

# RED STAR EXPRESS PLC WHISTLE BLOWING POLICY

## Definition

This document defines the policy and outlines the procedures for “protected internal disclosures”, that is, “whistle blowing”.

The Policy is aimed at encouraging employees, suppliers and customers to raise serious concerns within the company rather than overlook a problem.

Red Star Express Plc. is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, employees, company’s customers or suppliers, who have serious concerns about any aspects of the company’s work are encouraged to come forward and voice those concerns, without fear of harassment, victimization or intimidation.

It is recognized that certain cases will have to proceed on a confidential basis. This policy document makes it clear that reports can be made without fear of reprisals.

## 2 AIMS AND SCOPE OF THIS POLICY

2.1 This policy aims to:

- Encourage a feeling of confidence in raising concerns and how to question and act upon concerns.
- Provide avenues for concerns to be raised in confidence and receive feedback on any action taken.
- Ensure that responses to concerns are received and create awareness on further action if not satisfied.
- Reassure and protect from possible reprisals or victimization for whistle blowing in good faith.

## 3 COVERAGE

The concern raised may be about something that relates to:

- Conduct which is an offence or a breach of law.
- Failure to comply with legal obligation.
- Disclosures related to miscarriage of justice.
- Health and safety risks, including risks to the public and other employees
- Damage to the environment.
- Unauthorized use of company’s funds.
- Possible fraud or corruption.
- Sexual, physical other abuse.
- Unethical conduct.
- Acts which are unprofessional, inappropriate or conflict with a general understanding of what is right or wrong.
- Financial Regulations or polices; or

- falls below established standards or practice; or
- actions that amount to improper conduct.

#### **4 WHISTLE BLOWER PROTECTION**

The protection of whistle blowers, including keeping the identity of the individual confidential, is fundamental to achieving the objectives of this policy. The company shall not tolerate any form of retaliation, harassment, or intimidation of a whistle blower by others as a result of raising concerns through the whistle blowing facility.

However, the whistle blower must disclose the information in good faith, must reasonably believe that the information being disclosed is true and must not act for personal gain. In these circumstances, the whistle blower will ordinarily be protected from adverse consequences resulting from the disclosure.

What this means is that the whistle blower will not, as a result of the disclosure, be:

- subjected to disciplinary action;
- dismissed, suspended, demoted, harassed or intimidated;
- transferred against his or her will;
- refused transfer or promotion;
- subjected to a term or condition of employment or retirement which is altered to his or her detriment;
- refused a reference or provided with an adverse reference;
- denied appointment to any employment, profession or office;
- threatened with any of the above;
- otherwise adversely affected in his or her employment for making the disclosure.

**UNLESS** the whistle blower is responsible for, or otherwise implicated in, any irregular conduct that is illegal or in breach of Red Star Express policy or conditions of employment.

This does not mean that where the whistle blower is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of the whistle blowing.

#### **5. CONFIDENTIALITY**

The company will do its best to protect the identity of the whistle blower. It must be appreciated that the investigation process may reveal the source of the information and a statement may be required as part of the evidence.

It is important FOR THE Whistleblower to note the following:

- information must be disclosed in good faith;
- must believe it to be substantially true;
- must not act maliciously or make false allegations;
- must not seek any personal gain.

#### **6 ANONYMOUS ALLEGATIONS**

This policy encourages the whistle blower to put his/her name to the allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the company.

In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

### **7. UNTRUE ALLEGATIONS**

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the whistle blower. If, however, an allegation is malicious or simply made to cause anger, irritation or distress, disciplinary action may be taken against the whistle blower.

### **8 HOW TO RAISE CONCERN**

Concerns are better raised in writing. It is advised that the background and history of the concern, names, dates and places where possible, and the reasons for the concern are well stated.

The earlier the concern is expressed, the easier it is to take action.

Although the whistle blower is not expected to prove the truth of an allegation, he/she will need to demonstrate that there are sufficient grounds for the concern.

### **PROCEDURE FOR RAISING CONCERN**

#### **First method**

- The company has appointed the Company Secretary as “Responsible Officer” and would be responsible for receiving reports on disclosures made via the reporting facility - dedicated email or drop boxes provided.
- The Responsible Officer will review the reports and undertake an initial categorization and prioritization of disclosures made in the report according to the nature of the risk raised by the disclosure.
- The Responsible Officer will be responsible for identifying an appropriate response team, drawing on the expertise and experience of colleagues in the company, to investigate any particular matter further.
- Depending on the nature of the disclosure, the response team may determine that the matter can be appropriately dealt with (a) internally or (b) externally, as the case may be.

**OR**

#### **Second method**

As a first step, the whistle blower should normally raise the concerns with his/her immediate Supervisor or Head of Department. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

Advice and guidance on how matters of concern may be handled can be obtained from:

- Managing Director/CEO
- Executive Director(s)
- Company Secretary/Legal Adviser

- The Human Resource Manager
- Head Internal Audit

## 9. COMPANY RESPONSE

The action taken by the company will depend on the nature of the concern. The matters raised may:

- be investigated internally (by the Internal Audit unit)
- form the subject of an independent inquiry
- be referred to the Police

Some concerns may be resolved by Management agreed action without the need for investigation.

Within fourteen working days of a concern being received, the company will write to the whistle blower acknowledging that the concern has been received and is being investigated.

## 10 HOW THE MATTER CAN BE TAKEN FURTHER

10.1 This policy is intended to provide an avenue to raise concerns. The Company hopes this process would ultimately conclude the matter. If not satisfied, the matter may be referred to a Board of Directors for further action. The decision of the board shall be final.

## 11 THE RESPONSIBLE OFFICER

The Responsible Officer (Company Secretary) has overall responsibility for the maintenance and operation of this policy. A record of concerns raised and the outcomes (but in a form which does not endanger confidentiality) must be maintained and will report as necessary to the Managing Director or Chairman of the board of Directors as need arise.

### NOTE:

This policy is not a substitute for any applicable procedure that is available to Relevant Persons who wish to report grievances concerning their employment or engagement with Red Star Express Plc. Whistle blowing provides a confidential means of conveying relevant information and does not replace existing lines of communication.

14<sup>th</sup> DAY OF FEBRUARY 2013



.....  
MANAGING DIRECTOR/CEO



.....  
COM. SECRETARY