

REPORTING OF CONCERNS POLICY AND PROCEDURE

1. INTRODUCTION

- 1.1 Employees, workers and agency workers are often the first to realise that there may be something seriously wrong within the Company (Servier Laboratories Ltd / Servier Research and Development Ltd). However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Company. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Company is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have concerns about any aspect of the Company's work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This policy is intended to encourage and enable employees to raise concerns **within** the Company rather than overlooking a problem or raising it outside.
- 1.4 The policy applies to all employees and those contractors working for the Company on Company premises, for example, agency staff, consultants, etc. It also covers suppliers and those providing services under a contract with the Company from their own premises.
- 1.5 This policy has been discussed with the Information and Consultation Forum and has their support.
- 1.6 The Company reserves the right to amend the policy and procedure as necessary to meet any change in requirements.

2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to:
 - encourage you to feel confident in raising concerns and to question and act upon concerns about practice.
 - provide avenues for you to raise those concerns and receive feedback on any action taken.
 - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.

- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.
- 2.2 The Company has other policies and procedures in place to enable you to lodge a grievance relating to your own employment. The Disciplinary, Grievance, and Equal Opportunities policies also address standards of behaviour at work. The relevant policy should be followed where appropriate.
- 2.3 Any concerns that you have about any aspect of the Company's activities or the conduct of employees of the Company or others acting on behalf of the Company can be reported under this Reporting of Concerns policy. These include but are not limited to:
- conduct which is an offence or a breach of law
 - possible fraud and passive or active bribery
 - disclosures related to miscarriages of justice
 - other unethical conduct

This may be about something that:

- makes you feel uncomfortable in terms of known standards or the standards you believe the Company subscribes to; or
 - is against the Company's SOPs, regulations and policies, including external guidelines the Company subscribes to, such as the ABPI Code of Practice, or Good Clinical Practices; or
 - falls below established standards of practice; or
 - amounts to improper conduct
- 2.4 This policy does **not** replace the grievance procedure.

3. THE RESPONSIBLE OFFICER

- 3.1 The Chief Executive Officer has overall responsibility for the Reporting of Concerns policy. The day to day maintenance and operation of the policy will be undertaken by the Head of Human Resources, who maintains a record of concerns raised and the outcome (but in a form which does not endanger your confidentiality) and will report as necessary to the Chief Executive Officer of the Company.

4. SAFEGUARDS

4.1 Harassment or victimisation

4.1.1 The Company is committed to good practice and high standards and wants to be supportive of employees.

4.1.2 The Company recognises that the decision to report a concern may not be easy. If what you are saying is well

founded, you should have nothing to fear because you will be doing your duty to your employer.

4.1.3 The Company will not tolerate any harassment or victimisation (including informal pressures) from your colleagues, peers, managers or from external sources, and will take appropriate action to protect you when you raise a concern in good faith.

4.1.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you. This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistle blowing.

4.2 Confidentiality

All concerns will be treated in confidence and the Company will keep your identity secret if you so wish. It must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence. At the appropriate time, you may need to come forward as a witness.

5. ANONYMOUS ALLEGATIONS

5.1. This policy encourages you to put your name to your allegation whenever possible.

5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Company.

5.3 In exercising this 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.

6. UNTRUE ALLEGATIONS

6.1 Only genuine concerns should be reported. Disclosures must be made in good faith with a reasonable belief that the allegation and any information in it, is substantially true. If you make an allegation in good faith, but it is not upheld by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, vexaciously, maliciously, or for personal gain, this will be treated as a serious disciplinary offence and disciplinary action may be taken against you.

7. HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with your immediate manager or their superior, who would then report it to the Responsible Officer. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach the Head of Human Resources, or the Chief Executive Officer, whoever you deem appropriate for the nature of the concern.

7.1 Concerns may be raised verbally or in writing. Should you wish to make a written report, you are requested include the following information:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation.

7.2 The earlier you express the concern the easier it is to take action.

7.3 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

7.4 If ultimately you feel you have to take the matter externally, please refer to Section 9 of this policy.

7.5 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same concerns.

7.6 You may invite a fellow employee or a trade union official to be present during any meetings or interviews in connection with the concerns you have raised.

8. HOW THE COMPANY WILL RESPOND

8.1 The Company will respond to your concerns. Do not forget that agreeing to investigate / investigating your concerns is not the same as either accepting or rejecting them. The concern will be reported to the Responsible Officer who will keep the Chief Executive Officer informed of any report.

8.2 Where appropriate, the matters raised may:

- be investigated internally
- be referred to the Police
- be referred to the external Auditor
- form the subject of an independent inquiry

8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

- 8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5 The Responsible Officer will write to you normally within ten working days of a concern being raised,
- acknowledging that the concern has been received
 - indicating how the Company proposes to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - telling you whether any initial enquiries have been made
 - supplying you with information on staff support mechanisms, and
 - telling you whether further investigations will take place and if not, the reason why.
- 8.6 The amount of contact between the investigating Responsible Officer and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Company will seek further information from you.

The Responsible Officer will investigate your concern/s as follows:

If appropriate, arrange an initial interview with you to ascertain your area/s of concern. The notes taken during the interview will be sent to you to confirm as being an accurate record of what was discussed.

You will be asked whether you want your identity to be disclosed and will be reassured about protection from possible victimisation or possible reprisals.

You will be asked if you are prepared to make a verbal or written statement (if you have not already done so).

- 8.7 Your manager, the Responsible Officer, a more senior manager, or external person or body as appropriate, will then conduct further investigations. They will aim to complete the investigation within 7 working days although in serious or complicated cases, this may not be possible.
- 8.8 The person against whom the disclosure is made will normally be told at an early stage, provided with the supporting evidence and be allowed to respond. However, it may be necessary to conduct the investigation in confidence (i.e. without informing the subject of the allegation/s) until (or if) it becomes necessary to do so. Alternatively, depending on the nature and seriousness of the complaint, the person/s against whom the allegation/s is/are made may be suspended while investigations are ongoing.
- 8.9 If it is not possible to comply with the timescales set out above, you will be informed and given a revised timescale.

- 8.10 If any meeting is arranged, off-site if you so wish, you can be accompanied by a fellow employee or a trade union official.
- 8.11 The Company will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Company will arrange for you to receive advice about the procedure.
- 8.12 The Company recognises that you need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints, we will inform you of the outcome of any investigation (including any disciplinary investigation). The exact nature of any disciplinary action taken against any person will remain confidential.

9. HOW THE MATTER CAN BE TAKEN FURTHER

- 9.1 This policy is intended to provide you with an avenue within the Company to raise concerns. The Company hopes that you will be satisfied with any action taken. If you are not satisfied and if you feel it is right to take the matter outside the Company, you should ensure that you do not disclose confidential information.