

PAC-R-1352

Correspondence 3A.3

Meeting 124 – 01/05/2014

Ms Niamh Maguire  
Committee of Public Accounts  
Leinster House  
Dublin 2

**Re: Additional information required following the Public Accounts Committee meeting  
Thursday, 10<sup>th</sup> April 2014**

29<sup>th</sup> April 2014

Dear Ms Maguire,

Thank you for your letter, received on 16<sup>th</sup> April, detailing the matters where further information is required by the Committee.

In our letter dated 16<sup>th</sup> April, we provided significant detail in relation to many of the matters requested in your letter. Effectively our letters 'crossed' in the post. In the interests of completeness and for ease of reference we have, in this letter, included a full response to all of the information sought in your letter of 16<sup>th</sup> April as well as some additional items we noted from the Committee's meeting on 10<sup>th</sup> April. This letter, therefore, subsumes and replaces our letter of 16<sup>th</sup> April.

In the course of our opening statements to the Committee on 10<sup>th</sup> April 2014, we sought to make the Committee aware of the Rehab Group's commitment to provide as much information as possible, within the law, in respect of matters related to public spending. During the meeting we provided a great deal of information to the Committee and it is our hope that the points raised below will address the outstanding matters required by the Committee.

**1. A note on the salary payments made from the Rehab Group to include the cost and the number of recipients in 2013**

In response to a query from Deputy Kieran O'Donnell, the total salary payments from the parent company, the Rehab Group, were €4,264,000 in 2012. This comprises the salaries of approximately 75 people involved in essential shared services to Rehab Group companies in the areas of IT, finance, human resources, property, policy and service compliance, health and safety, risk management, communications and public affairs and internal audit.

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**The Rehab Group**

**Directors:** BV Kerr (Chairman), A Heron (Vice-Chairman - Scottish), P Cronin, D Doyle, N Gillea, HD Gowdrey, L Hogan, G Lambert, P Lydon, JJ Smith, D Tallon

**Chief Executive:** A Kerins, **Company Secretary:** R Poole

**Registered Office:** Roslyn Park, Sandymount, Dublin 4. Company limited by guarantee. Registered in Dublin, Ireland No. 11100  
Rehab Group is a NGO in special consultative status with the Economic and Social Council (ECOSOC) of the United Nations

**2. A note on the IR issues that arose and the settlement by Rehab to a former staff member involved in Rehab Enterprises (Mr Horgan) as referred to in the Industrial Relations News of 16<sup>th</sup> February 2011**

The article published in *Industrial Relations News* on Thursday, 17<sup>th</sup> February 2011, details a case that was taken to the Labour Court in respect of the employee representative in an internal disciplinary case. The Labour Court found that if Rehab, as the employer, required the appointment of an alternative employee representative for the individual, it would need to finance this itself. As this was an internal employee relations matter no further information is available. As noted at the Committee, the individual involved in this case no longer works for the Rehab Group. There were questions at the Committee about a settlement payment but this detail is confidential and cannot be disclosed.

**3. The value of the fees paid to KMCS for professional services while its partner (Mr Keogh) was a member of the Board**

KMCS is a Quantity Surveying firm. Mr. Keogh, now a former Rehab director, was a partner in that firm but he stood aside from any work related to Rehab. The firm was involved in a number of large building projects at the time and it, therefore, had the skills that Rehab required and was engaged to undertake work, following a tender process.

Mr Keogh was appointed to the Rehab Group Board in 1996 and resigned in 2012. All fees paid to Keogh McConnell Spence (KMCS) during those years were disclosed in Rehab Group's Annual Accounts, lodged with the Companies Registration Office, and were as follows:

<i>Year</i>	<i>€000's</i>
1996	0
1997	0
1998	0
1999	0
2000	0
2001	0
2002	0
2003	12

2004	1
2005	0
2006	0
2007	0
2008	12
2009	0
2010	46
2011	29
2012	1

**4. A note on the circumstances surrounding the registering the domain name *irelandfirst.ie* by a Rehab Group IT staff member**

A member of the Rehab Group IT staff was requested by the then Chief Executive to register the domain name. We understand that the domain name was never used. The registration process took approximately one hour's work to complete. The cost of registration was €55.54 inclusive of VAT.

**5. The amount of funding received by Rehab Group from charitable donations associated with charitable events including:**

**5.1 The percentage of money that goes toward salary payments from the total amount of money received from charitable donations**

**5.2 A breakdown of the total funds of the Rehab Group to include the ratio of taxpayers' money compared to charitable donations and commercial activities**

It is proposed to deal with Question 5.2 first as it informs our response to 5.1. The following is the ratio of income to the Rehab Group company in the year 2012 (exclusive of CLF).



Descriptor	Value (in '000s)	Percentage
Shared services	€4,746	52.2%
Other income and contribution from the UK	€2,764	30.4%
Charitable donations	€1,582	17.4%
<b>Total</b>	<b>€9,092</b>	<b>100%</b>

In response to Question 5.1, funds raised locally for, and by, Rehab's services are distributed at local level, in the main. Fundraised income is used to enhance services through the purchase of equipment, IT equipment, vehicles, the construction of sensory rooms and gardens and also as contributions to capital projects. In the main, the Rehab Group does not use fundraised income to fund the salaries of frontline staff. These salaries are funded through contracts from the relevant state agency.

As you will see from the table above, in 2012, the Rehab Group received €1,582,000 in income raised from charitable donations from the Care Trust. This money contributes to the provision of essential shared costs in areas such as IT, finance, human resources, property, policy and service compliance, health and safety, risk management, communications and public affairs and internal audit. It is not possible to define the specific percentage of charitable income which goes towards salary payments for Rehab Group staff who provide essential management and support services to Rehab Group's frontline services, which are fundamental to the delivery of those services.

Further details in relation to the charitable donations received by the Rehab Group through Rehab Foundation are provided in our response to Question 14 below.

#### **6. A note on the Rehab Group's whistle-blower policy**

Rehab Group developed its Whistleblowing Policy in 2010. It became effective on the 6th September 2010. In order to provide for the different legislation which exists in both jurisdictions a separate policy and procedure is in place for Ireland and the UK.

In line with all policies within the Rehab Group Policy Framework, policies are reviewed after a three year period. Policies are occasionally reviewed earlier if an issue arises in relation to the content of the policy or if a change in legislation or regulation requires the content to be amended.

Two reports have been made under the Rehab Group Whistleblowing Policy since its introduction in September 2010. These reports were made in the UK and related to activities in the UK.

The current Whistleblowing policy commenced its first review in September 2013. In light of imminent changes in legislation here in Ireland, this review is still ongoing. It will include feedback and input from the following:

- Board representatives
- Participants in Whistleblowing reports raised to date
- Rehab Group Internal Audit and
- Representation from the senior management team

All staff will be consulted on the final draft prior to it coming into effect. The target time frame for completion of the review is May 2014. A copy of the Rehab Group Whistleblowing Policy is attached.

**7. Details of the discussions regarding the possible move of the Rehab Group's head office to Clonskeagh. Details of the members of the sub-committee board, at the time of the discussion, to be included**

In 2003 and 2004, The Rehab Group considered the possibility of moving premises to a building which could better accommodate its office needs.

A sub-committee of the Board was established to consider the possibility of moving Rehab Group Head Office. Its members were Enda Marren (deceased), Joe Treacy, John Hussey and Chief Executive at the time, Frank Flannery. A premises in Clonskeagh was identified as a possible site for relocation.

In the course of the Rehab Group Board meeting held on 1<sup>st</sup> November 2004, a discussion took place in relation to the possible move of the Rehab Group head office to Clonskeagh. At this meeting it was agreed not to proceed with the move to Beaver House in Clonskeagh. The Chairman advised the Board that the Group Management Team (GMT) was now of the opinion that the identified premises would not support the Group's office requirements into the future. The Board Sub-Committee established to consider the move, therefore, recommended that the Beaver House acquisition proposal be removed from the Group's agenda.

The Sub-Committee's proposal that the Rehab Group should not proceed with the acquisition of Beaver House, Clonskeagh was proposed by Mr C Allen (deceased), seconded by Ms P Cremin and the Board unanimously agreed that the recommendation from the Sub-Committee not to proceed with the acquisition of Beaver House, Beech Hill Office Campus, Clonskeagh, be adopted.

An extract of the minutes of a Board meeting which took place on 1<sup>st</sup> November 2004 in respect of the possible move of the Rehab Group's head office to Clonskeagh is attached.

**8. Confirmation of the number of companies, within the Rehab Group, who are registered as charities**

In the chart provided to the Committee at its meeting on the 10<sup>th</sup> April, 14 charities were identified within the Rehab Group, seven in Ireland and seven in the UK.

**9. Confirmation of the name of the director of TBG Learning who received £85,000 in 2010**

In a response to a question from the Chairman at the Committee meeting on 10<sup>th</sup> April where Mr. Poole was asked who was the director who was paid £85,000 in 2010 from TBG Learning, Mr. Poole stated (from memory) that he thought it was related to an employee who was also a director of that company, who was resident in the UK and who was the Managing Director.

For clarity we are attaching page 13 of those accounts. Note 4 lists directors who were paid and one was paid between £80,001 - £85,000. The actual amount paid was £81,085 and is referred to in note 3 as Directors' emoluments for executives. During the hearing, Mr Poole noted that this director was an employee of the company, resident in the UK and was the Managing Director. This was incorrect. The individual involved was the Financial Controller of TBG Learning and not the Managing Director but he was a full-time employee and resident in the UK. This individual no longer works for TBG Learning and it has, therefore, not been possible to contact him in order to seek his permission to disclose his name in response to this query.



**10. Confirmation of the person who instructed that the remuneration of senior staff salaries should not be disclosed to the PAC**

In light of the committee's interest in this issue Rehab has specifically sought the permission of each individual whose personal data was included in the information provided by the HSE to the Clerk of the Committee for it to be released to the Committee. In the interests of the organisation these individuals have given their permission for the information to be disclosed. Many individuals within the Rehab Group have been subject to undue professional and personal attention in recent weeks and we would ask that the privacy rights of these individuals are not further impacted by virtue of this voluntary disclosure.

The information sought by the PAC from the HSE was provided to the HSE specifically for the purpose of validation, and the consents given by individuals to release their personal data related to the HSE's validation process alone. RehabCare informed the HSE of this in a letter to the HSE, to ensure that RehabCare remained compliant with the law. In doing so, RehabCare meant no offence to the members of the Public Accounts Committee and sought only to fulfil its responsibilities, under the law, as the Data Controller of the personally sensitive information.

The history of this is that on 20<sup>th</sup> February 2014, Rehab's Director of Health and Social Care Services provided the HSE with information that it had requested in respect of RehabCare salaries equivalent to or above Grade 8 on the Department of Health's consolidated pay scale. The letter referenced by the Chairman of the Public Accounts Committee, at the Committee's meeting on 10<sup>th</sup> April, is the cover note which accompanied this information. This letter laid out the specific purposes for which the information was provided, in accordance with requirements under legislation.

Prior to providing this information to the HSE, RehabCare sought advice from the office of the Data Commissioner which advised that such information constituted personal, sensitive data and could only be provided to the HSE with the individual's consent and then only for the specific purpose detailed in the request for consent. On foot of this advice, RehabCare obtained consent for the disclosure of salary information to the HSE individually from the relevant staff. In giving consent, these individuals confirmed that the information was to be used solely for the purposes of validation by the HSE under the Service Level Agreement.

RehabCare's service arrangement was submitted to the HSE and signed after an adjustment to Schedule 6. Subsequently the Service Schedules, including Senior Staff Remuneration Templates were made available by the HSE to the PAC, and this information was then uploaded to the Oireachtas website in January 2014. This disclosure amounted to an inadvertent breach of the data privacy rights of the employees and it was cause for concern for both RehabCare and relevant staff. When RehabCare was asked to provide even more detailed personal information in order to fulfil its obligations as a Data Controller and to ensure that the HSE was fully aware of the conditions which attached to the disclosure of the information, it was necessary for RehabCare to explicitly state that there was no consent for the disclosure of the personal information to a third party, including the PAC, in the cover letter which accompanied the information to the HSE. As stated above, RehabCare sought only to fulfil its responsibilities, under the law, as the Data Controller of the personally sensitive information and any offence caused to the committee was entirely unintentional and is regretted.

This cover letter was included in the information provided by the HSE to the Clerk of the Committee on the 27<sup>th</sup> February. Due to the personally sensitive nature of the information and the conditions





under which consent for the release of personal sensitive information was granted, Rehab was not, under law in a position to comply with the Committee's request, received on the 14th March, to distribute the information provided by the HSE to the Clerk of the Committee. As part of our disclosure of all salaries over €65,000 in line with SORP, published on the 11th March 2014, Rehab provided the information relevant to the salaries involved in banded form to the Committee. Separately, specific permission for disclosure of the information held by the HSE to the PAC has now been sought and obtained from each relevant individual, as outlined in the first paragraph of the response to this query above.

**11. The total amount paid to consultants each year for public relations**

One of the Rehab Group's key strategic objectives is to advocate effectively to appropriate audiences on issues that affect people with disabilities, other marginalised groups and the Rehab Group, in support of Rehab Group's mission. Throughout its nearly 70- year history, Rehab has sought to promote positive messages about people with disabilities, their skills, talents and abilities. In doing so, the Rehab Group has played a significant role in improving the perceptions of people with disabilities in our society.

In order to effectively discharge this objective, the Rehab Group accesses external PR advice and services in order to maximise its resources in raising awareness of the achievements of its clients and of its work both locally and nationally. Such PR advice is contracted for specific project purposes or is retained for day-to-day support from a number of different consultants.

In preparing a response to the Committee's request for the total amount, excluding VAT, paid to consultants for public relations for each year we have provided details of fees in the years 2011, 2012 and 2013. We trust that it will meet the Committee's requirements.

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**12. A note on the establishment of the enterprise Complete Eco Solutions to include whether it was established purely to facilitate this importation of material to be used to make coffins by Rehab Enterprises and in respect of this business initiative, the following:**

- 12.1 Details of available email correspondence between relevant parties,**
- 12.2 Details of the attendees of the meeting on 18<sup>th</sup> December 2009 and the outcome of the meeting**

The Rehab Group is not in a position to confirm if Complete Eco Solutions was established purely to facilitate this importation of material. It is possible to confirm that the name Complete Eco Solutions was not referenced in any of the Board meetings where the matter of the coffin business was discussed.

In relation to Question 12.1, according to archived email communications it is possible to confirm that on 18 December 2009 at 14:14, Mr Horgan sent Ms Kerins an email containing a document





entitled *Coffin Business Plan, December 2009*. Records suggest that this document was not opened by Ms Kerins until Saturday, 19<sup>th</sup> December.

In relation to attendance at the meeting on the 18<sup>th</sup> December, requested in Question 12.2, Mr Poole's emails shed no further light on this matter. He cannot recall definitively and has no record of the attendees at the meeting. A copy of Ms Kerins' diary indicates an entry in her diary of a meeting with Mr Horgan at 3pm on 18<sup>th</sup> December 2009, we cannot confirm whether this meeting took place or what the agenda, if any, was. There are no minutes of the meeting to record who was present or what was discussed.

Following a request from the Committee, we carried out a full trawl of our email archives, we can also confirm that there was only one further email between Ms Kerins and Mr Horgan which referred to coffins. It was sent by Ms Kerins on 25<sup>th</sup> November 2009 to both Mr Horgan and Mr Poole requesting a meeting the following Friday (27<sup>th</sup>) to discuss three issues: a forthcoming joint venture, a forthcoming submission to a tender and coffins. There is no confirmation of whether this meeting ever took place. However, at that time, Rehab Enterprises was in the process of entering a significant joint venture which concluded on 1st December 2009. Considerable time was spent discussing this matter during that period.

### **13. Confirmation of the current hourly rate paid to staff providing home help services**

Home care services in Ireland are delivered either directly by the HSE or through contracted not-for-profit and for-profit providers. In general, the highest hourly rates across the sector are paid by HSE to its own staff, with lower rates typically applying to homecare staff of not-for-profit and for-profit providers, who compete for the contracts that are tendered by the HSE.

RehabCare, through its brand Carelink, currently employs approximately 180 Home Support Workers and they earn either €11.87 or €13.19 per hour depending on when they commenced employment. While this hourly rate is lower than that paid by the HSE, it is higher than that paid by many for-profit providers against whom Carelink is competing in public tendering processes.

In recent years, the HSE has begun to implement public procurement in the provision of home care services in order to drive down costs in the sector. Where Carelink has participated in a tender process, feedback received has indicated that it has lost out on the basis of price. In addition to a higher hourly wage rate, Carelink's costs are higher than other for-profit providers because it also pays for staff training, travel costs and double time on Sundays and bank holidays as well as pension costs of 6%, which many for-profit providers do not pay. RehabCare staff also have better annual leave and sick leave entitlements than many for-profit providers. In addition, Carelink continues to offer minimum 15-hour per week contracts while the HSE has just started to offer 10-hour contracts having previously only offered zero-hour contracts. Many for-profit providers also only offer zero-hour contracts. This means that Carelink staff are guaranteed income equivalent to 15 hours per week.

In an attempt to ensure it can continue to participate in an increasing competitive market, Carelink has worked to reduce its hourly rate for new entrants and since early 2012, following discussions and agreement with SIPTU, the hourly rate changed to €11.87 per hour. This rate remains higher than that paid by for-profit providers.

### **14. An itemised account of the funds flowing in and out of the Rehab Foundation Company**



In response to this question, a copy of Rehab Foundation's financial statement for 2012 as well as a summary of its income and expenditure account for 2012 is attached.

**15. Confirmation that Rehab Group staff members are paid according to national and / or public sector pay rates**

In its provision of services to state agencies such as the HSE and SOLAS, Rehab Group's divisions are increasingly required to enter competitive tendering processes with private providers. For example, since 2005, we have been required to submit proposals and bids to provide services on behalf of the HSE. We have been successful in these tender processes because we provide high quality services which are value for money for the taxpayer.

On 10<sup>th</sup> December 2013, Barry O'Brien, National Director of Human Resources issued a letter to all Section 39 organisations requesting that all agencies in receipt of public funds would have due regard for overall Government pay policy. In its Circular 11/2013, the Department of Health defined remuneration as *"basic salary, allowances and all other benefits in cash or in kind, together with general terms in regard to superannuation, holidays, sick leave etc. approximating to health service norms"*.

In this context, the Rehab Group does take cognisance of the salary levels of similar positions in the relevant state agency, as well as similar positions in competitor organisations, both Section 39 and for-profit, private providers. In doing so, we endeavour to provide terms and conditions to our employees, which enable us to attract the best staff, while also being competitive in the market place.

As an independent organisation, our staff do not benefit from some of the benefits extended to equivalent public sector workers. For example, the Rehab Group offers a defined contribution pension with an employer contribution of 6%. In December 2012, the Rehab Group informed of the decision to cease sponsorship of the Defined Benefit Pension Scheme, which commenced a wind up process in March 2013. As a result the benefits available to employees who had commenced work with us prior to 2005, were reduced.

However, pay is recognised as being broadly aligned to public sector pay for the purposes of increases and reductions. Benchmarking increases were applied to staff in both RehabCare and NLN in the period 2003-2005, as were pay cuts in 2010 following a requirement by our funders that pay be reduced in line with pay reductions in the public sector. In the Labour Court determination on this matter the Court identified that there is a *"de facto alignment"* with the public sector for the purpose of pay adjustment and it was subsequently found that the financial circumstances of the employer necessitated pay reductions, following an independent review of the Group's accounts undertaken by a body selected by the trade union.

We believe that our funders are satisfied that we deliver value for money. At the Public Accounts Committee on Thursday, 27<sup>th</sup> February, Tony O'Brien, Director General of the HSE stated that *"In a situation where a funding arrangement under section 39 was reclassified as coming under section 38, the cost to the State of providing that service would likely increase in a material sense in the immediate and long term due to increased public sector numbers, pay rates and pension costs as well as a loss of the current flexibility around development and reorganisation of services. No such reclassification has taken place in recent years"*.



