

Whistleblower Policy

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1. Policy statement

SV Partners is committed to cultivating a culture of transparent and ethical behaviour through our SV Partners Group values – Respect, Service, Teamwork. SV Partners recognises the importance of a safe environment where people are encouraged to raise concerns of serious misconduct without fear of detriment.

In cases where employees and other eligible individuals wish to raise concerns of potential serious misconduct, this policy outlines the protections that will apply.

2. Purpose of this policy

The SV Partners Group endeavours to uphold the highest standards of legal, ethical and moral behaviour.

The objective of this policy is to:

- Encourage individuals to report an issue if they believe someone has engaged in serious misconduct;
- Provide an understanding of what can be reported under this policy;
- Demonstrate the importance SV Partners places on ensuring a safe and supportive environment where people feel confident to raise breaches of internal rules or Disclosable Conduct relating to the organisation and its employees;
- Explain the process for reporting Disclosable Conduct, including the internal and external reporting avenues available to Disclosers;
- Outline what happens when a Discloser reports Disclosable Conduct to SV Partners; and
- Outline how a Discloser will be protected when reporting Disclosable Conduct to SV Partners.

3. Definitions

Discloser	Any individual who is a current or former employee of the SV Partners Group, a current or former business partner, consultant, contractor or supplier of the SV Partners Group, or is a relative, dependant or spouse of any of the above
Protected Disclosure	A report regarding serious misconduct that offers protection provisions under this policy to the individual making the report
Disclosable Conduct	Serious misconduct that qualifies for protection provisions under this policy
Detrimental Conduct	Any action or threatened action by an individual and/or individuals that may discriminate, harm, injure, or otherwise cause damage to the reputation, financial position, property and/or employment status of a Discloser as a result of a disclosure
SV Partners	Refers to all related entities within the SV Partners Group

4. Who does this policy apply to?

The application of this policy extends to all associated entities within the SV Partners Group and applies to all Disclosers. The following are considered Disclosers under this policy:

- All SV Partners Group employees, including relatives, dependants, spouses and dependants of a spouse;
- All former SV Partners Group employees including relatives, dependants, spouses and dependants of a spouse;
- Current and former business partners, consultants, contractors and suppliers including relatives, dependants, spouses and dependants of a spouse.

5. Accessibility

This policy will be available to all SV Partners Group employees and can be located through the Human Resources landing page of the company Data Management System (DMS). A copy of the policy will be available to the public and can be located through the SV Partners website.

6. Matters this policy applies to

6.1 Disclosable Conduct

This policy encourages the reporting of allegations of serious misconduct (Disclosable Conduct) by the SV Partners Group. Disclosable Conduct is conduct that is:

- Dishonest, unethical, fraudulent or corrupt;
- Illegal, including, but not limited to, money laundering, misappropriation of funds, fraud, theft, breach of state or federal law;
- A serious breach of the SV Partners Group policies and procedures;
- Creating an unsafe environment;
- Discrimination, harassment and/or bullying of any kind;
- Bribery (offering or accepting) to cover up or attempt to cover up serious misconduct;
- Potentially damaging to the financial position or reputation of the SV Partners Group; and
- Potentially damaging to SV Partners Group Personnel or a third party.

6.2 Personal work-related grievances

Personal work-related grievances are not examples of Disclosable Conduct. Personal work-related grievance can include, but are not limited to:

- Interpersonal conflict between employees;
- Decisions relating to promotion, transfer, recruitment, performance management and disciplinary action.

The SV Partners Group encourages all employees to report issues relating to personal work-related grievances to their direct Manager or to the Human Resources department. Personal work-related grievances will not be subject to the provisions or protections of this policy or the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*.

6.3 False disclosures

SV Partners Group employees who deliberately make false disclosures will not be subject to the provisions or protections of this policy or the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*. It is asked that employees consider the potential consequences a false disclosure may have on the reputation of the SV Partners Group and the individuals involved. Exclusion from the provisions and protections of this policy does not apply to individuals who reasonably suspect serious wrongdoing that are later determined to be unfounded.

7. Protected disclosures

A Protected Disclosure is a report of Disclosable Conduct made in accordance with this policy.

