the company, colleague and customer information.



Freedom to speak up (whistleblowing) policy

If you speak up, we will listen

The ability to speak up about concerns you might have while working at Bristol Waste Company is really important to the effective running of our company. The Board and Senior Leadership are committed to a culture of transparency, honesty and integrity and expect all colleagues to share this commitment. However, we know from time-to-time things can go wrong that need to be highlighted and addressed.

You may feel worried about raising a concern or issue and we understand this but would ask that you please don't be put off. Our Leadership Team and Board commit to always looking into what you say and providing you with the access to the support you need.

What is Whistleblowing and what kind of concerns can I raise?

'Whistleblowing' is the term that is used when a colleague passes on information concerning wrongdoing. In this context doing this is called 'making a disclosure' or 'blowing the whistle'.

To be covered by whistleblowing law, colleagues making a disclosure must reasonably believe two things:

1. That they are acting in the public interest;

2. That the disclosure shows past, present or likely future wrongdoing in one or more of the following categories:

- Criminal offences (this may include things like fraud or financial irregularities)
- Fairly to comply with law or regulations
- Miscarriages of justice
- Endangering of someone's Health and Safety
- Damage to the environment
- Breach in code of conduct or significant negative reputational impact
- Covering up wrongdoing in any of these areas

Whistleblowing law is located in the Employment Rights Act 1996, as amended by the Public Disclosure Act 1988. This provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

One of the common areas of confusion is what is covered under the whistleblowing vs. grievance policy. A table has been provided at the back of this policy to highlight the key differences. Some examples have also been provided.

[View the Grievance Policy and Procedure](#)

Who can raise concerns?

Anyone who works within, for, or with, Bristol Waste Company can raise concerns. This includes employees, directors, consultants, contractors, casual and agency workers, suppliers, customers and volunteers.

Do I need evidence?

You don't need to have all the proof. We would like you to raise the matter while it is still a concern. Provided you are acting honestly, it does not matter if you turn out to be mistaken or there is an innocent explanation for your concerns.

However, explaining the concern fully and providing as much information as possible and the circumstances behind your concern, will help the issues get investigated.

What if I want to ensure confidentiality?

We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law (for example, by the police).

You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly.

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Who should I raise my concern with?

In many circumstances the easiest way to get your concern resolved will be to raise it formally with your line manager. Raising it 'formally' means that your manager needs to be made aware it is an important matter. So you are best to do this in writing, or to ask them to take notes at your meeting. You must tell them you are speaking up about concerns that you have.

We commit to training our managers in identifying, and appropriately escalating, whistleblowing concerns.

There are situations where you may need someone else to speak with, these include situations where:

1. you don't think it is appropriate to raise your concerns with your manager – they may be involved, or be conflicted in terms of their desire to resolve the issue appropriately; or
2. you do not believe your manager has acted on your concerns expediently, or appropriately. A good guideline of the timing that could be reasonable for them to respond, is within five working days.

In these instances, you should raise your concern with our 'Speak Up Guardian' who is the Executive Member with responsibility for whistleblowing. They are fully trained in recognising and managing concerns and act as an independent and impartial source of advice to colleagues at any stage of raising a concern.

Our Speak up Guardian is:

Hannah Sturman

Director of Transformation and Stakeholder Relations

Hannah.Sturman@bristolwastecompany.co.uk

You can also use the email **inconfidence@bristolwastecompany.co.uk**, which will be monitored regularly.

If the Speak Up Guardian is not available, you feel unhappy with the advice you received, or you have some reason you believe conflicts may exist with the above options, then please go directly to our Managing Director or Non-Executive Director with responsibility for whistleblowing, who is the Chair of our Audit, Risk and Assurance Committee (ARAC). The Chair is independent of the Executive Team and is not part of the day-to-day leadership team.

Robin Pritchard

Chair of Audit, Risk and Assurance Committee (ARAC)

Robin.Pritchard@bristolwastecompany.co.uk

Managers also have access to our Speak Up Guardian to help them work through whether a claim is in fact a whistleblowing.

It may be that your concern would be more appropriately looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you.

All whistleblowing allegations are ultimately advised to the Chair of ARAC regardless of whom you raise your allegations with. This ensures that a proportionate and independent investigation can be arranged.