Also on the 27<sup>th</sup> February 2014, Mr. O'Brien said, *"If the public pay policy applied on a compulsory basis in the section 39 agencies, that would require us to take a view on job size and where it would sit in a public sector pay scale. While those agencies are asked to have due regard, they are not strictly speaking obliged to do that. It is important to stress that if we applied full public sector norms, in many instances it is likely that we would find that the range of benefits available to staff in section 39 organisations are below those that would apply if they were in section 38 or public agencies. There was some discussion earlier about defined benefit pension schemes. Such schemes would be absolutely standard for the vast majority of staff in section 38 organisations, and would be more exceptional in current day terms for section 39 organisations. We do not see like-for-like benefits, so doing exact comparisons is not really practicable. Equally, it is not in the public interest, or in the interest of the HSE as the funding body, to seek to drive section 39 organisations into being equivalent to section 38 organisations, because that would inevitably reduce the flexibility of that service provision and increase the cost of it in an overall sense."*

#### *Additional matters*

### **1. Descriptions of the service provided by Mr Frank Flannery in the period 2007-2013**

The nature of the work carried out by Mr Frank Flannery was as follows:

Frank Flannery represented the Rehab Group internationally, as directed, in particular in respect of membership of Workability International and the European Platform for Rehabilitation (EPR) and provided advice on all matters relating to the Group's activities. In addition Frank Flannery advised the Rehab Group on key developments affecting its business. The key areas of activity were:

#### **Workability International**

*"Workability International is the world's largest body representing providers of work and employment services to people with disabilities".*

- To represent the interests of the Rehab Group and in particular Rehab Enterprises
- To advise Rehab Group staff on Workability issues
- To evaluate, with relevant staff, Workability's impact and opportunities

#### **European Platform for Rehabilitation (EPR)**

*"EPR is a network of leading European providers of rehabilitation services to people with disabilities and other disadvantaged groups".*

- To represent the interests of the Rehab Group
- To advise staff on EPR issues
- To evaluate EPR's impact and opportunities

#### **EQUASS**

*"The European Quality in Social Service (EQUASS) aims to enhance the personal services sector by engaging service providers in quality, continuous improvement and by guaranteeing quality of services to service-users throughout Europe"*

- To support the EQUASS Awarding Committee and promote EQUASS as a European standard within the EU and the not for profit sector in Ireland

### **Public Affairs**

To provide public affairs support to all companies of the Rehab Group, with particular concentration on the following:

- Policy on health, employment, fundraising, environment, education and finance
- Engagement with key stakeholders on policy issues relating to the Rehab Group companies
- Engagement with key politicians on issues of concern to the Rehab Group Companies
- Such other support that may be required by the Chief Executive from time to time

Having reviewed the invoices issued to the Rehab Group by Mr Frank Flannery, they include the following:

- Meeting with Government officials regarding Charity Lottery Fund issues
- Various meetings with the CEO and colleagues regarding the legal action around the Gambling Control Bill and the Rehab Lottery submission on the Bill
- Attendance at Heidelberg in respect of Rehab Group and EPR for two days
- Attendance at meeting in Amsterdam regarding European Platform for Rehabilitation covering three day period
- Attending European Platform for Rehabilitation business in Brussels for two days
- Attendance at Workability International Board meeting
- Various meetings with Chief Executive of Rehab Group
- Attending European Platform for Rehabilitation business in Brussels for two days 10<sup>th</sup> and 11<sup>th</sup> June
- Various meetings with reference to legal action around the Charity Lottery Funds
- Various meetings including two days attendance at the Judicial Review at Four Courts
- To give advice as required for time to time on business development and acquisition's within Rehab Enterprises
- Successfully lobbying in respect of Charity Lottery Funds
- Lobbying with the Department of Education and Department of Social Protection in respect of the activities of National Learning Network and TBG Learning
- International representation for Rehab Group including attending all relevant meetings, international and national and
- Undertaking all relevant consultations with Rehab Group Chief Executive and relevant staff members.

### **2. Consultancy Payments to Directors**

In his opening statement Mr Keith Poole made reference to media coverage of payments to Directors of Rehab Group. Mr Poole clarified that no remuneration has ever been paid to a board member of the Rehab Group Board in respect of their roles as Directors of that Board.

He further indicated that in recent years fees had been paid to certain directors or their firms for the provision of services. These included quantity surveying, publications and editing.

In the course of questioning Mr Poole was asked by the Deputy McDonald (p37) to clarify what he meant in relation to these directors, asking who the directors were, the total value of the fees paid to them and the time line involved, if possible.



Mr Poole responded giving details in relation to Mr Keogh who was a partner in a quantity surveying firm, KMCS and Mr Lambert who was involved with Insight magazine.

In the media on Monday the Chairman of PAC expressed concern that payments to another former Rehab director reported in a Sunday Newspaper had not been disclosed to the meeting.

There was no intention to withhold information from the Committee. The fees reported on Sunday arose between the years 1994 to 2005 and related to management consultancy services. They were disclosed annually in the company's accounts and have been the subject of media reports on a number of occasions including a report in January 2014.

Mr. Hussey worked virtually full time for the Rehab Group from 1994 to 2005 providing management consultancy services during a time of rapid growth across all its activities. Services included group re-organisation, corporate re-structuring and strategic development. A primary focus was acquisition strategy, business development and management oversight in the UK where the Group had identified significant business opportunities.

#### *Clarifications*

The following clarifications are proposed in respect of the transcript of the meeting.

#### ***Declan Doyle's membership of Rehab Enterprises Board.***

We can confirm that Mr Declan Doyle has been a member of the Rehab Enterprises Board for almost five years.

#### ***Delegated authority (p22)***

Mr Keith Poole would like to correct his response in respect of the delegated authority of the Chief Executive.

All entities within the Rehab Group produce an annual budget which is reviewed at subsidiary board level and then consolidated and presented to the Group Board for formal approval in November/December prior to the start of the New Year. Each Executive Director, including the CEO has their own areas of responsibility and has control and authority over their income and expenditure budgets. Divisional management teams and subsidiary boards review accounts on a regular basis. The Group Board receives and reviews monthly consolidated accounts.

Purchase / supplier invoices are approved at an appropriate level within the organisation prior to being entered into the accounting system. Once approved the invoices are processed for payment in the monthly creditor payment run. This payment run is done electronically via online banking and requires two authorised users' approval. The list of payments would be printed and presented to the authorised users prior to authorisation being processed. The authorised user would be familiar with the suppliers and can ask to see specific invoices on the run if there are unusual amounts or new suppliers. Manual cheques are discouraged but are used when there is a need and also require two authorised signatories.

Ms Kerins had full authority to sign off on invoices being processed through the income and expenditure account and could approve capital transactions up to €250,000 per project net of grants receivable.

A copy of the delegated authority to management is attached together with the delegated authority matrix for signing within the Rehab Group. Obviously these will be reviewed in the context of Dr Eddie Molloy's work to ensure they adhere to best practice for an organisation of Rehab's scale.

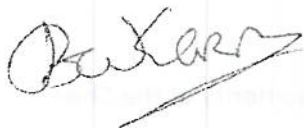
**Remuneration for Mr Liam Hogan (p 73)**

At the Committee meeting on 10<sup>th</sup> April 2014, Mr Liam Hogan asked Mr Poole to confirm the remuneration he received for his role as Director and Chairman of Rehab Council (a former subsidiary of the Rehab Group). Mr Poole has confirmed that Mr Hogan received €19,050 per annum for his role as Chairman of Rehab Council and that this arrangement ceased in 2006.

I would like to thank you for the opportunity to clarify these matters. In the course of our appearance at the Public Accounts Committee on Thursday, 10<sup>th</sup> April, the Rehab Group sought to provide as much information as possible, within the constraints that we find ourselves. Here, we have endeavoured to provide outstanding information that the Committee requires, in addition to clarifying a number of issues which emerged during and following the Committee meeting. We would be grateful if the Committee could advise us of any outstanding matters which it requires our assistance with.

I would also like to take this opportunity to acknowledge receipt of letter dated 17<sup>th</sup> April from Mr Ted McEnergy. A further letter in relation the matters raised in this letter will follow shortly.

Yours sincerely,



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BW Kerr  
Chairman



Certified extract from Board minutes of a meeting held on 1/11/2004.

#### "4.1 Beaver House, Clonskeagh

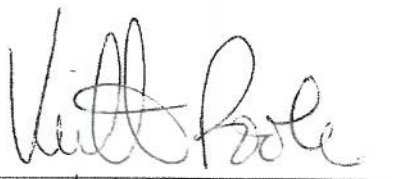
4.1.1 The Chairman announced that the sub-committee, comprising Messrs. Treacy, Hussey, Marren and Flannery had met prior to this Group Board meeting, to examine additional information now available on Beaver House, Clonskeagh. Mr. Poole and Mr. Keogh were also invited to attend that meeting.

4.1.2 The Chairman also noted a letter received this day from McCann Fitzgerald Solicitors stating that the vendor's intention was not to proceed with the sale of Beaver House if contracts were not signed by Rehab Group 3<sup>rd</sup> November.

4.1.3 The Chairman advised the Board that, as the Group Management Team (GMT) was now of the opinion that the premises would not support the Group's office requirements into the future, the Sub-Committee was recommending that the Beaver House acquisition proposal be removed from the Group's agenda, Mr. Flannery added that, on reflection by him and the GMT, Beaver House, Clonskeagh would not support the organisation's head office accommodation requirements into the future and that it must continue its search for alternative options.

4.1.4 Following discussion Mr. Allen asked if, in fact, the Board Sub-Committee was recommending that Rehab Group should not proceed with the acquisition of Beaver House and if this was the case, then, as a matter of procedure, this proposal should be formally tabled and decided by a vote.

4.1.5 The Chairman confirmed that the proposal from the sub-committee to the Rehab Group Board was that Rehab Group should not proceed with the acquisition of Beaver House, Clonskeagh for reasons stated above. On the proposal of Mr. Allen, seconded by Ms. Cremin, the Board unanimously agreed (by a show of hands) that the recommendation from the Sub-Committee not to proceed with the acquisition of Beaver House, Beech Hill Office Campus, Clonskeagh, be adopted"

  
16/4/2014

Rehab Group | Sandymount  
Rodan Park, Beach Road, Sandymount, Dublin 4, Ireland

T +353 1 205 7200 F +353 1 205 7211  
W [www.rehab.ie](http://www.rehab.ie)

#### The Rehab Group

Directors: D.W. Allen (Chairman), A. Breen (Vice-Chairman), S. Callaghan, P. Cremin, D. Doyle,  
D. Eddle, J. HOF (Executive), J. Morgan, G. Lambert, P. Lyden, B. Smith, D. Wallen.

Chief Executive: A. Cremin, Company Secretary: E. Poole

Registered Office: Rodan Park, Sandymount, Dublin 4. Company limited by guarantee. Registered in Dublin, Ireland No. 11466.  
Rehab Group is a 'not-for-profit' organisation with special consultative status with the Economic and Social Council (ECOSOC) of the United Nations.





## ***DELEGATED AUTHORITY TO MANAGEMENT: (approved 21<sup>st</sup> May 2007)***

The Group Chief Executive is responsible for the overall management of the Rehab Group under mandate from the Group Board. The Group Chief Executive will be assisted by a Group management team which will consist of senior executives nominated by the Chief Executive.

