



Global Policy

Corporate | Whistleblowing

Policy Reference | CORP 04

Version | 2.0

Policy Standards and Purpose

Introduction

Acacium Group has fostered an atmosphere of open communication and commitment to high standards of service, within which observations can be voiced and thoroughly investigated.

This Global Whistleblowing policy reflects the legal protection given to employees under the UK Public Interest Disclosure Act 1998; however, Acacium Group recognises the importance for these same standards to apply wherever Acacium Group operates in the world.

This policy has been designed to allow employees to disclose information that they believe shows malpractice, unethical conduct or illegal practices in the workplace, without being penalised in any way. This includes protecting staff from any detriment or discrimination if they do report (i.e. 'blow the whistle on') improper or illegal conduct within the organisation.

It is important to recognise that such disclosures differ from grievances, which typically involve an issue relating to your own employment (e.g pay, progression) and impact you, as opposed to a wider group of people. Such issues should be raised with local People/Human Resource Teams

Purpose

The purpose of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing (for example, in care provision, unsafe working conditions, inadequate training provision, procurement or financial concerns) or malpractice in the workplace. In most cases staff should not find it necessary to alert anyone externally. However, the law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator.

Scope

The Global Whistleblowing Policy applies to associate workers and external parties who work with Acacium Group entities, in all geographies.

Equality Impact Assessment

Acacium Group is dedicated to equality, diversity, and inclusion. Aligned with our values, we work diligently to ensure that every member of the Acacium community receives fair treatment without discrimination, considering their unique needs and characteristics.

In pursuit of this commitment, we have conducted an Equality Impact Assessment on this policy/procedure. This information is centrally stored; to obtain this, please send a request to the People Team.

Definitions

Term	Definition
Whistleblowing	When an employee raises concerns that relate to suspected wrongdoing or danger at work, and they reasonably believe these concerns to be in the public interest. In this document, this is referred to as 'making a public interest disclosure' or 'blowing the whistle'.
Whistleblower	The employee or individual who raises concerns that relate to suspected wrongdoing or danger at work, and they reasonably believe these concerns to be in the public interest.
Public Interest	When the concern impacts other people, as opposed to just the person raising the concern.
Good Faith	Good faith is evident when the disclosure is made without malice or consideration of personal benefit and the whistle blower has a reasonable basis to believe that the allegation is true; or is supported by reasonably substantiated evidence. Good faith is lacking when the disclosure is reasonably verified to be fabricated, frivolous, malicious, vindictive or baseless.
Safecall	An independent, external, confidential reporting line which colleagues can use to raise concerns.
Grievance	A complaint about something believed to be wrong, or unfair in the workplace, but impacts just the person/people (in the case of a collective grievance) making the complaint.

Statement

A whistleblower shall receive no retaliation or retribution for a report that was provided in good faith and not done with malice to damage any person or the organisation. Anyone who retaliates against the whistle-blower will be subject to disciplinary action, including termination of Board or employee relationship.

It will very rarely if ever be appropriate to alert the media. If it's determined that a disclosure was made in a person's own rather than the public interest, they're unlikely to get legal protection. For example, if a person reports concerns to the press and receives payment for doing so.

Any allegations which prove to have been made maliciously or knowingly to be false will be deemed a serious disciplinary offence.

Crimes against person or property, such as assault, rape, burglary, etc., should immediately be reported to local law enforcement personnel.

Supervisors, managers and/or Board members who receive whistle-blower reports must promptly act to ensure the appropriate process, as provided in the next section below, is adopted.

All whistle-blower matters will be addressed without undue delay and, under normal circumstances, the final outcome/resolution of the matter would be reported not later than 14 working days from the date of the initial report. This could however be longer, depending on the nature of the

investigation, the number of people involved, availability of people, and the level / nature of the evidence that needs to be established.

In some cases, it's not practically possible to protect anonymity or confidentiality as the investigation proceeds. For example, there may only be one person who knew enough about the situation to make the report, and people will be able to work out who it must be. The identity of the whistle-blower, if known, shall remain confidential to those persons directly involved in investigating such reports, unless the issue requires investigation by law enforcement (if so, the whistle-blower will be duly informed).

Procedures

Nature of public interest disclosures

The formal phrase for 'blowing the whistle' is 'public interest disclosure'. Acacium Group associates and external parties have a legal right to 'blow the whistle' and are protected by law under such circumstances. Its purpose is to protect the interests of the service users under the care of Acacium Group, if and when an error has gone unchecked.

Examples of concerns may include events in the past, present or future, relating to:

- A criminal offence.
- Failure to comply with a legal obligation or an Acacium Group policy.
- A miscarriage of justice.
- Endangering of an employee's health and safety.
- Damage to the environment.
- Financial concerns such as accounting, internal accounting controls or auditing matters ("Accounting Wrongdoing"), which could include, for example, allegations of:
 - Fraud or deliberate error in the preparation, review or audit of an Onex Group Member's financial statements, including a deliberate failure to comply with applicable accounting standards and principles;
 - Fraud or deliberate error in the recording and maintaining of financial records;
 - Deficiencies in, or non-compliance with, procedures and systems for internal control over financial reporting
 - Misrepresentation or false statements regarding a matter contained in the financial records, financial statements, audit reports or any similar filings made by an Onex Group Member with the Ontario Securities Commission, the Securities and Exchange Commission or any other regulator;
 - Deviation from full and fair reporting of an Onex Group Member's financial condition and results;
 - Issues affecting the independence of Onex' independent registered public accounting firm; or falsification, concealment or inappropriate destruction of Onex' financial records.
 - Theft, misappropriation or illegal use of Onex assets or non-compliance with applicable legal and regulatory requirements, the Onex Code of Ethics and Business Conduct or the Onex Compliance Policies and Procedures (or the analogous policies and procedures of any other Onex Group Member) or other material wrongdoing ("Legal Wrongdoing"); and
 - Retaliation against those who report Accounting or Legal Wrongdoing ("Retaliation")
 - Deliberate concealment of any of the above.

