

EMBASSY

Whistleblowing-Policy



It is important to the business to have an open and transparent work culture. We aim to conduct our business with the highest standards of honesty and integrity every day. We take protecting our colleagues, suppliers and stakeholders seriously.

However, like any organization, there are occasions where we face the risk of things going wrong, or we are unaware of wrongdoing, such as dangerous, fraudulent, illegal or unethical conduct taking place.

What is the purpose of a Policy?

The Policy is in place to ensure that this is the duty of each employee to report genuine incidents of suspected wrongdoing as soon as possible. Your concerns will be taken seriously, investigated as appropriate and wherever possible you will be informed of the outcome.

The Policy covers all employees, officers, consultants, contractors, casual workers and agency workers. Any third parties working on behalf of Embassy-Kirchhofer Group (the “Group”) may also make use of the Policy. Personal grievances and complaints are not covered by this Policy. The Policy is for guidance only and does not form part of your contract of employment.

What is Whistleblowing?

Protection is provided for workers who disclose legitimate concerns about suspected wrongdoing, misconduct or malpractice connected to the company they work for.

This means that they cannot be victimized, harassed or have their employment opportunities curtailed as a direct consequence of making a whistleblowing disclosure.

Not all disclosures are considered ‘whistleblowing disclosures’ so it is helpful to think “is the wrongdoing in question likely to be in the ‘general interest’?”.

Whistleblowing disclosures are not to be confused with raising a personal grievance such as one that would be dealt with under your employment contract.

Whistleblowing matters could include, but are not limited to:

- criminal activity;
- a failure to comply with a legal or regulatory obligation;
- the endangering of an individual’s health and safety;
- damage to the environment;
- false accounting or reporting irregularities;
- deliberate concealment of information relating to any of the above.
- bribery

In addition to the issues listed above, the Group considers that raising concerns about the following issues may constitute a public interest disclosure:

- suspected fraud or corruption
- sexual, physical or verbal abuse
- bullying or intimidation of employees, customers or service users
- serious failures to comply with the Group’s policies and procedures
- improper conduct or unethical behaviour

If you are reporting a concern it is your responsibility to ensure that any report is made in good faith and that you have reason to believe that the claim is true.

You are encouraged to provide as much information as possible. You do not need to provide your report in writing nor do you need to provide proof but you must have a reasonable belief that the wrongdoing is being, has been or is likely to be committed.

If misconduct is discovered as a result of any investigation under this procedure the Company's disciplinary procedure will be used, in addition to any appropriate external measures. Maliciously making a false allegation is a disciplinary offence.

Who is responsible for the Policy?

The Group Board has overall responsibility for this policy. The Group Human Resources Director, Human Resources has day-to-day operational responsibility for the Policy and will ensure that all relevant managers and employees who may deal with concerns or investigations under this policy receive appropriate training.

How to raise a concern?

1. In the first instance, and unless you reasonably believe your line manager to be involved in the wrongdoing, any concerns should be raised with your line manager. If you believe your line manager to be involved, or for any reason you do not wish to approach your line manager, then you have further options as set out below.
2. If you are concerned that your line manager is involved in the wrongdoing; that they have failed to make a proper investigation; or that they have failed to report the outcome of the investigations to the Executive Director, Human Resources, you should inform directly the Group Executive Director of Human Resources who will arrange for another manager to carry out the investigation. You can inform the Human Resources by calling the Group Human Resources Director or through the Human Resources group email:

group.humanresources@embassy.ch

By post:

Embassy
Head of Group Human Resources
Grendelstrasse 2
6004 Luzern (SWITZERLAND)

3. If both previous options do not guarantee a sufficient level of confidentiality or in case of conflict of interests, a specialized law firm company has been appointed to act as an independent and neutral third party; in this case, please contact:

Vischer AG
Marc Ph. Prinz, Attorney at Law, LL.M.
phone: +41 58 211 34 00
mprinz@vischer.com

How we deal with your concerns?

1. If you have followed the line manager route, then your line manager will arrange an investigation of the matter (either by investigating the matter him/herself or immediately passing the issue to someone in a more senior position). A written acknowledgement of receipt of the report will be hand out to the reporter within 7 days.

The investigation may involve you and other individuals involved giving a statement and we will ask for your permission in writing to this individuals. An investigation will be carried out in accordance with HR procedures. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The investigating manager will report to the Group Human Resources Executive Director, Human Resources, who will take any necessary action, including reporting the matter to any higher instance. If appropriate, disciplinary action will be carried out.

On conclusion of any investigation, we will always try to communicate back to you, within a reasonable timeframe (at least within 3 months), the outcome of the investigation, although due to data protection and other issues this might not always be possible. We will always tell you when an investigation has been completed. If no further action is to be taken, the reason for this will be explained wherever possible.

2. If concerns have been reported via the Group Human Resources department:

By email: group.humanresources@embassy.ch,

By post:

Embassy
Head of Group Human Resources
Grendelstrasse 2
6004 Luzern (SWITZERLAND)

it allows for confidential dialogue to take place between the parties (e.g. should there be any further questions to ask). This includes situations where the party wishes to remain anonymous. It also enables feedback to be provided (e.g. progress status).

All issues and concerns raised via this mechanism are reviewed by the Group Executive Director, Human Resources, who will either investigate or pass it onto the relevant individual or team within the business to investigate. All concerns will be taken seriously, fully investigated and appropriate action taken.

How we will protect you and your confidentiality?

We can assure you that you will not suffer a detriment from making a genuine report. We respect your right to confidentiality around your report and will make every effort to limit the number of people to whom your identity and report are made known.

Any person who retaliates against someone who has made a report in which they believe to be in the public interest may be subject to the Disciplinary Procedure up to and including dismissal.

We understand that you may wish to make an anonymous report and depending on your location it may be possible for you to do so when raising an issue as set out in the “How to raise a concern” section above. However, we would encourage you not to do so in order that we can carry out a full investigation and can ask you additional questions if necessary.

In providing your report, you agree and consent to any use of your personal data to allow us to carry out the correct and proper operation of this policy. This includes the use of any personal data in any confidentially or anonymously brought procedure under this policy. All personal data shall be used and processed in accordance with the highest confidentiality.

Third Party

Third parties are encouraged to report genuine suspicions about any wrongdoing, or malpractice within the Group or that impact the Group and can be assured that any information received will be treated seriously and confidentially.

Any concerns or complaints that relate to your own organization’s internal operations and practices should be dealt with through your own organization’s normal reporting channels, policies, or procedures. You are invited to make your report to the Embassy & Kirchofer Human Resources department in the first instance using any of the methods outlined in the “How to raise a concern” section of this policy.