

Third Party Whistleblowing Policy

1. Introduction

- 1.1. London Forfaiting Company Ltd (“LFC”) is committed to ensuring that it, and the people working for it, complies with the highest standards of openness, honesty, and accountability. LFC is not prepared to tolerate improper practice and/or wrongdoing. In line with that commitment, we expect others that we deal with who have any serious concerns about any aspect of LFC’s work to come forward and voice those concerns. Wherever possible, individuals are encouraged to use LFC’s Complaints Procedure to report issues about LFC’s Services and activities. Members of the public can contact LFC using this Whistleblowing Policy to report any serious concerns over wrongdoing.
- 1.2. Unlike disclosures by employees and workers, the Public Interest Disclosure Act 1998 does not offer legal protection for disclosures made by members of the public. However, LFC will take reasonable and appropriate action to protect the anonymity of members of the public when they make a disclosure. The information passed on must always be more than a general assertion (or allegation), or mere opinion. In this policy, receipt of any such information will simply be referred to as a “disclosure.”
- 1.3. This Policy applies to an individual who would not fall within the scope of our internal whistleblowing policy.
- 1.4. To this end, where this policy makes reference to a **“Whistleblower”**, it refers to any person not covered by the above policy who make a disclosure.
- 1.5. This policy is designed to provide guidance on how a member of the public should report any suspected serious misconduct as well as reassurance that any disclosure can be made safely.
- 1.6. This policy is in addition to LFC’s Complaints Procedures.
- 1.7. This policy seeks to:
 - a) encourage Whistleblowers and/or their representatives to feel confident in raising disclosures about suspected serious misconduct in LFC and its services;
 - b) set out how LFC will handle and respond to disclosures and what you can do if you are not satisfied with the feedback received;
 - c) reassure Whistleblowers that they will be protected from possible reprisals or victimisation if there is reasonable belief that the disclosure is merited; and
 - d) ensure consistency and fairness in dealing with whistleblowing across LFC.
- 1.8. Where any individual reasonably believes:
 - a) that the disclosure shows past, present or likely future wrongdoing by LFC and/or its officers, falling into one of more of the following categories:
 - failure to comply with a legal obligation;
 - a criminal offence;
 - a miscarriage of justice;
 - a danger to the health or safety of any individual or damage to the environment, or;
 - information tending to show that any of the above matters is being deliberately concealed;

these concerns should be reported and LFC will assess the disclosure and, where appropriate, investigate and take action accordingly.

1.9. LFC is also committed to preventing any harassment, victimisation or unfair treatment of any person arising from their whistleblowing, and may, where appropriate, take disciplinary action against any LFC employee responsible for such harassment, victimisation, or unfair treatment against a Whistleblower.

2. Exemptions

2.1. This policy will not apply where there is already an appropriate procedure in place for dealing with the concern (including LFC's Complaints Procedure or Code of Conduct Complaint). Specifically, this policy is not designed to be used:

- a) for raising or reconsideration of matters that clearly come under existing processes; or
- b) as an appeal process from any complaint handled under any of the above procedures.

2.2. Where a disclosure falls outside the scope of this policy, LFC will advise the Whistleblower of this and advise of an alternative route to raise the issue, if appropriate. Wherever possible, LFC will comply with the reasonable views of the Whistleblower in relation to the disclosure of information, but there may be situations where LFC is legally required to pass on details of a disclosure, without the consent of the Whistleblower, such as in Police investigations or legal proceedings.

2.3. Likewise, if a disclosure made under a separate procedure falls under the remit of a "serious misconduct," LFC will notify the Whistleblower of this and investigate the allegation under this policy instead.

3. Disclosures made by Third Parties

3.1. The person making the disclosure does not have to be directly or personally affected by the serious misconduct but must believe that the disclosure is true, and the disclosure must be made in the public interest.

3.2. To be protected, the disclosure must raise a concern that:

- a) a criminal offence (e.g. fraud, corruption, or theft) has been, is being or is likely to be committed;
- b) a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
- c) a miscarriage of justice is occurring, has been or is likely to occur;
- d) the health or safety of any individual has been, is being or is likely to be endangered;
- e) the environment has been, is being or is likely to be damaged, or;
- f) that information relating to any of the above is being deliberately concealed or attempts are being made to conceal the same.

4. Protecting a third-party Whistleblower

4.1. LFC recognises that the decision to raise a concern can be difficult. Whistleblowers should be assured that LFC will not tolerate harassment or victimisation and will take reasonable appropriate action to protect individuals who raise concerns.

4.2. The proven victimisation or harassment by LFC employees of someone who has made a disclosure under this policy would normally be considered to be Gross Misconduct if done by an employee of LFC.