Raising a Public Interest Disclosure

Individuals are encouraged to raise concerns internally, at work, through their Line Manager or appropriate other in the first instance. Where, or for whatever reason, this is not appropriate the employee should contact the Chief People Officer or Group Clinical Director.

Despite the assurances given to associates and external parties, Acacium Group accepts that there may be incidents that the employee does not feel confident or able to report in the first instance to their manager, Chief People Officer or the Group Clinical Director.

Acacium Group accepts the right and obligation of associates or external parties to report their concerns to an outside authority, such as, the police, the local authorities or safeguarding units.

Concerns raised should be factual, to the best of the employee's knowledge and include the following:

- What has occurred or is thought to have occurred.
- When it occurred.
- Where it occurred.
- Who was involved.
- Whether service users/Acacium group employees/the public have been put at risk as a result.
- Whether it has happened before.
- Details of any other witnesses.
- Any supporting information.
- How the matter came to light.
- Whether it has been raised with/by anyone else and if so, details of when and with/by whom.

Additional Resources

Policy requirements and legislation differ across the countries we operate in. The policy as outlined above and up to this point, applies to all regions. To find further location-specific policy information, please consult the following:

- Appendix A | All policy information specific to the UK.
- Appendix B | All policy information specific to the USA.
- Appendix C | All policy information specific to Australia.

Related Policies

In conjunction with this policy, we also recommend that you read the following:

- Global Anti-Corruption and Bribery Policy
- Global Code of Conduct

APPENDIX A | (United Kingdom)

No country specific amendments or additions to this policy are required.

APPENDIX B | (United States)

No country specific amendments or additions to this policy are required.

APPENDIX C | (Australia)

No country specific amendments or additions to this policy are required.

APPENDIX D | Other International Locations

No country specific amendments or additions to this policy are required.

APPENDIX E | Policy Governance

Acacium Brands

This policy applies to the following brands, all which form part of Acacium Group

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| 1. A&E Agency | 14. Xyla Elective Care |
| 2. Maxxima | 15. Xyla Health & Wellbeing |
| 3. Thornbury Nursing Services | 16. Xyla Health & Social Services |
| 4. General Medicine Group | 17. Espirita |
| 5. Liquid Personnel | 18. Bank Partners |
| 6. Pathology Group | 19. Proclinical |
| 7. Scottish Nursing Guild | 20. Hobson Prior |
| 8. Thornbury Community Services | 21. R&D Partners |
| 9. GP World | 22. Dunn Regulatory Associates |
| 10. Pulse | 23. Favorite Healthcare Staffing |
| 11. Pulse Healthcare | 24. Sanctuary Recruitment |
| 12. CHS Healthcare | 25. Ellea Nursing |
| 13. Xyla Digital Therapies | 26. Sumo Medical Staffing |

Applicable Legislation

Include a list of all the relevant laws we must be compliant with for each country.

United Kingdom (UK)	United States	Australia
Public Concern at Work (PCaW), founded in 1993.		
The Public Interest Disclosure Act 1998 (PIDA). England, Scotland and Wales.		
The Public Interest Disclosure (Northern Ireland) Order 1998.		
'Speak up for a healthy NHS'. (Social Partnership Forum, 2010).		
'Essential standards of quality and safety'. (Care Quality Commission, March 2010). Updated to fundamental standards in April 2015		
Regulation and Quality Improvement Authority 2005, 2009 (RQIA)		
Social Care and Social Work Improvement Scotland, (SCSWIS / the Care Inspectorate).		

Document Control Log

Category	Policy Details
Policy Name	Whistleblowing for Associate Workers and External Parties Policy
Purpose of Document	To set out the actions for Acacium Group associate workers and external parties to bring genuine concerns about the quality of care for service users to the attention of the organisation that will take the relevant action. The aim is to guarantee high quality care for all service users.
Target Audience	All Acacium Group workers and external parties.
Version	V2
Author	Karen Matthews-Shard
Date of Approval	22 July 2020
Published Date	July 2020
Lead Director	Karen Matthews-Shard
Review Frequency	Annually
Last Reviewed	Feb 2024
Next Review Date	Feb 2025
Risk and Resource Implications	Resources: training. Risks: Negligence/poor practice/corruption/bribery/ continuing unreported and putting the organisation at risk.
Equality Impact Assessment (EIA)	EIA completed by the author of this Policy and reviewed at the time of any amendments. The People Team can supply copies of this upon request.
About Acacium Group	Details of all Acacium Group trading companies that this policy applies to are detailed within this section (Appendix E)
Legislation	Legislation and guidance pertinent to this policy can be found on page 5.

Document Control History

Earlier document history is available upon request.

Version	Date	Changes Made	Reviewer Name(s)
Draft V1	July 2020	ORG 07 Split between CORP03 & CORP04	KMS
V1.1	July 2020	Code updated from ORG07 to CORP 04	CC
V1.2	Nov 2020	Rebrand	CC
V1.3	Jan 2021	Rebrand 2	CC
V1.4	May 2021	Adding CHS brand	CC
V1.5	Aug 2021	Formatting and minor edits	KG
V1.6	Aug 2022	Extension date extended	Clinical Advisory Group
V2	Feb 2024	Moved to global policy format	KMS