The Group Chief Executive assisted by the Group management team will:

1. Propose periodic strategic plans, annual business plans and budgets for approval by the Group Board. The budget presented will be a three way budget showing the revenue account, capital expenditure and cash flow for the Group. The Board should be made aware of the key assumptions and variables underlying the budget. The Board also needs to understand the cash flow implications of any budget being approved;
2. Implement the strategic plans and the annual business plans and budgets as approved by the Group Board;
3. Develop and implement all operational policies and procedures necessary to maintain good governance, ensure regulatory compliance and achieve the strategic objectives of the Group;
4. Approve capital transactions up to a limit of €250,000 per item or project, net of grants receivable (or such other amounts as the Board from time to time may approve); Management will continue to report capital items below this limit to the Board.
5. Submit to the Group Board, for approval, property leases where commitment exceeds ten years or €500,000 over the lease term;
6. Submit for approval to the Group Board all business acquisitions, mergers, takeovers or joint ventures;
7. Take all necessary decisions and actions to ensure implementation of Group Board decisions and the achievement of Group strategy.
8. The Chief Executive reports to the Board and shall at all times keep the Chairperson of the Board for the time being, or in his/her absence, such other member of the Board as may be designated for that purpose, fully informed of the business and affairs of the group and of all circumstances material to or likely to be material to the business of the group.



### Rehab Group Delegated Authority Matrix

WITHIN AREAS OF RESPONSIBILITY AND BUDGETARY AUTHORITY																							
Board Approval	Remuneration Comm.	Chair of the Board	CEO Approval	Director of Finance	GMT Approval	Divisional Director / CITO / property manager	Director of Operations / Deputy Divisional Director	Group Financial Controller	Regional Director / General Manager	Divisional Financial Controller	Payroll Manager	Company Secretary	Area Centre Manager /CSM	Line Manager	Auth. Signatory/ User	Comment							
1 AUTHORITY TO EXCEED BUDGETS																							
			Yes																				
1.1			Yes																				
1.2			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes			Yes	Yes									
1.3																							
2 AUTHORITY TO COMMIT REVENUE EXPENDITURE (Excluding IT which must go through Group IT)																							
2.1																							
2.1.1			Yes	Yes		Yes	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes								
2.1.2			Yes	Yes		Yes	Yes	Yes	Yes	Yes			Yes	Yes									
2.1.3			Yes	Yes		Yes	Yes	Yes	Yes	Yes			Yes	Yes									
2.1.4			Yes	Yes		Yes	Yes	Yes	Yes	Yes			Yes	Yes									
2.1.5			Yes	Yes		Yes	Yes	Yes	Yes	Yes			Yes	Yes									
2.1.6			Yes	Yes		Yes																	
2.2																							
2.2.1				Yes				Yes		Yes			Yes	Yes	Yes								
2.2.2																							
2.3			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes								
2.3.1			Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes								
2.3.2																							
2.3.3		Yes																					
2.3.4		Yes																					
2.4																							
2.4.1																							
2.4.2																							
2.4.3																							
2.4.4																							
2.5																							
2.5.1																							
2.5.2																							
2.5.3																							
2.5.4																							
2.5.5																							
2.6																							
2.6.1				Yes		Yes	Yes	Yes															
2.6.2				Yes	Yes	Yes	Yes																
2.7				Yes				Yes															
2.7.1																							
3 COMMITMENT AND AUTHORISATION OF CAPITAL EXPENDITURE (Individual items that are written-off over a number of years)																							
3.1																							
3.1.1			Yes																				
3.1.2			Yes	Yes	Yes				n/a	Yes			n/a	n/a									
3.2																							
3.2.1			Yes						n/a				n/a	n/a									
3.2.2			Yes	Yes	Yes				n/a				n/a	n/a									
3.2.3			Yes	Yes	Yes					Yes													
3.3																							
3.3.1			Yes	Yes	Yes																		
3.3.2			Yes	Yes	Yes																		
3.3.3			Yes	Yes	Yes																		
4 PURCHASING AND EXPENDITURE CONTRAGTS																							
4.1																							
4.1.1			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								
4.1.2			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								
4.1.3			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								
4.1.4			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								
4.1.5			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								
4.1.6			Yes	Yes	Yes					Yes	Yes	Yes	Yes	Yes	Yes								



# Rehab Group Delegated Authority Matrix

WITHIN AREAS OF RESPONSIBILITY AND BUDGETARY AUTHORITY																	
	Board Approval	Remuneration Comm.	Chair of the Board	CEO Approval	Director of Finance	GMT Approval	Divisional Director / CTO / property manager	Director of Operations / Deputy Divisional Director	Group Financial Controller	Regional Director / General Manager	Divisional Financial Controller	Payroll Manager	Company Secretary	Area/ Centre Manager /CSM	Line Manager	Auth Signatory/ user	Comment
4.2 Tenders Received																	
4.2.1 Approval of Request for Tender				Yes	Yes	Yes	Yes	Yes	Yes								
4.2.2 Approval of tender received up to £20,000/ £25,000				Yes	Yes	Yes	Yes	Yes	Yes								
4.2.3 Approval of tender received in excess of £25,000 / £30,000				Yes	Yes	Yes	Yes	Yes	Yes						Yes		
4.2.4 Opening of tenders received (minimum 2 Finance staff from different levels)									Yes		Yes						
4.3 Other service contracts (recurring / annualised costs)																	
4.3.1 Up to £5,000 / £4,000									Yes		Yes			Yes			
4.3.2 £5,001 / £4,001 - £10,000 / £8,000									Yes	Yes	Yes			Yes			
4.3.3 £10,001 / £8,001 - £25,000 / £20,000							Yes		Yes		Yes			Yes			
4.3.4 £25,001/£20,001 upwards				Yes	Yes		Yes		Yes		Yes			Yes			
4.4 Legal Documents																	
4.4.1 Legal Documents not under seal (CS + 1 other)	Yes			Yes	Yes	Yes							Yes	Yes			
4.4.2 Legal Documents under seal (any 2)	Yes			Yes	Yes								Yes	Yes			
5 CHEQUE & BANK PAYMENT SYSTEM - AUTHORISED SIGNATORIES																	
5.1 Authority to sign cheques on main bank accounts. Authorised signatories																	
5.1.1 Cheques < £800,000 Any two authorised signatories					Yes				Yes		Yes					Yes	
5.1.2 Cheques > £800,000 CEO or Finance Director & 1				Yes	Yes				Yes		Yes					Yes	
5.2 Bank Payment System (Finance staff only)																	
5.2.1 Payroll payments (any 2)					Yes				Yes		Yes	Yes				Yes	
5.2.2 Other electronic payments (any 2)					Yes				Yes		Yes					Yes	
6 HUMAN RESOURCES																	
6.1 Staff contracts of employment (within budget & approved headcount)																	
6.1.1 Relief staff contracts							Yes	Yes		Yes				Yes			
6.1.2 Temporary staff contracts							Yes	Yes		Yes				Yes			
6.1.3 Variable hours staff contracts							Yes	Yes		Yes				Yes			
6.1.4 Permanent staff below management grades							Yes	Yes		Yes				Yes			
6.1.5 Management grade staff below senior management				Yes			Yes	Yes		Yes				Yes			
6.1.6 Senior management reporting to CEO		Yes		Yes			Yes	Yes									
6.1.7 CEO		Yes	Yes				Yes										
6.2 Staff variable terms (within budget)																	
6.2.1 Overtime, shift premiums, allowances of subordinate staff										Yes				Yes	Yes		
6.2.2 Authorization of incentives										Yes				Yes	Yes		
6.3 Change of circumstances PD11 for Staff																	
6.3.1 PD11 for permanent staff below management grades				Yes			Yes	Yes		Yes				Yes			
6.3.2 PD11 for management grade staff below senior management				Yes			Yes	Yes		Yes				Yes			
6.3.3 PD11 for senior management staff below divisional directors		Yes		Yes			Yes										
6.3.4 PD11 for CEO		Yes															
7 CONTRACTS FOR REVENUE AND CAPITAL GRANTS																	
7.1 Service contracts with funders / customers																	
7.1.1 < £200,000 / £150,000 per annum								Yes	Yes	Yes	Yes						
7.1.2 > £200,000 / £150,000 - £750,000 / £600,000 per annum							Yes	Yes	Yes	Yes	Yes						
7.1.3 > £750,000 / £600,000 per annum				Yes	Yes		Yes	Yes	Yes	Yes	Yes						
7.2 Capital grants																	
7.2.1 Capital grants < £50,000							Yes	Yes	Yes	Yes	Yes						
7.2.2 Capital grants > £50,000				Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes						
7.3 Revenue variations																	
7.3.1 Revenue variance less than £10,000 / £8,000 per annum							Yes	Yes	Yes	Yes	Yes						
7.3.2 Revenue variance in excess of £10,000 / £8,000 per annum					Yes	Yes	Yes	Yes	Yes	Yes	Yes						

Board approvals recorded in minutes of Board meetings or signed Board Resolutions.  
Remuneration Committee approvals recorded in minutes of Remuneration Committee meetings  
All other approvals authorised by signatures of individuals





## NOTES TO THE FINANCIAL STATEMENTS

## 1 Turnover

All turnover is derived from activities within the United Kingdom and Ireland.

## 2 Interest payable

On hire purchase and finance lease contracts  
Bank interest

2011  
£

2010  
£

## 3 (Loss)/profit on ordinary activities before taxation

2011  
£

2010  
£

(Loss)/profit on ordinary activities before taxation of the company and its partnership interests is stated after charging:

Depreciation of tangible fixed assets	422,116	310,067
* Directors' emoluments as executives (note 4)	-	81,085
Auditors' remuneration:		
- Audit services	35,000	32,000
Lease/hire of equipment and facilities	261,738	305,066
Dilapidations' provision	31,336	134,895
Property rents payable	1,966,256	1,454,414

The company share of the profit in its partnership interest for the year was £6,957.

## 4 Directors' emoluments

The emoluments of the current chairman were nil. The emoluments of the highest paid director in the year ended 31 December 2011 were £nil (2010: £81,085).

The number of directors whose emoluments (including pension contributions) fell into the following ranges are analysed below:

	2011 Number	2010 Number
£0 - £5,000	7	5
£30,001 - £35,000	-	-
* £80,001 - £85,000	-	1
£85,001 - £90,000	-	-
£90,001 - £95,000	-	-
£95,001 - £100,000	-	-
	7	6

During the year consultancy services to the value of £9,480 or €11,000 (2010: £nil) were provided by Laragh Consulting to TBG Learning Limited. Frank Flannery, a director in the company, is a director of Laragh Consulting. No other transactions took place between the directors and the company.