If for any reason you do not feel comfortable raising your concern internally, you also have external options available:

- You can contact BCC Internal Audit on their Whistleblowing Hotline on **0117 35 21882**
- You can seek external advice. The government provide further details in relation to this at **www.gov.uk/whistleblowing** or alternatively charity Protect offers support at **protect-advice.org.uk**

I am not an employee, who should I raise my concern with?

If you are not an employee of Bristol Waste Company and work with us as a consultant, contractor, supplier, customer or volunteer you can still raise your concerns.

Please contact our Speak Up Guardian directly or use the inconfidence@bristolwastecompany.co.uk email address.

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What will we do?

All whistleblowing concerns will be recorded and you will receive an acknowledgement within five working days. The central record will record the date the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

Investigation

Where your claims are identified as whistleblowing, we will carry out a proportionate investigation – using someone suitably independent and properly trained – and we will reach a conclusion within a reasonable timescale (which we will notify you of).

The investigation will be objective and evidence-based and the investigator may involve others, such as BCC Internal Audit or our external auditors. The investigator will produce a report that focuses on identifying and rectifying any issues and learning lessons to prevent problems recurring.

Any employment issues (that affect only you and not others) identified during the investigation will be considered separately, by another investigator.

Communicating with you

We will treat you with respect at all times and will thank you for raising your concerns. We will discuss your concerns with you to ensure we understand exactly what you are worried about.

We will tell you who will be involved in the investigation and how long we expect it to take. If there are any changes to that timeframe, we will keep you informed.

Where we can do so, we will then share the outcome of the investigation with you. The outcome of the investigation means the actions we will take, and the things put in place for it not to happen again. The outcome as relates to any individuals involved will not be shared, as we have rights and obligations in relation to respecting the confidentiality of others.

How will we learn from your concern?

The focus of the investigation will be on improving the processes by which we offer, the services we provide and the culture within our business. Where it identifies improvements that can be made, we will track them at appropriate levels to ensure necessary changes are made, and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Board oversight

The Investigator will share the full report with the Chair of the BWC Audit, Risk and Assurance Committee, and the board will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems. The board supports staff raising concerns and wants you to feel free to speak up.

Review

We will review the effectiveness of this policy and the processes related to it annually, with any changes made, well communicated and if necessary, training provided.

How do I feel safe raising these concerns?

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment, detriment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern.

If you feel you are being treated or suffering any detriment for making Whistleblowing complaints, then you should immediately raise that with the People Director, Ceri Hodgkinson at Ceri.Hodgkinson@bristolwastecompany.co.uk, or 07752 785435.

If on the other hand, a complaint is found to be found to be malicious, action may be taken against the whistleblower.

