

LEXON UK LTD	Number: 18 Revision : 03
HR POLICIES	Page number: 1 of 5
WHISTLEBLOWING POLICY	Date: February 2020

Purpose and Aim

The purpose and aim of this document is to set out the Company’s current whistleblowing procedure.

This policy does not form part of the contract of employment. The Company reserves the right to alter any of its terms at any time although you will be notified in writing of any changes.

Scope

This policy applies to all employees within Lexon UK Ltd & Lexon Pharmaceuticals (Ireland) Ltd.

Ownership

The design and integrity of the policy is the responsibility of the HR Manager, and any variance except as noted herein, requires their approval

Application

Each Director, Manager & Supervisor is responsible for the implementation of, and adherence to, this policy within their respective area of responsibility.

LEXON UK LTD	Number: 18 Revision : 03
HR POLICIES	Page number: 2 of 5
WHISTLEBLOWING POLICY	Date: February 2020

1. Introduction

Employees may, in properly carrying out their duties, have access to, or come into contact with, information of a confidential nature. Their terms and conditions provide that except in the proper performance of their duties, employees are forbidden from disclosing, or making use of, in any form whatsoever, such confidential information.

However, the law allows employees to make a 'protected disclosure' of certain information. In order to be 'protected', a disclosure must relate to a specific subject matter (clause 2) and the disclosure must also be made in an appropriate way (clause 3). Whistleblowing protection is confined to a disclosure which, in the reasonable belief of the employee making the disclosure, is made in the public interest.

Lexon ("the Company") is committed to compliance with the Bribery Act 2010 and the Competition Act 1998. The Company actively encourages a culture of honesty and openness and therefore all employees are required to bring up to their manager or other designated person any issue that, in the employee's opinion, might constitute bribery or corruption.

2. Specific Subject Matter

If, in the course of employment, an employee becomes aware of information which they reasonably believe tends to show one or more of the following:

- 2.1 That a criminal offence has been committed, is being committed or is likely to be committed.
- 2.2 That a financial malpractice or fraud has been committed, is being committed or is likely to be committed.
- 2.3 That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- 2.4 That a miscarriage of justice that has occurred, is occurring, or is likely to occur.
- 2.5 That improper conduct or unethical behaviour has occurred, is occurring, or is likely to occur.
- 2.6 That the health or safety of any individual has been, is being, or is likely to be, endangered.
- 2.7 That the environment, has been, is being, or is likely to be, damaged.
- 2.8 That information tending to show any of the above, is being, or is likely to be, deliberately concealed.
- 2.9 That the business or any associated person has been, is being, or is likely to be receiving or offering bribes.
- 2.10 That any foreign official has been, is being, or is likely to be bribed or offered facilitation payment by the company or any associated person.
- 2.11 That a breach of the Competition Act 1998 or the competition law provisions of the Treaty on the Functioning of the European Union is being committed or is likely to be committed.

they must use the Company's disclosure procedure as set out below.

3. Disclosure Procedure

3.1 Information which an employee reasonably believes tends to show one or more of the above should promptly be disclosed to a Senior Manager so that any appropriate action can be taken.

3.2 If it is inappropriate to make such a disclosure to the Senior Manager, the employee should speak to a Director.

In respect of clause 2.11 above (competition law) the employee should also inform the Company's Competition Law Compliance Officer, Tim Newman on 07824 628693.

LEXON UK LTD	Number: 18 Revision : 03
HR POLICIES	Page number: 3 of 5
WHISTLEBLOWING POLICY	Date: February 2020

The UK's Competition and Markets Authority also has a whistleblowing helpline that can be contacted on cartelshotline@cma.gsi.gov.uk or 0800 085 1664 or 020 3738 6888.

The European Commission also has a whistleblowing helpline that can be contacted:

- If you are willing to reveal your identity on: comp-whistleblower@ec.europa.eu or 0032 229 74800.
- If you are not willing to reveal your identity by going to this link and following the procedures: <https://comp-eu.whistleblownetwork.net/FrontPages/Default.aspx>

3.3 Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure.

3.4 However, failure to follow this procedure may result in the disclosure of information losing its 'protected status.'

3.5 For further guidance in relation to this matter or concerning the use of the disclosure procedure generally, employees should speak in confidence to HR Manager.

4. Safeguards

4.1 Protection; this policy is designed to offer protection to those employees of the Company who disclose such concerns provided the disclosure is made:

4.1.1 in good faith

4.1.2 in the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (clause 3). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

4.2 Confidentiality; the Company will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

4.3 Anonymous Allegations; this policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Company.

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

4.3.1 The seriousness of the issues raised

4.3.2 The credibility of the concern

4.3.3 The likelihood of confirming the allegation from attributable sources

4.2 Untrue Allegations; if an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

LEXON UK LTD	Number: 18 Revision : 03
HR POLICIES	Page number: 4 of 5
WHISTLEBLOWING POLICY	Date: February 2020

5. Timescales

5.1 Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

5.2 The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

5.3 All responses to the complainant should be in writing and sent to their home address.

6. Investigating Procedure

6.1 The investigating officer should follow these steps:

6.1.1 Full details and clarifications of the complaint should be obtained.

6.1.2 The investigating officer should inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.

6.1.3 The investigating officer should consider the involvement of the Company auditors and the Police at this stage and should consult with a Director.

6.1.4 The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.

6.1.5 A judgement concerning the complaint and validity of the complaint will be made by the investigating officer. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to a Director.

6.1.6 A Director will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Company procedures.

6.1.7 The complainant should be kept informed of the progress of the investigations and, if appropriate, of the final outcome.

6.1.8 If appropriate, a copy of the outcomes will be passed to the Company Auditors to enable a review of the procedures.

6.2 If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with a Director.

6.3 If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Company recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

LEXON UK LTD	Number: 18 Revision : 03
HR POLICIES	Page number: 5 of 5
WHISTLEBLOWING POLICY	Date: February 2020

7. Data Protection

7.1 The Company shall process personal data collected in relation to the Whistle Blowing Policy in accordance with its Data Protection Policy. Data collected will be held securely and accessed by, and disclosed to, individuals only for the purposes in the policy.

This procedure has been approved and authorised by:

Name: Kirsty Bowe
Position: HR Manager
Date: 13 February 2020
Signature:

