

# Whistleblower Policy

## 1. Purpose

- 1.1 This purpose of this is to encourage reporting of wrongdoing that is of legitimate concern by providing a convenient and safe reporting mechanism, and protection for people who make serious wrongdoing disclosures.

## 2. Scope

- 2.1 This policy applies to all ServiceFM employees, workplaces, and work activities.
- 2.2 Although they are under no obligation to do so, any associate, family member or dependant of any person in the above groups of people may also speak up. If they do choose to speak up in line with this Policy, we will extend to them the relevant rights and protections under this Policy

## 3. Policy Statement

- 3.1 ServiceFM is committed to the highest standards of conduct and ethical behaviour and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance, and good corporate governance. The following guides our approach to governance:
- **Higher standard** – This Policy is designed to comply with ServiceFM legal obligations. If anything in this Policy is inconsistent with any law imposed on ServiceFM, that legal obligation or the “higher standard” will prevail over this Policy.
  - **Speak up and report it!** – We encourage Workers at ServiceFM to report any concerns in line with our policies and procedures
  - **Our expectations of Workers** – ServiceFM expects workers to act honestly and ethically, and to make any report on reasonable grounds.
  - **Our responsibility to Whistleblowers** – Our obligations to workers are spelled out in this policy, and the whistle-blower Policy.
  - **Confidentiality and consent** - ServiceFM will fully maintain confidentiality of all reports and protect the identity of reporters possible.
- 3.2 ServiceFM recognises the value of transparency and accountability in its administrative and management practices and supports the reporting of improper conduct.

## 4. Principles

### Reportable conduct

- 4.1 A Whistleblower is a person who, whether anonymously or not, attempts to report misconduct or dishonest or illegal activity that has occurred in connection with ServiceFM, and wishes to avail themselves of protection against reprisal for having made the report.
- 4.2 A Whistleblower may be a current or former employee with ServiceFM.

### **What is reportable conduct?**

- 4.3 A person may disclose any information that the person has reasonable grounds to suspect concerns misconduct, or an improper situation or circumstances in relation to the company.
- 4.4 Reportable Conduct is any past, present, or likely future activity, behaviour or situation considered to be:
- Dishonest
  - Corrupt (including soliciting, accepting, or offering a bribe, or facilitating payments or other such benefits)
  - Fraudulent
  - Illegal (including theft, drug sale or use, violence or threatened violence, or property damage)
  - In breach of regulation, internal policy, or code (such as our code of conduct)
  - Improper conduct relating to accounting, internal controls, compliance, actuarial, audit or other matters of concern to the Whistleblower
  - A serious impropriety or an improper situation or circumstances
  - Endangering health or safety
  - Damaging or substantially risking damage to the environment
  - A serious mismanagement of ServiceFM's resources
  - Detrimental to ServiceFM's financial position or reputation
  - Maladministration (an act or omission of a serious nature that is negligent, unjust, oppressive, discriminatory or is based on improper motives)
  - Concealing reportable conduct.
- 4.5 Reportable conduct usually relates to the conduct of employees or Directors, but it can also relate to the actions of a third party, such as a funder, customer/client, supplier, or service provider.

### **What information is needed to make a report?**

- 4.6 To make a protected report it must be known of or have reasonable grounds to suspect the Reportable Conduct.
- 4.7 For a report to be investigated, it must contain enough information to form a reasonable basis for investigation. It is important therefore that you provide as much information as possible. This includes any known details about the events underlying the report such as the:
- Date
  - Time
  - Location
  - Name of person(s) involved
  - Possible witnesses to the event
  - Evidence of the events (e.g., Documents, emails).
- 4.8 In a report, include any steps that may have already taken to report the matter elsewhere or to resolve the concern.

