

# **TDC DEVELOPMENT COMPANY LIMITED**



## **WHISTLEBLOWING POLICY STATEMENT**



# Whistleblowing Policy Statement

TDC Development Company Limited (hereafter referred to as “TDC”), is committed to the highest standards of ethical practice, behaviour and integrity among its Board members and employees. TDC encourages the reporting of any genuine concerns of wrongdoing and commits to ensuring that employees are not adversely affected as a result of reporting such wrongdoing.


This document as defined under the Whistleblower Act (Act 720), which came into force in 2006. The Act protects workers who disclose information about malpractice at their workplace, provided certain conditions are met. This whistleblowing policy statement is intended to act as a deterrent to fraud or other corruption or serious malpractice. It is also intended to protect TDC’s business and reputation.

This policy statement applies to all permanent and temporary employees, agents and contractors. It is intended to complement statutory protection and, for the avoidance of doubt, statutory rights will not be affected in any way by this policy.

The following examples demonstrate what we mean by serious malpractice:

- The offering, taking or soliciting bribes;
- Financial fraud or mismanagement;
- Unauthorised disclosure of confidential information;
- Breach of our internal policies and procedures including our Code of Business Conduct Criminal activity;
- Failure to comply with legal or professional obligation or regulatory requirements;
- Mis-reporting performance of the business;
- Mis-selling or price fixing of products;
- Negligence;
- Conduct likely to damage our reputation;
- Danger to health and safety;
- the deliberate concealment of any of the above matters.

If you become aware of any such activities or other possible malpractices you are encouraged to follow the procedures set out below. It will not always be clear that a particular action falls within one of these categories and you will need to use your



own judgement. However, if you believe the matter to be serious, TDC would prefer you to report your concerns rather than keep them to yourself.

## **PROCEDURE**

### ***How do I make a report?***

You can make a report orally or in writing. Normally, you should inform your immediate manager or the head of your department. Alternatively, you may contact the **Company Secretary**, who will act as an independent source of advice and assistance within the company.

The **Company Secretary** will inform the MD and the Board Chairperson when a whistleblowing case has instigated a Panel investigation. Details of the case will not be discussed at that stage. Once the Panel findings are concluded, the Board will be fully informed, in confidence.

### ***Is there a place where I can go for independent advice?***


If you do not know what to do and wish to discuss your alternatives you may contact the Company Secretary for a confidential discussion. Or ask your Personnel manager for advice.

### ***Do I need proof of wrongdoing to make my report?***

TDC does not expect you to have absolute proof of any malpractice that you report. However, you will need to be able to explain the reasons for your concern and TDC will not tolerate spurious or inconsequential allegations.

### ***How will my report be investigated?***

Once you have made a report, TDC will acknowledge receipt of it within 5 working days. Preliminary enquiries will then be made by an independent senior manager as confidentially as possible. If the person raising the concern is required to attend, he or she may be accompanied by a fellow employee of their choice or a Union Representative where appropriate. If it is determined that a fuller investigation is necessary, this will proceed either with further internal investigations or by referral to



the appropriate external body dependent upon the nature and the seriousness of the report.

***Will TDC protect my identity if I make a report?***

If you make a report, TDC will do everything possible to keep your identity as confidential as possible during the investigation and you may assume that only TDC staff investigating the malpractice concern will know your identity. However, there may be circumstances (for example, if your report becomes the subject of a criminal investigation) where you may be needed as a witness and, once the investigation is complete, the findings may need to be communicated to the individual(s) concerned. Should this be the case we will discuss the matter with you at the earliest opportunity.

If the report is made to your line manager (or his/her manager) he will provide summary data to the **Company Secretary** so that we can monitor the usage and effectiveness of this policy. The summary data consolidated will not include the name and contact details of the whistleblower.

***Can I protect my identity by reporting on a confidential basis?***


TDC would prefer you to give your name and contact details when you make a report. However, subject to any legal constraints, and after listening to your initial explanation you may be allowed to communicate your concern on a confidential basis.

***What will happen on completion of the investigations?***

Subject to any legal constraints, TDC will communicate the findings of the investigation to:-

- a) you as the person raising the report;
- b) the individual(s) under investigation; and
- c) if appropriate, those members of TDC management or external authorities who need to consider whether action should be taken on the basis of the findings.

As with any case where an employee is found to be involved in wrongdoing, they will be dealt with effectively in accordance with employment law and contracts of employment.



A high-level summary record of the incident will be held in the Company Secretary's office.

*Am I at risk of suffering victimisation if I raise a report?*

You can be assured that, if you raise a malpractice concern, this will be taken seriously and you will be treated fairly and with discretion. We will take all reasonable steps to ensure that no person under our control engages in victimisation of any form. If you make a report in good faith then, even if it is not confirmed by an investigation, your concern will be valued and appreciated and you will not be liable to disciplinary action. However, if you make a false report, maliciously or for personal gain, then you may face disciplinary action.

*Is there an incentive for reporting?*

If your disclosure of wrongdoing results in the recovery of substantial amount of money or leads to the arrest and conviction of an accused person, you will be rewarded 5% of the amount of money recovered. If your disclosure does not result in financial recovery, the managing Director in consultation with the Board will offer a fitting reward.

*What can I do if I am unhappy with the way TDC has dealt with my report?*

If you are unhappy with the outcome of an investigation, you should submit another report explaining why this is the case to the **Company Secretary**. Your concern will be investigated again if there is a good reason to do so.



## **Whistleblowing Reporting of Possible Serious Malpractice**

**Name of Person Submitting Report:**

**Date of Report:**

**Work Location:**

**Line Manager:**

**Suspected Malpractice:**

**Response of Alleged Wrongdoer:**

**Follow-Up Investigation:**

**Initial Response (within 5 days):**

**Actions Taken:**

**Final Response:**

**Date Resolved:**

**Date Reported to Company Secretary Office:**