## REHAB FOUNDATION ACCOUNTS 2012

The attached accounts are the statutory accounts for Rehab Foundation. An element of Rehab Bingo lottery sales and associated costs being prizes and commission are not reflected in these accounts but are in the Rehab Group accounts.

The descriptor in the Rehab Foundation statutory accounts being administrative costs is not correct in that this includes all costs e.g. Prizes, commissions etc.

Following a drop in fundraising income there was a restructuring of the fundraising department at the end of 2012 and these costs are also included in the statutory accounts enclosed.

Redundancy payments were made in accordance with terms negotiated with the staffs trade union across the Rehab Group in Ireland.

The table below summarises the income & expenditure account 2012.

	€000's	€000's
Income		
Statutory accounts Rehab Foundation		2,225
Statutory accounts Rehab Group		1,932
Total income		5,157
Total income		
Radio Bingo Lottery sales	2,998	
Bonanza Draw	938	
National & local People of the year awards	409	
Bag pack	6	
Churchgate collections	131	
Concerts / shows	18	
Corporate donations unrestricted	24	
Collection boxes	55	
Craft fair	4	
Family engagement project	4	
Fast	3	
Five Peaks challenge	62	
Golf classics	8	
Hamper & other raffles	48	
Local walks	12	
Quiz nights	6	
Race events	29	
Sponsored & sports events	64	
1 day for Rehab	181	
International walks	79	
Other miscellaneous	78	
Total income		5,157
Costs		
Prizes	(1,311)	
Commissions	(1,112)	
Promotion advertising	(682)	
Direct payroll costs	(726)	
Other costs	(1,276)	
		(5,107)
Sub total		50
Donations across the group in Ireland		(439)
Restructuring costs		(288)
Loss per statutory accounts Rehab Foundation		(677)

Registered number: 17662

SIGNED  
COPY

REHAB FOUNDATION LIMITED

DIRECTORS' REPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2012



## REHAB FOUNDATION LIMITED

### COMPANY INFORMATION

---

Directors	A Kerins K Poole J McGuire P McKevitt (resigned 29 March 2012)
Company secretary	Vicky O'Grady
Registered number	17662
Registered office	Roslyn Park Sandymount Dublin 4
Independent auditors	PricewaterhouseCoopers Chartered Accountants and Statutory Audit Firm One Spencer Dock North Wall Quay Dublin 1
Bankers	Bank of Ireland 2 College Green Dublin 2
Solicitors	McCann Fitzgerald Riverside One Sir John Rogerson's Quay Dublin 2  Martin M Marren & Co 10 Northumberland Road Dublin 4

# REHAB FOUNDATION LIMITED

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Independent auditors' report	3 - 4
Profit and loss account	5
Balance sheet	6
Notes to the financial statements	7 - 12



## REHAB FOUNDATION LIMITED

### DIRECTORS' REPORT FOR THE YEAR ENDED 31 DECEMBER 2012

---

The directors present their report and the financial statements for the year ended 31 December 2012.

#### Directors' responsibilities statement

The directors are responsible for preparing the Directors' report and the annual financial statements in accordance with applicable Irish law and Generally Accepted Accounting Practice in Ireland including the accounting standards issued by the Accounting Standards Board and promulgated by the Institute of Chartered Accountants in Ireland.

Irish company law requires the directors to prepare financial statements for each financial period which give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors confirm that they have complied with the above requirements in preparing the financial statements.

The directors are responsible for keeping proper books of account that disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements are prepared in accordance with accounting standards generally accepted in Ireland and comply with the Companies Acts 1963 to 2012. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

#### Principal activities

The company organises a range of fundraising activities for the Rehab Group, consisting mainly of the Rehab Bonanza Draw, Rehab Radio Bingo and fundraising events.

#### Business review

Overall, the market environment for fundraising activities was very difficult in 2012 due to depressed economic conditions. With a view to improving performance through reducing costs, a number of staff working on our community fundraising activities were made redundant during the year. Against this backdrop, Rehab Bonanza Draw put in a really strong performance with sales increasing by 30% as a result of intensified telesales activities. On the other hand, Rehab Radio Bingo had a difficult year with sales declining 10% as a result of diminished activity in the retail sector. General fundraising activities such as walks, events and collections had a difficult year.

#### Results

The loss for the year, after taxation, amounted to €676,957 (2011 - loss €215,294) which includes donations to parent and other group companies of €438,615 (2011 - €257,669).

REHAB FOUNDATION LIMITED

DIRECTORS' REPORT  
FOR THE YEAR ENDED 31 DECEMBER 2012

---

Directors

The names of the persons who were directors at any time during the year are set out below. Unless indicated otherwise they serve as directors for the entire year.

A Kerins  
K Poole  
J McGuire  
P McKevitt (resigned 29 March 2012)

Books of account

The measures taken by the directors to secure compliance with the company's obligation to keep proper books of account are the use of appropriate systems and procedures and the employment of competent persons. The books of account of the company are kept at Park House, Stillorgan Grove, Stillorgan, Co Dublin.


Post balance sheet events


There have been no significant events affecting the company since the year end.

Auditors

The auditors, PricewaterhouseCoopers, continue in office in accordance with section 160(2) of the Companies Act 1963.

This report was approved by the board and signed on its behalf.

  
A Kerins  
Director

  
K Poole  
Director

Date: 27th April 2013





## INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF REHAB FOUNDATION LIMITED

We have audited the financial statements of Rehab Foundation Limited for the year ended 31 December 2012 which comprise the Profit and Loss Account, the Balance Sheet, the Accounting Policies and the related notes. The financial reporting framework that has been applied in their preparation is Irish law and accounting standards issued by the Financial Reporting Council and promulgated by the Institute of Chartered Accountants in Ireland (Generally Accepted Accounting Practice in Ireland).

### Respective responsibilities of directors and auditors

As explained more fully in the Directors' Responsibilities Statement set out on page 1, the directors are responsible for the preparation of the financial statements giving a true and fair view. Our responsibility is to audit and express an opinion on the financial statements in accordance with Irish law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

This report, including the opinions, has been prepared for and only for the company's members as a body in accordance with Section 193 of the Companies Act, 1990 and for no other purpose. We do not, in giving these opinions, accept or assume responsibility for any other purpose or to any other person to whom this report is shown or into whose hands it may come save where expressly agreed by our prior consent in writing.

### Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the company's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the directors; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Directors' Report to identify material inconsistencies with the audited financial statements. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

### Opinion on financial statements

In our opinion the financial statements:

- give a true and fair view, in accordance with Generally Accepted Accounting Practice in Ireland of the state of the company's affairs as at 31 December 2012 and of its loss for the year then ended; and
- have been properly prepared in accordance with the requirements of the Companies Acts 1963 to 2012.

---

*PricewaterhouseCoopers, One Spencer Dock, North Wall Quay, Dublin 1, Ireland, I.D.E. Box No. 137  
T: +353 (0) 1 792 6000, F: +353 (0) 1 792 6200, [www.pwc.com/ie](http://www.pwc.com/ie)*

*Chartered Accountants*



**INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF REHAB FOUNDATION LIMITED - continued**

**Matters on which we are required to report by the Companies Acts 1963 to 2012**

- We have obtained all the information and explanations which we consider necessary for the purposes of our audit.
- In our opinion proper books of account have been kept by the company.
- The financial statements are in agreement with the books of account.
- In our opinion the information given in the Directors' Report is consistent with the financial statements.
- The net assets of the company, as stated in the Balance Sheet, are not more than half of the amount of its called-up share capital and, in our opinion, on that basis there did exist at 31 December 2012 a financial situation which under Section 40(1) of the Companies (Amendment) Act, 1983 requires the convening of an extraordinary general meeting of the company. This meeting was held on 14 September 2012.

**Matters on which we are required to report by exception**

We have nothing to report in respect of the provisions in the Companies Acts 1963 to 2012 which require us to report to you if, in our opinion, the disclosures of directors' remuneration and transactions specified by law are not made.

**John Dunne (Statutory auditor)  
for and on behalf of PricewaterhouseCoopers  
Chartered Accountants and Statutory Audit Firm  
Dublin**

*22 April 2013*



REHAB FOUNDATION LIMITED

PROFIT AND LOSS ACCOUNT  
FOR THE YEAR ENDED 31 DECEMBER 2012

	Note	2012 €	2011 €
Turnover	1,2	3,225,113	3,305,875
Administrative expenses		(3,463,455)	(3,263,500)
Operating (loss)/profit	3	(238,342)	42,375
Donations to parent and other group companies		(438,615)	(257,669)
Loss before taxation		(676,957)	(215,294)
Tax on loss	5	-	-
Loss for the financial year	11	(676,957)	(215,294)

All amounts relate to continuing operations.

There were no recognised gains and losses for 2012 or 2011 other than those included in the Profit and loss account.

Signed on behalf of the board

  
A Kerins  
Director

  
K Poole  
Director

Date: 27<sup>th</sup> March 2013

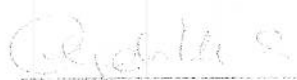
The notes on pages 7 to 12 form part of these financial statements.

# REHAB FOUNDATION LIMITED

## BALANCE SHEET AS AT 31 DECEMBER 2012

	Note	€	2012 €	€	2011 €
<b>Fixed assets</b>					
Tangible assets	6		136,615		81,338
Investments	7		193		193
			<u>136,808</u>		<u>81,531</u>
<b>Current assets</b>					
Debtors	8	582,910		647,584	
Cash at bank and in hand		35,744		18,745	
			<u>618,654</u>	<u>666,329</u>	
<b>Creditors: amounts falling due within one year</b>	9	(1,600,037)		(915,478)	
<b>Net current liabilities</b>			<u>(981,383)</u>		<u>(249,149)</u>
<b>Net liabilities</b>			<u>(844,575)</u>		<u>(167,618)</u>
<b>Capital and reserves</b>					
Called up share capital	10		130		130
Profit and loss account	11		(844,705)		(167,748)
<b>Shareholders' deficit</b>	12		<u>(844,575)</u>		<u>(167,618)</u>

Signed on behalf of the board:

  
A Kerins  
Director

  
K Poole  
Director

Date: 27<sup>th</sup> March 2013

The notes on pages 7 to 12 form part of these financial statements.



NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2012

1. Accounting policies

1.1 Basis of preparation of financial statements

The financial statements have been prepared in accordance with accounting standards generally accepted in Ireland and Irish statute comprising the Companies Acts 1963 to 2012.