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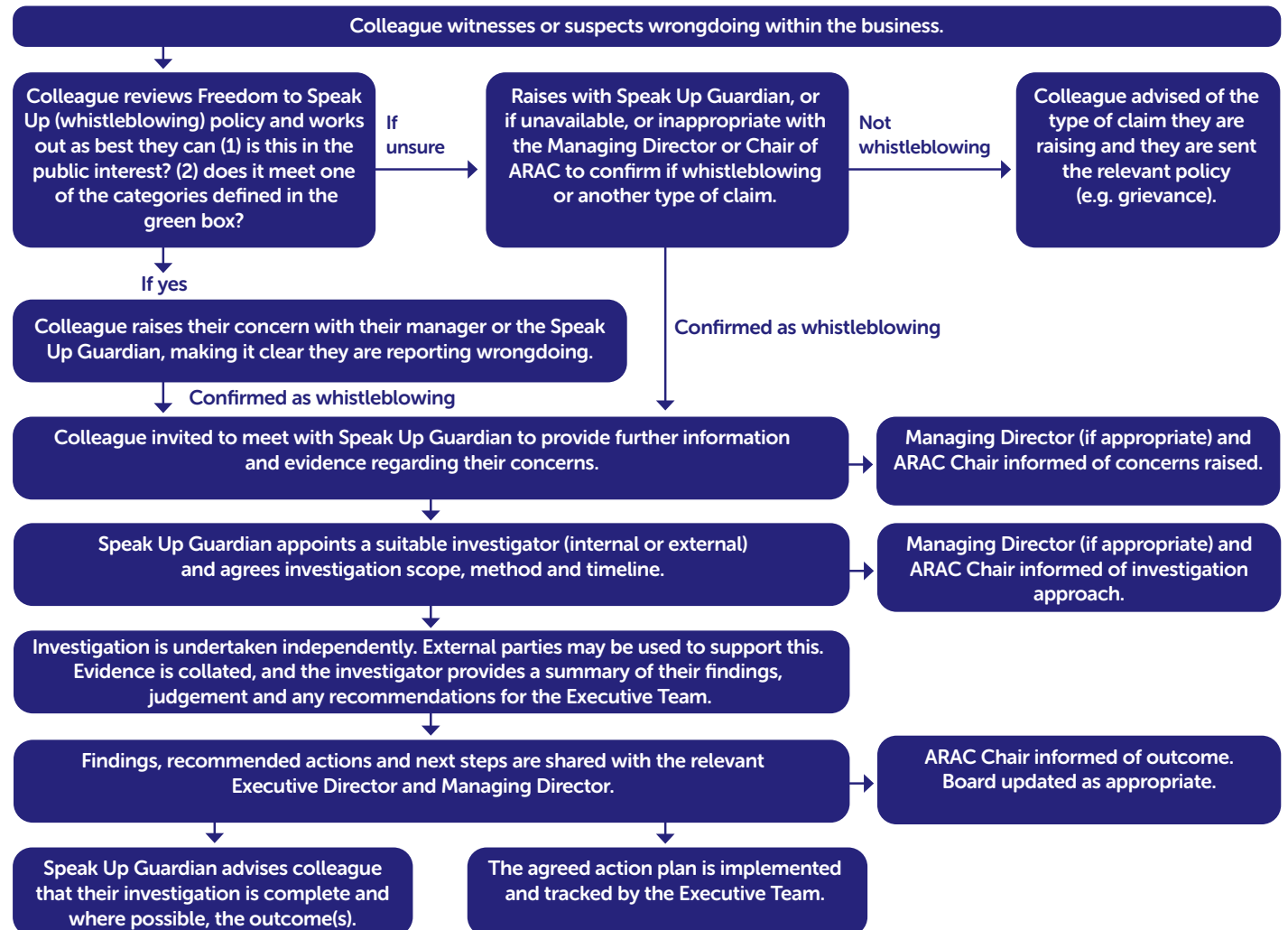
Equality and Diversity

In the application of this policy, BWC will seek to ensure that it does not unfairly impact any individual or group. The protected characteristics are; age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, pregnancy and maternity. Remedial action will be undertaken if a detrimental effect is identified.

Input from the Chairs of the Colleague Led Groups (CLGs) will be sought as part of the future biennial review process.

[View the Dignity at Work Policy](#)

Appendix One: The process explained simply in a flowchart



Types of relevant claims:

- Criminal offences (e.g. fraud)
- Damage to the environment
- Endangering of someone's Health & Safety
- Miscarriages of justice
- Failure to comply with law or regulations
- Covering up wrongdoing in any of these areas

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Appendix Two: The Difference between a Whistleblowing and Grievance Claim