To be protected by this policy, a Discloser must ensure that they as an individual:

- Reasonably and genuinely suspect serious misconduct has, is currently, and/or may continue to occur;
- Make the disclosure in accordance with this policy; and
- Must not be involved in serious misconduct relating to the Disclosable Conduct.

A disclosure is considered a Protected Disclosure when reported to an eligible recipient as defined by the *Corporations Act 2001*.

Disclosers may choose to remain anonymous throughout the disclosure process, including during the investigation and upon completion of the investigation. Anonymous Disclosers will still qualify for protection under the *Corporations Act 2001* and can choose not to answer any questions throughout the investigation that may jeopardise their identity. The SV Partners Group encourages all individuals to share their identity when making a disclosure, however, if you wish to remain anonymous we ask that you provide details of your disclosure in writing or via telephone.

The following outlines the types of people that are eligible to receive a Protected Disclosure and how a Discloser can make a report through these avenues.

7.1 Internal

SV Partners Group employees should first report any reasonable and genuine suspicion of serious misconduct (Disclosable Conduct) verbally or in writing to an SV Partners Group Director. At any time, an employee can request to hold a confidential discussion with a Director to determine if they should make a disclosure regarding a particular matter they are uncertain of. It should be noted that should the employee choose not to proceed with a disclosure upon speaking with the Director, SV Partners may still be obligated to conduct their own investigation based on the information provided.

7.2 Legal practitioners

A disclosure will be protected when made to a legal practitioner for the purpose of obtaining legal advice or representation on the operation of the new whistleblower regime. In the event that the legal practitioner concludes that a disclosure does not relate to Disclosable Conduct, it will still be protected.

7.3 Regulatory bodies and other external parties

A disclosure will be protected when made to the Australian Securities & Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA) or another Commonwealth body prescribed by regulation.

7.4 Public interest and emergency disclosures

Under certain circumstances, a Discloser may choose to make either a Public Interest Disclosure or an Emergency Disclosure.

A Public Interest Disclosure is a disclosure made to a journalist or a parliamentarian on the grounds that:

- A previous disclosure has already been made to the Australian Securities & Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA) or another Commonwealth body prescribed by regulation and at least 90 days have passed;
- The Discloser has reasonable grounds to believe that action is not being taken and has reasonable grounds to believe that making a further disclosure is in the best interest of the public; and
- Before making a Public Interest Disclosure, the Discloser must provide notice to the body in which the previous disclosure was made that they intend to proceed with a Public Interest Disclosure.

An Emergency Disclosure is a disclosure also made to a journalist or parliamentarian following the grounds listed above with the addition that:

- The Discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more individuals or to the natural environment; and
- The information disclosed is no greater than necessary to inform of the substantial and imminent danger.

For information on how to make a disclosure outside of the SV Partners Group and qualify for protection, visit:

Australian Securities & Investments Commission (ASIC): [How ASIC handles whistleblower reports.](#)

Australian Prudential Regulation Authority (APRA): [Become a whistleblower and make a public interest disclosure](#)

8. Handling and investigating a protected disclosure

The SV Partners Group will only act upon and investigate a disclosure that has been made in-line with this policy. Upon receiving a disclosure, the SV Partners Director (eligible recipient) will review and assess the information provided to determine:

- If it qualifies for protection; and
- If a formal, in-depth investigation is required.

In the event that a disclosure is made to a non-eligible recipient (such as a supervisor or manager), the individual who has received the disclosure must immediately refer it to an SV Partners Director, take no further action and maintain strict confidentiality.

Upon receiving a potential Protected Disclosure, the SV Partners Director will ensure the report contains at minimum, the following:

- Date of disclosure;
- Date alleged Disclosable Conduct occurred;
- Details of the Disclosable Conduct (i.e. what occurred)
- Identity of the alleged offender;
- Level of risk associated with the alleged serious misconduct (Disclosable Conduct).

The Director will then use the information provided by the Discloser to determine whether or not the disclosure warrants an investigation and will, where appropriate, provide the Discloser with updates regarding progress and estimated expected timeframes of the investigation.

In determining if a disclosure will be investigated, the following will be considered:

- Nature and scope of the investigation;
- The individual and/or individuals who should lead the investigation;
- Consideration for any financial, legal and/or technical advice that may be required throughout the investigation;
- Estimated timeframe for the investigation.