Accounting standards generally accepted in Ireland in preparing financial statements giving a true and fair view are those issued by the Accounting Standards Board and published by the Institute of Chartered Accountants in Ireland.

The financial statements are prepared under the historical cost convention, modified by the revaluation of certain land and buildings.

1.2 Going concern

The financial statements have been prepared on a going concern basis. The ability of the company to operate as a going concern is dependent on the continued financial support from the Rehab Group, its ultimate parent company. The Board of the Rehab Group has pledged to continue to provide financial support, as necessary, to enable the company to continue in operation for the foreseeable future and for a period of at least twelve months from the date of approval of these financial statements. The directors are satisfied that this support will continue to be made available for the foreseeable future. As a result, the directors believe that the going concern concept is appropriate to the company.

1.3 Turnover

*Fund raising income*

Income from fund raising activities is brought into account when the cash is received or the amount receivable has been determined with certainty.

*Income from radio bingo activities*

The company operates the radio bingo activities on an agency basis for the Rehab Group and income from these activities represents the management charge payable by the Rehab Group under the terms of the agency agreement in place.

1.4 Tangible fixed assets and depreciation

Tangible fixed assets are stated at cost less depreciation. Depreciation is provided at rates calculated to write off the cost of fixed assets, less their estimated residual value, over their expected useful lives on the following bases:

Motor vehicles	-	4 years
Fixtures and fittings	-	10 years
Computer equipment	-	3 years
Other fixed assets	-	see below

Other fixed assets represent IT equipment which was at test stage and has not been brought into use at year end.

1.5 Investments

Investments held as fixed assets are shown at cost less provision for impairment.

# REHAB FOUNDATION LIMITED

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2012

### 1. Accounting policies (continued)

#### 1.6 Operating leases

Rentals under operating leases are charged to the Profit and loss account on a straight line basis over the lease term.

Benefits received and receivable as an incentive to sign an operating lease are recognised on a straight line basis over the period until the date the rent is expected to be adjusted to the prevailing market rate.

#### 1.7 Pensions

The pension entitlements of the employees are secured by contributions by the company to a separately administered Rehab Group pension fund. Annual contributions are based on actuarial valuations obtained at intervals of three years, and are charged to the revenue account on an accruals basis over the period of employment of pensionable employees.

### 2. Turnover

This company, in common with many others of similar size and organisation, derives certain of its receipts from voluntary donations. These amounts cannot be fully controlled until they are entered in the accounting records. Accordingly income from fund-raising activities is brought into account when the cash is received or the amount receivable has been determined with certainty.

### 3. Operating (loss)/profit

The operating (loss)/profit is stated after charging:

	2012 €	2011 €
Depreciation of tangible fixed assets:		
- owned by the company	22,527	16,781
Auditors' remuneration	13,988	12,789
Operating lease rentals:		
- plant and machinery	25,555	27,796

During the year, no director received any emoluments (2011 - €NIL).

REHAB FOUNDATION LIMITED

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2012

4. Staff costs

Staff costs were as follows:

	2012 €	2011 €
Wages and salaries	796,289	469,889
Social welfare costs	58,142	48,006
Other pension costs	81,456	86,827
	<u>935,887</u>	<u>605,722</u>

The average monthly number of employees, including the directors, during the year was as follows:

	2012 No.	2011 No.
Employees	<u>10</u>	<u>10</u>

5. Taxation

This company is exempt from Corporation Tax on any surpluses and chargeable gains.

6. Tangible fixed assets

	Motor vehicles €	Fixtures and fittings €	Computer equipment €	Other fixed assets €	Total €
<b>Cost</b>					
At 1 January 2012	20,600	80,034	41,665	-	142,299
Additions	-	4,823	13,016	59,965	77,804
At 31 December 2012	<u>20,600</u>	<u>84,857</u>	<u>54,681</u>	<u>59,965</u>	<u>220,103</u>
<b>Depreciation</b>					
At 1 January 2012	1,288	27,091	32,582	-	60,961
Charge for the year	5,150	7,516	9,861	-	22,527
At 31 December 2012	<u>6,438</u>	<u>34,607</u>	<u>42,443</u>	<u>-</u>	<u>83,488</u>
<b>Net book value</b>					
At 31 December 2012	<u>14,162</u>	<u>50,250</u>	<u>12,238</u>	<u>59,965</u>	<u>136,615</u>
At 31 December 2011	<u>19,312</u>	<u>52,943</u>	<u>9,083</u>	<u>-</u>	<u>81,338</u>



# REHAB FOUNDATION LIMITED

## NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2012

### 7. Fixed asset investments

	Investments in subsidiary companies €	Other fixed asset investments €	Total €
Cost or valuation			
At 1 January 2012 and 31 December 2012	66	127	193
Net book value			
At 31 December 2012	66	127	193
At 31 December 2011	66	127	193

### Subsidiary undertakings

The following were subsidiary undertakings of the company:

Name	Class of shares	Holding
The Care Trust Limited (incorporated in the Republic of Ireland)	Ordinary	50%

### 8. Debtors

	2012 €	2011 €
Amounts owed by group undertakings	2,313	700
Other debtors	418,475	502,445
Prepayments and accrued income	162,122	144,439
	<u>582,910</u>	<u>647,584</u>

### 9. Creditors:

Amounts falling due within one year

	2012 €	2011 €
Bank loans and overdrafts	73,893	-
Trade creditors	48,593	75,111
Amounts owed to group undertakings	737,834	466,734
Other taxes (see below)	10,746	12,779
Accruals and deferred income	728,971	360,854
	<u>1,600,037</u>	<u>915,478</u>

### Other taxes

	2012 €	2011 €
PAYE/PRSI	<u>10,746</u>	<u>12,779</u>

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2012

## 10. Share capital

	2012 €	2011 €
Authorised		
2,500 Ordinary shares of €1.30 each	3,250	3,250
Allotted, called up and fully paid		
100 Ordinary shares of €1.30 each	130	130

## 11. Reserves

	Profit and loss account €
At 1 January 2012	(167,748)
Loss for the year	(676,957)
At 31 December 2012	(844,705)

## 12. Reconciliation of movement in shareholders' deficit

	2012 €	2011 €
Opening shareholders' (deficit)/funds	(167,618)	47,676
Loss for the year	(676,957)	(215,294)
Closing shareholders' deficit	(844,575)	(167,618)

## 13. Pension commitments

The pension entitlements of eligible employees arising under a defined benefit scheme are based on final pensionable pay and have been secured by contributions by the company to a separately administered pension fund operated by The Rehab Group. The directors do not believe it is possible to identify the company's share of the underlying assets and liabilities in the defined benefit scheme on a consistent and reasonable basis and Rehab Foundation has availed of the multi-employer exemption and accounted for the contributions to the Scheme as if it were a defined contribution scheme in accordance with FRS 17 - Retirement Benefits. The scheme's actuary confirmed that it is not possible to accurately split the assets and liabilities of the scheme between the various participating entities, on a consistent and reasonable basis. This is because the assets held by the pension scheme are pooled and have never been directly attributed to any individual entity. Also, the contribution rate and the current service cost calculated apply to the pension plan as a whole. Disclosures for the Group's assets and liabilities in the scheme are made in the financial statements of The Rehab Group.

In December 2012 The Rehab Group gave formal notice to the Trustees of their intention to cease its sponsorship of the defined benefit scheme. Giving this decision the Trustees have informed members of their decision to commence wind up with effect from 17 March 2013.

A defined contribution scheme is also in place which is funded by contributions from both the participating employees and the company. The assets of this scheme are held in a separately administered fund operated by The Rehab Group.

## REHAB FOUNDATION LIMITED

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2012

#### 13. Pension commitments (continued)

The pension charge for the year was €81,456 (2011: €81,827). €15,600 (2011: €16,456) of the 2012 amount relates to the Defined Contribution scheme.

#### 14. Operating lease commitments

At 31 December 2012 the company had annual commitments under non-cancellable operating leases as follows:

	2012 €	2011 €
Expiry date:		
Within 1 year	<u>25,555</u>	<u>27,797</u>

#### 15. Related party transactions

Rehab Foundation Limited is wholly owned within The Rehab Group. Transactions with The Rehab Group and with other wholly owned subsidiary companies of The Rehab Group are not disclosed as the company has taken advantage of the exemption available under FRS 8 "Related Party Disclosures" from disclosing such transactions.

#### 16. Ultimate parent undertaking and controlling party

The parent company and controlling party of Rehab Foundation Limited is The Rehab Group, which is the parent company of the smallest and largest group to consolidate these financial statements. Copies of The Rehab Group consolidated financial statements can be obtained from:

The Company Secretary  
Roslyn Park  
Sandymount  
Dublin 4.

Rehab Foundation Limited has not presented a separate cash flow statement as it has availed of the exemption available under FRS 1 "Cash Flow Statements".

The FRS 1 exemption is available as 100% of Rehab Foundation Limited's voting rights are controlled within The Rehab group and the consolidated financial statements of The Rehab Group (in which Rehab Foundation Limited is included) are publicly available.

#### 17. Approval of financial statements

The board of directors approved these financial statements for issue on 27 March 2013.



## POLICY\*

<b>Title:</b> <i>Whistleblowing</i>			
<b>Lead Director:</b>	Sarah Jane Dillon	<b>Contact (tel &amp; email):</b>	Sarahjane.dillon@rehab.ie + 353 1 2057398
<b>Applies Jurisdiction:</b>	<input type="checkbox"/> ALL <input type="checkbox"/> England	<input type="checkbox"/> Scotland <input checked="" type="checkbox"/> Ireland	<input type="checkbox"/> Poland <input type="checkbox"/> Netherlands
<b>Effective from:</b>	6 <sup>th</sup> September 2010	<b>Division:</b>	<input checked="" type="checkbox"/> All
<b>Business Area:</b>	Corporate Affairs		
<b>Version Number:</b>	1.00		
<b>Reference Number:</b>	COR-GOV-001	<b>Subject/Activity:</b>	Governance

If you have any queries related to this procedure, please email the Lead Executive COR-GOV-001@rehab.ie

## Policy Statement

### Introduction

The Rehab Group (Rehab) is committed to achieving the highest possible standards of service, including honesty, openness and accountability, and recognises that staff members, service users and stakeholders have an important role to play in achieving this goal. Existing good practice within Rehab in terms of systems of internal control, service compliance and regular audit, and the external regulatory environment in which the organisation operates means that cases of suspected inappropriate or dishonest conduct rarely occur.