Whistleblowing	Grievance or bullying and harassment	Whistleblowing	Grievance or bullying and harassment
Risk to others – whistleblowing is about raising concerns relating to wrongdoing risk or malpractice that you witness in the workplace.	Risk to self – grievances are typically issues about how you exclusively are being treated and not the treatment of others.	Appeal – there is no general right to appeal if you are unhappy with how your employer deals with your whistleblowing concerns, however you may want to consider escalating your concerns (but check their policy to see if they have one).	Appeal – you should be given the opportunity to appeal should you feel unsatisfied with the outcome.
Public interest – these concerns should be in the public interest, and unlike grievances, the concerns may not even affect you at all, but will have wider implications for the business.	Types of issues – grievances can be raised about issues such as significant changes to job responsibilities, breaches of employment rights or contract terms, or personal treatment at work (this is not an exhaustive list).	Key test: the issue is in the public interest.	Key test: the issue relates solely to an individual and is a matter of personal interest.
Process – there is no set process for investigating whistleblowing concerns. There is also no right to be accompanied to a meeting with your employer to discuss concerns.	Process – the independent public body, ACAS, has set out Codes of Practice in relation to discipline and grievance procedures. You can find more information about how to raise a grievance on the ACAS website.	Examples	Examples
Confidentiality – your employer should respect your wish for confidentiality.	Support – you have the right to be accompanied at a grievance hearing where the complaint is about your employer breaching a term of your employment contract.	Management persistently pressurises the team into dangerous overtime conditions.	I haven't been granted my flexible working request.
Feedback – you may never know the outcome of a whistleblowing concern, for example, if your employer investigates the behaviour of another individual and disciplines them as a result, that would be confidential information between the employer and that other individual.	Outcome – grievances come to a legal determination on the issue that you raise. The ACAS Codes provide for employees to be given the outcome of their grievance e.g. an apology, a payment due or a change to the working practices.	A person's dangerous working practices are leading to the risk of a serious incident.	I have been inappropriately shouted at by a senior manager when I was not following the company's health and safety procedures.
		A company continually is not getting charged when their truck goes over the weighbridge.	I have not been given the training and development I need in my job to help me progress.
		The managers in a department go out regularly drinking and charge it all to the company on their expenses.	My manager didn't sign off my agreed expenses for mileage.

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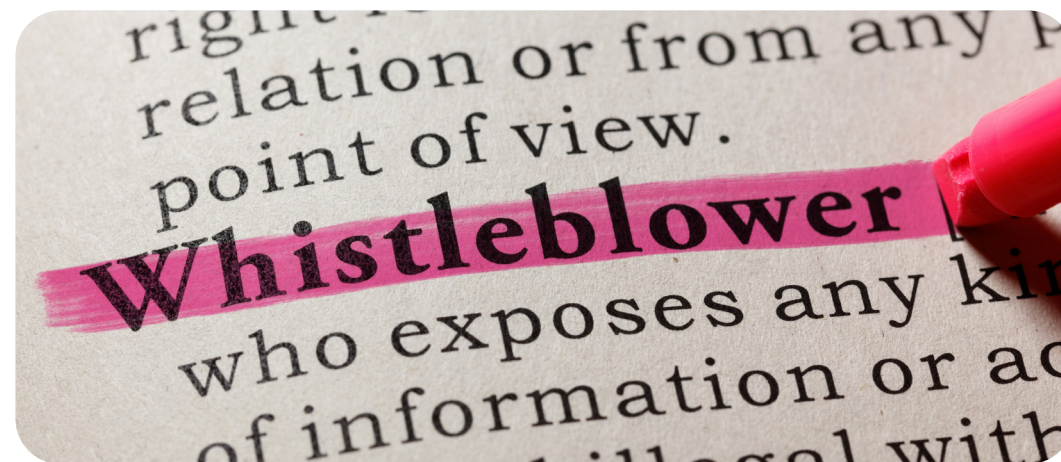
Appendix Three: Manager responsibilities

1. If a colleague raises a concern with you, take it seriously and try to make them feel comfortable sharing it with you.
2. Ask them to a meeting to discuss. Ensure it is held in an appropriate place and take detailed notes of the meeting somewhere you can keep confidential and safe.
3. If it is immediately obvious to you that it is not whistleblowing, rather another type of claim (e.g. grievance), then let them know that and confirm for them in writing with the relevant process document attached.
4. If you think it could be Whistleblowing, but don't know, take advice from the Speak Up Guardian.
5. Once clear it is Whistleblowing, then advise both the Speak up Guardian (if not already involved) and the Chair of ARAC.
6. Go back to the individual, thank them for raising and let them know you have escalated confidentially. This needs to be done within five working days.

The Speak Up Guardian will work with you to ensure the right independent investigator is appointed and then further information can be provided by that person to the whistleblower.

What if you receive an anonymous letter/complaint?

Then pass it immediately to the Speak Up Guardian who will help you manage the process from there. If they are not available, then please contact the MD or the Chair of ARAC. Do not forward it on or take copies, rather keep it safe until you receive advice.





OUR PEOPLE POLICIES