

## WHISTLEBLOWER POLICY

### **Purpose / Scope**

At Pickwick 1A, our Code of Conduct emphasizes the importance of Respect, Accountability, and Integrity. We are committed to fostering a culture where individuals feel safe to raise matters of concern. We understand that people that have a working relationship with Pickwick 1A are often the first to realise when something may be wrong. However, they may not wish to speak up for fear of appearing disloyal or may be concerned about being victimized or subject to reprisals for reporting wrongdoing.

The purpose of this document is to outline the procedure for employees to take if they become aware of any serious issue. This policy aims to provide clarity on how Pickwick 1A supports individuals so that they:

- Are encouraged to express their concerns
- Know how to express their concerns
- Know what will happen when they express their concerns
- Feel safe in expressing their concerns

This policy is designed to complement the normal communication channels between parties to address questions, concerns, suggestions or complaints. For instance, if employees have any concerns about what is proper conduct for themselves or others, it is expected they will do the right thing and raise their concern. Please note that this policy does not form part of any contract of employment or any industrial instrument.

### **What is a Whistleblower?**

The term “Whistleblower” is usually used to refer to someone who discloses a serious issue (“Reportable Conduct”) to people or authorities that have the power or perceived willingness to take corrective action.

The Pickwick 1A Whistleblower Policy provides the opportunity for any person to make his or her complaint, including anonymous complaints, to the Reporting Officers in order for appropriate action to be taken in case of alleged breaches of internal or external regulations or other irregularities (including those related to accounting, internal accounting controls and auditing matters).

### **What is Reportable Conduct under the Policy?**

Reportable Conduct under the Whistleblower Procedures is defined as conduct that is illegal, unacceptable or undesirable, or a concealment of such conduct. It includes:

#### **1. Fraudulent / Corrupt behaviour**

**Fraud** is defined as:

- Deceptive, dishonest, corrupt or unethical behavior involving Pickwick 1A’ systems and processes, customers or third parties that causes or enables potential financial loss or economic disadvantage to Pickwick 1A or any other person or organisation. It includes theft of money, data or other property, whether or not deception is involved.
- Deliberate falsification, concealment, destruction or use of falsified documentation used, or intended for use, for a normal business purpose or the improper use of information or position; or
- Knowingly providing or publishing financial records or financial statements that are false or misleading in any way.

**Corrupt behaviour** is defined as:

- A worker dishonestly acting or dishonestly failing to act, in the performance of functions of their work, or dishonestly taking advantage of their work to obtain any benefit for themselves, Pickwick 1A or for another person or organisation, or to cause loss to another party / person; or
- Accepting or providing secret / undeclared commissions or bribes.

## **2. Adverse Behaviour**

This is defined as:

- Unethical behaviour or misconduct, including breaches of Pickwick 1A's policies and Code of Conduct;
- Improper conduct detrimental to the interests of Pickwick 1A which may cause financial or non-financial loss (including harassment and unsafe work-practices); or
- Other behaviour which is contrary to Pickwick 1A's values and/or compliance standards.

## **3. Legal or Regulatory Non-compliance**

Legal or regulatory non-compliance is illegal behaviour (e.g. theft, drug sale / use, violence or threatened violence and criminal damage against property) and all breaches of applicable legislation, regulations and laws. This includes breaches of work health and safety legislation, environmental damage, false declarations before a regulatory officer, and any facilitation or enablement of breaches of employment / immigration law.

## **4. Questionable Accounting and Auditing Practices**

Questionable accounting includes accounting or auditing practices that:

- May be technically or arguably legal, but do not comply with the intent or spirit of the law;
- Do not comply with accounting or auditing standards;
- Involve an inappropriate or questionable interpretation of accounting or auditing standards;
- Are fraudulent or deceptive in nature but are either not undertaken by the employee(s) with the intent to gain or cause loss; or undertaken in the belief they will benefit individuals within Pickwick 1A or the organisation as a corporate entity.

## **5. Reprisals**

Reprisals are adverse actions taken against a person as a result of raising an issue or complaint in accordance with these procedures. For the purposes of these procedures, reprisals include (but are not limited to):

- Dismissal or demotion;
- Any form of victimisation, intimidation or harassment;
- Discrimination;
- Current or future bias;
- Action causing injury, loss or damage; or
- Threats (express or implied, conditional or unconditional) to cause detriment, as well as actually causing detriment.

For the avoidance of doubt, Reportable Conduct does not include 'personal work-related grievances.' These are generally grievances relating to a staff member's current or former employment or engagement (or that of their relative or dependent who is a staff member) that have implications for that person personally, and that do not have broader implications for Pickwick 1A. For example, an interpersonal conflict between staff members, or a decision relating to employment or engagement, such as a transfer, promotion or disciplinary action of a staff member.

## **Anonymity, Privacy & Confidentiality**

Pickwick 1A promotes a culture of open communication and encourages all staff to approach management with any issues they may have.

Pickwick 1A recognises that from time to time staff may become aware of serious issues within the workplace which have the potential to cause damage to our brand name, reputation and staff.

When making a disclosure if an individual does not wish their identity to be revealed, all reasonable measures will be taken to protect their anonymity. If you do not share your identity, Pickwick 1A will assess your disclosure in the same way as if you had revealed your identity. However, it is important to realise there may be some practical limitations in conducting the investigation if you do not share your identity.

All information received from you will be treated confidentially and sensitively.

For all disclosures, an individual's identity (or any information which may identify the individual) will only be shared if:

- You give your consent to share that information; or
- If the Reporting Officer is legally required to report the name of the Whistleblower (the Reporting Officer will inform the Whistleblower immediately and before reporting the name of the Whistleblower, unless the law permits otherwise).