If it is determined that an investigation is required, the SV Partners Group will conduct its investigations into the Disclosable Conduct independent of the person and/or persons to which the report relates to and aims to do so in a timely manner where circumstances allow.

It will be at the discretion of the investigating Director to determine the most appropriate time to inform the individual who is the subject of the Disclosable Conduct allegation of the investigation. There is no obligation to SV Partners to inform the alleged offender within any particular timeframe of the investigation.

8.1 Investigation findings

Upon conclusion of the investigation, the Director or other investigator, will provide a report of their findings to the SV Partners Group Board of Directors. The report will include the investigation findings regarding the allegation of Disclosable Conduct, the evidence on which said findings are based, and the investigators recommendations proceeding. Recommendations may include disciplinary action and/or further escalation to an external agency.

In some instances, the SV Partners Group may be required to refer an allegation of Disclosable Conduct to an external agency, including, but not limited to, the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), or the Police. Disclosers should be aware that in these circumstances, SV Partners may not be able to keep the individual informed of progress.

8.2 Confidentiality

SV Partners treats all disclosures in strict confidence and will make all reasonable efforts to ensure the identity of a Discloser remains confidential throughout the investigation process. Throughout the investigation process, SV Partners will not disclose any information that may lead to the identification of the Discloser unless:

- The Discloser consents to identification;
- Identification is compelled by law;
- Identification is required to prevent a serious threat to an individual and/or individuals;
- Identification is necessary to allow the SV Partners Group to defend against claims.

To demonstrate our commitment to providing Disclosers with a confidential investigation process, SV Partners will do the following to assist in reducing the risk of identification:

- Redact all personal information or reference to the Discloser;
- Refer to the Discloser in a gender-neutral context;
- Ensure disclosures are handled by senior level management only.

There may be some circumstances where a Disclosers identity is revealed through no fault of SV Partners (e.g. the Discloser was the only witness to an allegation of Disclosable Conduct). In this instance, the SV Partners Group accepts no responsibility for the Disclosers identity being uncovered.

8.3 Record-keeping

Throughout an investigation, SV Partners aims to maintain confidential and secure record-keeping processes. This will be done through confidential and secure electronic storage, limiting file access to only individuals directly involved in the investigation, and through the use of the SV Partners secure printer access.

9. Legal protections for disclosers

In addition to the protections mentioned above (such as identity protection, confidentiality and anonymity), there are further legal protections available to Disclosers as provided below.

9.1 Protections against detrimental conduct

The SV Partners Group strictly prohibits Detrimental Conduct against a Discloser. Detrimental Conduct is defined as an actual or threatened act against the Discloser as a result of a making disclosure, including:

- Discrimination, harassment or bullying;
- Harm or injury, including psychological;
- Termination of employment as a result of the disclosure;
- Alteration to an employee's duties;
- Damage to an individual's property;
- Damage to an individual's reputation;
- Damage to an individual's financial position; or
- Any other damage to an individual.

Actions not included as Detrimental Conduct may include reasonable administrative action (e.g. moving a Discloser who has made a disclosure involving their immediate team with the view to protect them from detriment) and managing the performance of an underperforming Discloser. In the event of reasonable administrative action proceeding a disclosure, SV Partners aims to communicate the reasons for said actions with the Discloser where possible.

9.2 Compensation

In the event that the SV Partners Group fails to take reasonable precautions to prevent Detrimental Conduct, and as a result a Discloser suffers loss, damage or injury because of a disclosure, then the Discloser can seek independent legal advice and compensation.

9.3 Liability protection

A Discloser will be protected from any of the following in relation to their disclosure:

- Civil liability (e.g. legal action against the Discloser for breach of an employment contract, duty of confidentiality or another contractual obligations);
- Criminal liability (e.g. prosecution of the Discloser for unlawfully releasing information, not applicable to false disclosures);
- Administrative liability (e.g. disciplinary action for making a disclosure).

It should be noted, immunity will not be granted to a Discloser who is found to have engaged in serious misconduct.

10. Policy review and amendment

A review of this policy will be conducted by the Human Resources department every two years to ensure it remains consistent with legislative compliance as well as the SV Partners Groups changing needs as an organisation. In addition to the two year review, this policy may from time to time be amended, replaced or withdrawn at the discretion of SV Partners.