

Disclosure of Information: Whistleblowing Policy

1. Policy

This policy is designed to inform you of your rights under the Public Interest Disclosure Act 1998 and to set out suggested procedures should you wish to make a disclosure under this Act.

The intention of the Act is to provide protection for employees who report a suspected wrongdoing by their employer or another employee within the Organisation. Medical Devices Technology International Ltd (MDTi) (in line with the Act) wishes to encourage employees who do suspect some wrongdoing to raise the matter internally in the manner suggested below. You will not be subjected to any detriment by the Company for making a "Protected Disclosure". This is a disclosure, which fulfils the criteria set out below.

The protection afforded by this Act applies to full time and part-time employees, temporary employees, contract staff, agency temps and trainees or those on work experience. There is no qualifying period of service. An employee will be protected from the first day onwards. The protection applies also to former employees.

2. Protected Disclosures

Whether or not a disclosure is protected will depend on three factors:

- What the disclosure is about;
- To whom it is made; and
- The state of mind of the employee who makes the disclosure.

3. Nature of the Disclosure

To be a Protected Disclosure, the disclosure must be of a reasonable belief about one or more of the following:

- Commission of a criminal offence;
- Breach of any legal obligation;
- Miscarriage of justice;
- Risk to health and safety of an individual;
- Damage to the environment; or
- Information tending to show that any of the above has been, is being, or is likely to be deliberately concealed.

There will, however, be no protection to an employee where making the disclosure involves committing an offence.

4. Who the Disclosure is made to/Employee's State of Mind

Disclosure about any of the above matters may be made to:

A senior person within the Company, such as the CEO.

Where the conduct in question relates to someone other than the employer or relates to a matter for which someone other than MDTi has legal responsibility, disclosure may be made to that other person.

A legal adviser for the purpose of obtaining legal advice.

In all these cases the person making the disclosure must reasonably believe that the information disclosed shows that one of the matters stated above has occurred. Furthermore, the disclosure must be made in good faith.

There are two situations in which disclosure to someone who is not on the above list will count as a Protected Disclosure:

If an employee reasonably believes at the time of the disclosure that she/he will be subjected to a detriment by his employer if he makes the disclosure to him, then disclosure to another party may still be a Protected Disclosure.

This will only be the case if the disclosure is made in good faith, not for personal gain, the employee reasonably believes that the report or allegations are substantially true and, in all the circumstances, it is reasonable for the employee to make the disclosure.

Where the alleged wrongdoing is of an exceptionally serious nature, an employee who makes a disclosure to a person other than those listed, in good faith, not for personal gain and reasonably believing that the information is substantially true, will be protected. Again, the provision is that the disclosure must be reasonable in all the circumstances (having particular regard to the identity of the person to whom the disclosure is made).

5. Preferred Procedure

In the event that you suspect a wrongdoing, and wish to report it, MDTi has prepared the procedure set out below, which has been drafted in line with the Public Interest Disclosure Act 1998. An employee who makes a report in line with this procedure, in good faith and concerning a matter, which he reasonably believes to be true, will be protected under the Act. To ensure that any reports made by an employee qualify as Protected Disclosures, MDTi urges disclosing employees to follow this procedure.

Informal Reporting

Anyone who is aware of suspected wrongdoing may seek confidential assistance from any member of the HR Department who will be able to advise and assist them in what steps should be taken as regards to their concerns. Such an approach to the HR Department will be treated as entirely confidential and no report will be made to anyone in MDTi, as a result, unless the employee agrees to this.

You may also voice any concerns you have informally to a senior person within MDTi, such as the CEO

Formal Procedure

If a report has not been dealt with satisfactorily following an informal report, or if you do not wish to make an informal report first, you should use the official procedure.

Formal reports should be made to the CEO. The CEO will be fully aware of a disclosing employee's rights and the Company's obligations under the Public Interest Disclosure Act 1998 and will ensure that all reports are investigated thoroughly and quickly in an independent and objective manner by someone unconnected with the allegations.

The investigator will be someone from within MDTi of at least equal status with the alleged wrongdoer. It is MDTi's aim to complete investigations within two weeks of the disclosure being made, wherever possible.

All investigations will be carried out with sensitivity and with due respect for the rights of the person making the disclosure and the alleged wrongdoer.

MDTi recognises the importance of confidentiality in the investigation process. All those who are interviewed during the investigation will be required not to discuss the report with anyone else. Any breach of confidentiality under these circumstances may give rise to disciplinary action.

The investigation will focus on the facts of the disclosure. Notes will be taken of all stages of the investigation and those interviewed will receive notes of their interviews.

Wherever possible, consideration will be given to ensuring that the disclosing employee and the alleged wrongdoer are not required to work together whilst the disclosure is under investigation.

The disclosing employee will be informed of the process of the investigation and kept informed of the progress of the investigation. They will also have a right to know of the result of the investigation.

6. Your Protection

Where you make a disclosure in line with the procedures and criteria set out above, MDTi is prohibited from taking any action against you as a result of this.