Further to this, the non-identifying content of your disclosure may need to be shared in order to report a matter of significance to external governance bodies.

The Reporting Officer can initiate or coordinate support for anyone who has made or is in the process of making a report. All staff, contractors, clients and partners are encouraged to raise legitimate issues without fear of any retaliatory action being taken against any individuals involved in making a report.

## **Detrimental Conduct Prohibited (Protections)**

Pickwick 1A prohibits all forms of Detrimental Conduct. Detrimental Conduct means any actual or threatened conduct that could cause a detriment to you as a result of you making a disclosure, including:

- Termination of employment
- Harassment, bullying or intimidation
- Personal or financial disadvantage
- Unlawful discrimination
- Harm or injury, including psychological harm
- Damage to reputation
- Any other conduct that constitutes retaliation

Pickwick 1A will take all reasonable steps to protect you from Detrimental Conduct and will take action it considers appropriate if such conduct is identified.

Pickwick 1A also strictly prohibits all forms of Detrimental Conduct against people who are involved in an investigation of a Whistleblower disclosure in response to their involvement in that investigation.

These protections are designed to encourage people to disclose unlawful, improper or unethical behaviour to relevant parties.

### **Who should I raise the issue with?**

In the event you have any issues in the workplace then you should raise the issue with either your Direct Manager or your Manager's Manager in line with Pickwick 1A's grievance process. If you become aware of any issues falling into the categories of reportable conduct, then we encourage you to raise it with Pickwick 1A's Whistleblower Reporting Officers who are:

- National Human Resources Manager
- Chief Financial Officer
- Chief Executive Officer

### **Appointment of Whistleblower Reporting Officers & their responsibilities**

Pickwick 1A has appointed Reporting Officers with key responsibilities including but not limited to:

- Assisting Pickwick 1A with the proper implementation of the Pickwick 1A Whistleblower Policy
- Receiving Whistleblower complaints and performing preliminary investigations
- Maintain confidentiality, where relevant, including as required by law
- Communicating with the Whistleblower following the guidelines set out in these procedures and the minimum standards set out in these procedures
- Reporting the results of Whistleblower investigations and the settlement of all complaints to the Reporting Officer of the next higher level
- Reporting to the Board details of the number of Whistleblower complaints received and the general nature of the complaints
- Being easily accessible to employees wishing to make a complaint
- Keeping all records of all activities with respect to Whistleblower complaints
- Seek to protect the Whistleblower from Detrimental Conduct.

Any issue raised will be investigated and action taken to correct it. A formal response will be provided explaining findings and outcomes. Action taken may include the following:

- Reporting the issue to the Police via the Human Resources Manager where criminal activity is involved;
- Suspension or disciplinary action, which may include dismissal of the person(s) involved; or
- Reporting to the regulator (as required)

Whistleblowers acting according to the Whistleblower Procedures can report their complaint without jeopardising their position under Australian whistleblowing legislation. Retaliating to any such action is to be considered a serious breach of the Whistleblower Procedure in which case appropriate action shall be taken to safeguard the position of the Whistleblower.

### **Investigations – Review of Allegations**

The Reporting Officer will carry out a preliminary review of the Whistleblower Disclosure and will decide whether the Allegations raised should be investigated. Whilst not all Whistleblower Disclosures will necessarily lead to an investigation, they will be assessed, and a decision made as to whether they should be investigated. For example, the Reporting Officer may decide that the Allegations were investigated previously and that a new investigation will not be undertaken.

The response to a Whistleblower Disclosure will vary depending on its nature (including the amount of information provided). The Reporting Officer will advise you of the decision whether to investigate, unless the Reporting Officer has no means to contact you.

If the Reporting Officer decides that the Allegations will be investigated, the Reporting Officer will conduct or commission an investigation.

### **Investigations – Process**

Investigations will follow a fair process, be conducted in as timely a manner as the circumstances allow and be independent of the person(s) about whom an Allegation has been made. The Reporting Officer will, as appropriate, provide you with feedback on the progress and expected timeframes of the investigation. Provided there are no restrictions or other reasonable bases for doing so, persons against whom an Allegation has been made will be informed of the Allegation and will have an opportunity to respond to any Allegation.

### **Investigation – Findings**

The investigation may conclude with a report from the Reporting Officer or other investigator. The report will include findings on the Allegations and a summary of the evidence on which the findings are based. To the extent permitted under applicable laws, the Reporting Officer may inform you and/or a person against whom Allegations have been made by you of the findings. Any report will remain the property of Pickwick 1A and will not be shared with you or any person against whom Allegations have been made.

### **Staff training**

All staff at the commencement of employment are required to sign the attached declaration of having read and understood the terms of the Whistleblower Policy. A register of all signed declarations will be maintained.

### **Updates or Changes to the Policy**

Any updates or changes to the Whistleblower Policy will be assessable on Pickwick 1A's website at <https://Pickwick1A.com.au/company-policies/>. We welcome any comments or feedback.

### **Consequences of Making a False Report**

When making a disclosure, you will be expected to have reasonable grounds to suspect the information you are disclosing is true. You will not be penalized in the information turns out to be incorrect.

Anyone who knowingly makes a false report of Reportable Conduct, or who otherwise fails to act honestly with reasonable belief in respect of the report, may be subject to disciplinary action. The disciplinary action will depend on the severity, nature and circumstance of the false report. There may also be legal consequences if you make a knowingly false report.

### **Compliance Monitoring & Reporting**

Adherence to the Whistleblower Policy is monitored and any reported complaints are mentioned in Board Reports.

*Leanne Phillips*

Leanne Phillips  
Chairperson and Director  
Pickwick 1A Facilities Services Pty Ltd  
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