However if cases do occur Rehab wishes to be alerted to any problems at the earliest opportunity. If all other internal Rehab policies and procedures appear inappropriate, this Whistleblowing Policy and the associated Procedure provides an alternative route for raising issues with Rehab.

\* Rehab Group may amend, replace or withdraw this procedure, and/or any related policies, procedures or guidelines, from time to time at its absolute discretion. In the event of any variation of the procedure, we will notify you by means of a staff circular.

# Rehab Group POLICY

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If some issue is troubling you, that you think Rehab should know about or may need to look into, it is possible that the matter can be resolved by referring to another policy. Key policies that may assist you include;

- Grievance (Staff Members)
- Service User Complaints
- Discipline (Staff Members)
- Dignity at Work
- Equal Opportunity – Diversity
- Health & Safety

For example, you may be upset about issues relating to your employment, in which case you should use the Rehab Group's Grievance Policy or Dignity at Work Policy, which are available on the Group intranet or can be obtained from Human Resources. The above list of policies is not exhaustive and other policies may also be relevant.

However, if you believe the matter cannot be dealt with satisfactorily using these or other Rehab policies, please follow the steps in this Whistleblowing policy. This Whistleblowing policy is primarily for concerns where the well-being or interests of others or of the Rehab Group itself are at risk. A list of examples of the types of issue which may be raised under this policy is set out on page 5 below, but you should also feel free to raise other issues not specifically mentioned on that list.

This policy aims to:

- State clearly that it is safe and acceptable for all stakeholders to raise a legitimate concern about any suspected or alleged practice that you believe is contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation. Without your help, there is a risk that the Rehab Group will not know about potentially serious issues until it is too late.
- Seek to protect staff, service users and other stake holders who raise issues under this policy. Provided you raise an issue in good faith and you have reasonable grounds for believing that the issue you are raising is genuine, Rehab will endeavour to ensure that you do not suffer any adverse consequences as a result, you will not be at risk of losing your job (if you are a staff member) or service provision (if you are a service user), or suffer any form of reprisal as a result.

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. As long as you are acting honestly and have reasonable ground for believing that the issue you are raising is genuine, it does not matter if it subsequently proves that you are mistaken. However, we do not guarantee this protection to an individual who maliciously raises a matter they know to be untrue,



# Rehab Group POLICY

or who raises an issue without having reasonable grounds for believing that it is genuine.

- Enable you to raise concerns about suspected/alleged practice that you believe is contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation, at an early stage and in the right way. If you have a concern, and provided you have reasonable grounds for believing that the issue to which it relates is genuine, we would prefer that you raised the matter at once, rather than wait until your concern is proven. Delay could damage our service users' interests.

## Your Confidentiality

All information we receive under the Whistleblowing policy will be treated confidentially to the extent possible. If you provide us with personal or sensitive personal data, we will handle this in line with the Rehab Group's legal data protection obligations and with the organisation's Data Protection Policy. If you ask us to protect your identity by keeping it confidential, we will not disclose it without your consent. **The only exceptions to this are if we are legally required to reveal your identity or if your disclosure raises an issue which we cannot properly address without disclosing your identity.** If a situation arises where we are required to reveal your identity or where we are unable to resolve a concern without doing so (for instance if a statement is needed from you), we will endeavour to discuss with you options on how we can proceed.

## Your Anonymity

It is Rehab's clear preference that complainants waive anonymity for the following reasons;

- Rehab can revert to the individual with queries to help aid an investigation process
- Rehab can establish if the same complaint has been made by several staff members/stakeholders which will duly inform the investigation of the complaint
- Rehab can, to the extent appropriate, contact the complainant updating him/her of the investigation result and decisions/actions taken

## False Reporting

There may be circumstances where a concern is highlighted based on genuine belief by a person that something is wrong at a particular time, which is subsequently demonstrated to be without foundation or inaccurate. In such circumstances the person will be informed, to the extent appropriate, of the discrepancy between their account and the facts



# Rehab Group POLICY

at hand. If the organisation is satisfied that the person acted in good faith and had reasonable grounds for believing that there was an issue which needed to be disclosed, no further action will be taken.

However, if a staff member has deliberately and knowingly disclosed a concern they know to be unfounded, or which they do not have reasonable grounds for believing is genuine, they may be subject to the organisation's disciplinary procedure.

## Scope

This policy applies to all Rehab Group staff, volunteers, service users and Members of the public.

## Definitions

<b>Practices which are contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation</b>	This policy applies in respect of any serious wrongdoing in connection with any Rehab business and any practices which are contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation. This is a broad category, and stakeholders considering raising an issue should not be reluctant to do so due to any concerns about whether the relevant issue would be covered by this policy.
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Without prejudice to the generality of the foregoing, examples of the types of conduct covered by this policy include, but are not limited to:

- Abuse/maltreatment of service users
- Financial impropriety or fraud
- Failure to comply with a legal obligation
- Negligence
- Unlawful contracts
- Breach of contract/s
- Corruption
- Bribery
- Endangering health and safety of staff members, service users and/or the public or damage to the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Serious conflict of interest without disclosure
- Substantial mismanagement of resources

# Rehab Group POLICY

- Deliberate concealment of any of the above
- Poor/ Inadequate level of service provision by staff member to service user (s)

## Related Policies

Grievances	HRM-REL-003
Equal Opportunity – Diversity	HRM-EQU-001
Discipline	HRM-REL-002
Dignity at Work	HRM-REL-004

## Related Procedures and Guidelines

Whistleblowing Procedure	COR-GOV-001.1P
Health Service Executive Procedures on Protected Disclosures of Information in the Workplace	<a href="http://www.hse.ie/...Procedures.../Protected_disclosures_of_information.pdf">www.hse.ie/...Procedures.../Protected_disclosures_of_information.pdf</a>

## Reference Documents

See the list(s) of reference documents in the related policies listed above



## PROCEDURE\*

<b>Title:</b> <i>Whistleblowing</i>			
<b>Lead Director:</b>	Sarah Jane Dillon	<b>Contact (tel &amp; email):</b>	Sarahjane.dillon@rehab.ie + 353 1 2057398
<b>Applies Jurisdiction:</b>	<input type="checkbox"/> ALL <input type="checkbox"/> England	<input type="checkbox"/> Scotland <input checked="" type="checkbox"/> Ireland	<input type="checkbox"/> Poland <input type="checkbox"/> Netherlands
<b>Effective from:</b>	6th September 2010	<b>Division:</b>	<input checked="" type="checkbox"/> All
<b>Business Area:</b>	Corporate Affairs		
<b>Version Number:</b>	1.00		
<b>Reference Number:</b>	COR-GOV-001.1P	<b>Subject/Activity:</b>	Governance

If you have any queries related to this procedure, please email the Lead Executive COR-GOV-001@rehab.ie

## Overview

### How to Raise a Concern

Where any individual, be they staff, service user, stakeholder or member of the public, has a reasonably based concern about any practice/issue/event in the Rehab Group that has occurred or is in danger of occurring, they can raise the concern via the process outlined in this procedure. Examples of concerns that might be raised under this procedure are as follows:

- Concern regarding a practice believed to be at odds with the ethos and ethics of the organisation,
- Concern regarding a practice believed to be contrary to Rehab Group policies,
- Concern regarding a practice where the health and welfare of service users/staff or the public may be at risk,
- Concern that Rehab Group as an employer is not meeting its legal obligations
- Concern that there is a reckless or deliberate inefficient use of public/grant obtained

\* Rehab Group may amend, replace or withdraw this procedure, and/or any related policies, procedures or guidelines, from time to time at its absolute discretion. In the event of any variation of the procedure, we will notify you by means of a staff circular.



# Rehab Group PROCEDURE

funds

The above is an illustrative rather than exhaustive list.

The procedure applies **in addition to**, *rather than in place of*, other Rehab policies and procedures. If you are a Rehab employee or service user, you should consider whether there are other Rehab policies, including the Grievance policy and Complaints policy, which may provide a more appropriate route for raising your issue.

Stakeholders other than staff member and service users should use this procedure in the first instance as they may not have access to other internal Rehab Policies.

In addition to the Whistleblowing policy and the various other Rehab policies mentioned, if you work for a Rehab group company providing a HSE funded service, you may be able to raise issues in relation to aspects of the Rehab Group's activities with the Health Service Executive (HSE) under the HSE's Procedures on Protected Disclosures of Information in the Workplace (the "HSE Procedures"). Disclosures under the HSE Procedures benefit from additional legal protections for persons making disclosures, but the scope of issues which may be raised is narrower than under the Whistleblowing policy. Further information about the HSE Procedures can be found at the following web sites:

[http://www.hse.ie/eng/staff/HR/Policies\\_Procedures\\_and\\_Guidelines/](http://www.hse.ie/eng/staff/HR/Policies_Procedures_and_Guidelines/)

[http://www.hiqa.ie/protected\\_disclosure.asp](http://www.hiqa.ie/protected_disclosure.asp)

Disclosures made under the Rehab Whistleblowing policy are not the same as disclosures under the HSE Procedures, and do not benefit from the same legal protections as disclosures under those procedures.

In line with best practice Rehab Group has a designated Whistleblowing Panel. The Whistleblowing Panel will meet and discuss all concerns raised under this procedure. The Whistleblowing Panel will discuss the most appropriate way to explore and resolve the concern and will, in so far as possible, keep the individual who raised the concern informed of decisions and progress made in relation to the issue raised.

The Whistleblowing Panel consists of the Director of Policy and Service Compliance (who is the Chairperson of the Whistleblowing Panel), the HR Director or a senior representative, the Finance Director or a senior representative, and a Director or senior representative of all operational divisions (Health & Social Care Services, Training & Employment Services, Rehab Enterprises, Fundraising & Lotteries and UK Services).

If an incident is being raised that relates to any of the listed members of the panel, or key personnel listed in the process below e.g. Director of Policy and Service Compliance, CEO or members of the GMT then these individuals will not in any way be involved in the



# Rehab Group PROCEDURE

process and an alternative designated person(s) will be put in their place within the process outlined below. As all initial communications are directed through the procedure to the Chairperson of the Panel, if the issue raised relates to them, then the issue should be directed to the CEO.