## How to make a report

- 4.9 The person must report their concern to:
- The confidential and anonymous hotline. or, if they feel,
  - Their Direct Manager: or, if they feel their Direct Manager may be complicit with the breach,
  - The CEO: or, if they feel their CEO may be complicit in the breach,
  - The Managing Director: or,
  - A person or office independent of the company nominated by ServiceFM to receive such information, or
  - The duly constituted authorities responsible for the enforcement of the law in the relevant location
- 4.10 ServiceFM, through this policy, does not authorise any person to inform commercial media or social media of their concern, and do not offer protection to any individual that does so, unless:
- It is not feasible to report internally
  - Existing reporting channels have failed to deal with issues effectively

## Anonymity

- 4.11 If the complainant wishes to make their complaint anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law.
- 4.12 The complainant should, however, be informed that the maintenance of such anonymity may make it less likely that the alleged breach can be substantiated in any subsequent investigation.
- 4.13 Where anonymity has been requested the complainant is required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorised persons.

## Protection

- 4.14 If the complainant has reasonable grounds to suspect Reportable Conduct, even if it turns out their concerns are mistaken, ServiceFM will support and protect you and anyone else assisting in the investigation.
- 4.15 ServiceFM will not tolerate any detriment inflicted on the complainant because they or somebody else has made, or might make, a report of Reportable Conduct. Examples of a detriment include:
- Retaliation, dismissal, suspension, demotion, or termination of your role
  - Bullying, harassment, threats, or intimidation
  - Discrimination, subject to current or future bias, or derogatory treatment
  - Harm or injury
  - Damage or threats to your property, business, financial position, or reputation; or
  - Revealing your identity as a Whistleblower without your consent or contrary to law
  - Threatening to carry out any of the above actions
- 4.16 This protection applies regardless of whether any concerns raised in a report are found to be true, if the complainant is acting honestly and ethically and made the report on reasonable grounds.
- 4.17 This protection also applies to individuals conducting, assisting, or participating in an investigation. They will also be entitled to the protection if they make a report of Reportable Conduct to an external body under this policy
- 4.18 Anyone found to be victimising or disadvantaging another individual for making a disclosure under this policy will be disciplined and may be dismissed or subject to criminal or civil penalties.

## Investigation of report

4.19 After receiving a report, ServiceFM will

- Assess the report of reportable conduct
- Consider whether there are any conflicts of interest prior to investigating
- Determine whether external authorities need to be notified
- Determine whether and how to investigate; and
- Appoint a Whistleblowing Investigator (this may be an external person) if appropriate.

4.20 If an investigation is deemed necessary, it will be conducted fairly, objectively and in a timely manner. The investigation process will vary depending on the nature of the Reportable Conduct and the amount of information provided.

4.21 Any individuals who are accused of misconduct in a report (a Respondent) will have an opportunity to respond to allegations before any adverse findings are made and before any disciplinary action (if appropriate) is taken.

4.22 ServiceFM may need to speak with a Whistleblower as part of an investigation. If the identity of the Whistleblower is known, ServiceFM will endeavour to keep them informed about the status of an investigation.

4.23 If there is insufficient information to warrant further investigation, or the initial investigation immediately identifies there is no case to answer, the individual who reported the Reportable Conduct will be notified at the earliest possible opportunity.

### Outcomes

4.24 At the conclusion of the investigation, a report will be prepared outlining:

- A finding of all relevant facts
- A determination as to whether the allegation(s) have been substantiated or otherwise
- The action that will be taken, which may include disciplinary action and dismissal

4.25 The disciplinary action will be dependent on the severity, nature, and circumstances of the reportable conduct.

4.26 Where possible and appropriate, having regard to ServiceFM's privacy and confidentiality obligations, the Whistleblower will be informed of the outcome of any investigation into their concerns.

## 5. Feedback

Feedback about this document can be emailed to [compliance@servicefm.com.au](mailto:compliance@servicefm.com.au)

## 6. Endorsement

6.1 This policy is authorised, supported, and approved by:



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James Pollock – Chief Executive Officer

Date: 01/04/2021