4.3. Any person applying pressure upon officers to identify Whistleblowers shall be subject to the same provisions as outlined in 4.2 above.

4.4. LFC openly encourages whistleblowing done in good faith. Anyone who makes an allegation in good faith, which is not subsequently confirmed by the investigation, will continue to have protection under this policy from victimisation or harassment.

5. How to report a concern

5.1. A person who wishes to report any concerns to LFC should contact the LFC Whistle Blowing Officer either by:

Email: LFC-WBRO@forfaiting.com

Post: Whistleblowing Reporting Officer
London Forfaiting Company Ltd
15-18 Austin Friars
London
EC2N 2HE

5.2. Setting out the following information:

- Name (unless you wish to be anonymous)
- Contact details (unless you wish to be anonymous – although please note that it will not be possible to provide feedback on the concern if no contact details are provided)
- Who has committed the alleged serious misconduct?
- What is the nature of the alleged serious misconduct? (please include as much background and history (including dates) as possible and why you are concerned about the situation).
- That you are using the Whistleblowing Policy to raise the concern.

6. How LFC will respond to a disclosure

6.1. LFC will acknowledge receipt of a disclosure within 2 working days. In some cases, if insufficient information is provided with the initial disclosure (in the reasonable opinion of LFC), the Whistleblower may be asked to provide further information, and the procedure may not continue until this has occurred. All initial contact will be made by LFC's Whistleblowing Reporting Officer.

6.2. LFC will consider and decide whether the disclosure falls under the criteria within this policy and, if not, wherever possible, it will recommend how those concerns can instead be taken forward using appropriate existing procedures. LFC's decision will be given to the person making the disclosure, wherever possible, as soon as possible after receipt of the disclosure and usually within 5 working days after acknowledging receipt of the disclosure. The decision notification will state whether or not the disclosure is considered to fall under the policy and how it will be dealt with.

6.3. When a disclosure is considered to come under the Whistleblowing Policy the LFC Whistleblowing Reporting Officer will investigate at the earliest opportunity.

6.4. LFC will arrange to keep the Whistleblower updated (unless reported anonymously) throughout the process and, wherever possible, will seek to advise the Whistleblower of the outcome of the investigation but will not provide a copy of the investigators report. However, LFC is bound by the Data Protection Act 1998 and the Human Rights Act 1998 in respect of allegations relating to individuals and may not be able to disclose specific information in certain circumstances.

6.5. LFC shall treat all disclosures consistently and fairly.

7. Confidentiality and Anonymity

7.1. LFC will seek to treat all disclosures in confidence as a means of preventing victimisation and will endeavour to avoid disclosing information identifying any Whistleblower. However, there may be situations where, due to the circumstances of the alleged serious misconduct, it may be impossible to avoid

disclosing information identifying any Whistleblower. In these circumstances, LFC will consult with the Whistleblower prior to the disclosure taking place.

- 7.2. LFC may also be required to disclose the identity of the Whistleblower to third parties, where necessary for the purposes of undertaking investigations, for example where the disclosure relates to criminal offences where LFC considers that the Police should investigate.
- 7.3. There may also be situations where LFC is obliged to disclose information, such as where there are legal proceedings following on from investigation of the disclosure. This may require the disclosure of witness statements or correspondence, and there is also the possibility that the Whistleblower may be expected to give evidence at any hearing.
- 7.4. Anonymous disclosures will be considered at the discretion of LFC taking into account the seriousness of the information given, the credibility of the evidence and the likelihood of confirming the allegation from attributable sources. There may not be enough information or sufficient evidence to pursue an investigation without the investigator being able to contact the Whistleblower for further information.

In each of the above cases, LFC will inform the recipient of information that, to the extent permitted by law and regulation, the information being shared should be treated as confidential.

8. Untrue Allegations

- 8.1. As set out in paragraph 3.1 above, if a Whistleblower makes an allegation which is believed to be true, but it is not confirmed by the investigation, no action will be taken against the Whistleblower. However, LFC will view very seriously any false or malicious allegations or allegations made for personal gain and appropriate action may be taken against the Whistleblower.

9. Recording and monitoring complaints

- 9.1. LFC is required to maintain a list of disclosures raised by third parties.
- 9.2. For the purposes of investigating whether or not there are any systemic issues that need to be addressed, and to monitor the performance of any investigation, an anonymised summary of all disclosures of serious misconduct, made by third parties, will be presented to the Chief Executive Officer of LFC on a semi-annual basis.
- 9.3. Records are maintained in accordance with the Data Protection Act 1998.
- 9.4. A report on the number of concerns will be provided to LFC's External Auditors annually. This report will not include any information identifying any Whistleblower.