## Procedure – Steps

No.	Description	Responsibility
1	If a staff member/service user has a concern based on a reasonable belief and/or justification that they believe is not covered by a specific Rehab policy, the staff member/service user should raise the concern with their line manager/centre/operation manager as appropriate, either verbally or in writing.	Staff Member/Service User
2	If for whatever reason a staff member/service user does not feel comfortable raising the concern with their line manager/centre/operation manager as appropriate, or if having raised the concern the matter remains unresolved, the staff member/service user should then raise the matter with a more senior manager within their department/centre/region.	Staff Member/Service User
3	All other stakeholders should raise issues under this procedure in the first instance.	Stakeholders (excluding staff members and service users)
4	<p>If;</p> <ul style="list-style-type: none"> <li>➤ the concern has not been resolved</li> <li>➤ a staff member has reason to avoid bringing the concern to a manager or</li> <li>➤ the complainant is not a staff member or Service user of Rehab group</li> </ul> <p>the concern may be reported on the Whistleblowing Reporting Form (see pages 7-10 of this document) and sent to the Director of Policy and Service Compliance (who acts as Chairperson of the Whistleblowing panel). If you do not wish to fill in the form you can telephone the designated telephone line (00353 (0) 86 0432942) and provide details.</p>	Staff Member/Service User/Stakeholder
5	Alternatively if you work in a group company providing a HSE funded service you may prefer to raise your concern with the Health Service Executive (HSE) under the HSE's Procedures on Protected Disclosures of Information in the Workplace (the "HSE	Staff Member/Service User/Stakeholder



# Rehab Group PROCEDURE

**Procedures**”). Disclosures under the HSE Procedures benefit from additional legal protections for persons making disclosures, but the scope of issues which may be raised is narrower than under this policy. Further information about the HSE Procedures can be found at the following web sites:

[http://www.hse.ie/eng/staff/HR/Policies, Procedures and Guidelines/](http://www.hse.ie/eng/staff/HR/Policies,_Procedures_and_Guidelines/)

[http://www.hiqa.ie/protected\\_disclosure.asp](http://www.hiqa.ie/protected_disclosure.asp)

6	The Policy & Service Compliance Director will set up a meeting of the Whistleblowing Panel to consider the issue raised. Having regard to the specific nature of the issue raised the Policy & Service Compliance Director will determine whether each division should be represented by the relevant Director or by another senior representative. The Policy & Service Compliance Director may alternatively choose to set up a meeting of a smaller group of members of the Whistleblowing Panel who are most appropriate to consider the relevant issue, which may include the Director of the division to which the issue relates. Such smaller group will then constitute the Whistleblowing Panel for the purposes of the relevant issue. The Whistleblowing Panel will meet and discuss the issue you have raised. The purpose of this meeting will be to decide one of the following:	The Policy & Service Compliance Director/WHISTLEBLOWING Panel
	<ul style="list-style-type: none"> <li>i) If the issue warrants investigation; or</li> <li>ii) If the issue does not warrant an investigation (including where the issue has been fully investigated already under another Group policy); or</li> <li>iii) If an investigation under one of our other policies is more appropriate.</li> </ul>	
7	The CEO will then be informed of the concern raised to the Whistleblowing Panel and of the panel’s decision to investigate or not.	Whistleblowing Panel
8	The Director of Policy and Service Compliance will inform the members of the GMT as appropriate. The GMT will communicate the terms of reference of any investigation to members of the relevant Senior Management Team where appropriate.	Director of Policy and Service Compliance
9	The Whistleblowing Panel will finalise the terms of reference of investigation and decide whether an internal/external investigation is required.	Whistleblowing Panel
10	The Chairperson of the Whistleblowing Panel will acknowledge, in writing, your notification of the matter and, to the extent appropriate,	Whistleblowing Panel



# Rehab Group PROCEDURE

	inform you of the Whistleblowing Panel decision to investigate or not and the reasons for this decision. The Whistleblowing Panel will give as much detail as possible in the acknowledgement and will strive to respond as promptly as practicable.	
11	Where appropriate the Whistleblowing Panel will nominate an internal investigation team and instruct that an investigation commences in accordance with the relevant Group procedures on investigation.	Whistleblowing Panel
12	If issues separate to the original concern emerge during or as a result of the investigation, they too will be investigated if falling within the terms of reference of the original investigation. If issues emerge that do not fall within the terms of reference the Whistleblowing Panel may decide, on receipt of the report, to instigate a further investigation covering these new issues.	Investigation Team/ Whistleblowing Panel
13	When the investigation is complete a report will be completed & submitted to the Whistleblowing Panel by the investigation team.	Whistleblowing Panel
14	Should the Whistleblowing Panel decide that an external investigation is necessary appropriate external bodies such as the Garda Siochana/police, regulators, funders, external auditors, etc. may be contacted. The Rehab Group will give full assistance to these bodies in their investigation.	Whistleblowing Panel
15	The Whistleblowing Panel will report to the CEO or the Group Management Team, as appropriate, on the outcome of investigation with proposed actions.	Whistleblowing Panel
16	The Whistleblowing Panel will, to the extent appropriate, report to the complainant on the outcome of investigations. It may not be possible or appropriate, having regard to the nature of the issue raised, Rehab's legal obligations, and in particular the confidentiality and data protection rights of others, for the Whistleblowing Panel to report to a complainant on the outcome or any other aspect of its investigations.	Whistleblowing Panel
17	The Whistleblowing Panel will finalise actions and recommendations required and will designate timelines.	Whistleblowing Panel
18	The actions, recommendations and timelines formulated by the Whistleblowing Panel will be transmitted to the CEO and the Group Management Team who will have due regard to them in considering what further actions should be taken by Rehab.	CEO/GMT
19	The Whistleblowing Panel will issue a monthly report on their work to the CEO.	Whistleblowing Panel



# Rehab Group PROCEDURE

## Scope

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This procedure applies to all Rehab staff, volunteers, service users, and members of the public.

## Definitions

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**Practices which are contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation**

This policy applies in respect of any serious wrongdoing in connection with any Rehab business and any practices which are contrary to Rehab Group policies and/or at odds with the ethos and ethics of the organisation. This is a broad category, and stakeholders considering raising an issue should not be reluctant to do so due to any concerns about whether the relevant issue would be covered by this policy.

Without prejudice to the generality of the foregoing, examples of the types of conduct covered by this policy include, but are not limited to:

- Abuse/maltreatment of service users
- Financial impropriety or fraud
- Failure to comply with a legal obligation
- Negligence
- Unlawful contracts
- Breach of contract/s
- Corruption
- Bribery
- Endangering health and safety of staff members, service users and/or the public or damage to the environment
- Criminal activity
- Improper conduct or unethical behaviour
- Serious conflict of interest without disclosure
- Substantial mismanagement of resources
- Deliberate concealment of any of the above
- Poor/ Inadequate level of service provision by staff member to service user (s)

# Rehab Group PROCEDURE

## Related Policies

Grievances	HRM-REL-003
Equal Opportunity – Diversity	HRM-EQU-001
Discipline	HRM-REL-002
Dignity at Work	HRM-REL-004

## Related Procedures and Guidelines

See the list(s) of related procedures and guidelines in the related policies listed above

## Reference Documents

See the list(s) of reference documents in the related policies listed above



# Rehab Group PROCEDURE

## WHISTLEBLOWING - REPORTING FORM

### 1. PERSONAL DETAILS\*

Name: \_\_\_\_\_

Department: \_\_\_\_\_

Company: \_\_\_\_\_

Address (if off-site or non staff member) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contact details: Extension: \_\_\_\_\_

Mobile: \_\_\_\_\_

Line Manager: \_\_\_\_\_

\* Disclosures may be anonymous but it is preferable that individuals give their name for investigation/follow up purposes. As per the Whistleblowing Policy individuals can be assured that disclosures are treated with strict confidentiality, which will only be set aside in very limited circumstances where this is necessary in order to address the issue raised or to comply with a legal obligation. Where possible, Rehab will notify you and discuss the situation before setting aside your confidentiality.

# Rehab Group PROCEDURE

## 2. DISCLOSURE DETAILS

Name of individual(s)/service/department/centre

the Disclosure relates to: \_\_\_\_\_

Does the disclosure relate to one or more Rehab Group staff members?

Yes ☐

No ☐

If yes, please provide names and positions

held by person(s) (if known) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please tick boxes for the area relevant to your disclosure:

*(Tick as many boxes as are appropriate. The fact that your disclosure may not relate to any of the specific examples listed here does not mean that it is not covered by the Rehab Group Whistleblowing Policy. In that case please tick the box marked 'Other' and provide additional details.)*

- |   |                          |  |                          |
|---|--------------------------|--|--------------------------|
| 1. Abuse of service users                                       | <input type="checkbox"/> | 2. Financial impropriety or fraud            | <input type="checkbox"/> |
| 3. Negligence   | <input type="checkbox"/> | 4. Failure to comply with a legal obligation | <input type="checkbox"/> |
| 5. Unlawful contracts   | <input type="checkbox"/> | 6. Breach of contract/s                      | <input type="checkbox"/> |
| <input type="checkbox"/> 7. Corruption                          |                          | <input type="checkbox"/>                     |                          |
| 8. Endangering health and safety of staff members or the public | <input type="checkbox"/> | 9. Bribery                                   | <input type="checkbox"/> |
| 10. Criminal activity   | <input type="checkbox"/> | 11. Improper conduct or unethical behaviour  | <input type="checkbox"/> |
| 12. Serious conflict of interest                                | <input type="checkbox"/> | 13. Damage to the environment                | <input type="checkbox"/> |
| without disclosure  |                          |  |                          |
| 14. Substantial mismanagement of resources                      |                          |  | <input type="checkbox"/> |
| 15. Deliberate concealment of any of the above                  |                          |  | <input type="checkbox"/> |

# Rehab Group PROCEDURE

Other ☐

Please give details; \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When did the alleged events occur? \_\_\_\_\_

Summary of disclosure: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Attach additional pages if necessary)

Description of any documentation provided or names of witnesses: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you reported this information to any other person in Rehab Group?

Yes ☐

No ☐

If yes, please provide details; \_\_\_\_\_

\_\_\_\_\_



# Rehab Group PROCEDURE

## 3. ACKNOWLEDGMENT

YOU SHOULD READ THE FOLLOWING INFORMATION AND SIGN AT THE END OF THIS FORM

I confirm that I believe on reasonable grounds that the information contained in this disclosure is true. I am aware that I must not knowingly provide false information, or information which I do not have reasonable ground for believing is true, intending that it be acted on as a disclosed matter in accordance with the Rehab Group Whistleblowing policy.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Any personal data you provide is collected for the purpose of responding to you, investigating the issues which you have raised, and/or improving the services offered by Rehab Group. Your personal data will be retained in accordance with rehab Group's Data Protection policy which is available at [website address].

For Office Use Only:

Register Number: \_\_\_\_\_