

POLICY– Whistleblower		Document No: POL-GOV-006
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Responsible Section:	Governance	
Responsible Department:	Corporate Services	
Responsible Officer:	BOM	
Strategic Pillar Alignment:	Leadership & Governance	

Strategic Pillar Alignment

This policy has been aligned to our Strategic Pillar of **Leadership & Governance** and will ensure that we enhance governance and improve performance monitoring and reporting in a framework of transparency and accountability.

PURPOSE

The purpose of this policy is to assist Bentleys SA/NT, including all associated entities carrying the Bentleys brand name in SA/NT in providing a work environment where individuals feel safe to report issues of concern or improper conduct.

Bentleys SA/NT ensures to maintain high ethical standards and comply with relevant legislative obligations.

SCOPE

The scope of this policy includes you all, regardless of your employment relationship with Bentleys SA/NT, from Partner or full-time employment through to contractors and internships (collectively referred to throughout this policy as 'employees/you').

The scope also extends to your spouses, relatives, and dependants as well as any of our clients.

POLICY

We encourage reporting of any suspected unethical, illegal, or fraudulent activity.

You should feel safe to come forward and report any wrongdoing without fear of retaliation or harassment.

We aim to detect and address wrongdoing by providing a range of reporting options, assuring confidentiality, offering protection for whistleblowers, and establishing a reporting structure that enables us to manage, investigate and resolve any complaints.

Any breach of this policy may lead to disciplinary action or termination of employment. This policy will be available for you on the intranet and for the public, we will provide an overview and the provider contact details on our page (SA/NT) on the Bentleys website.

1.1 Reportable conduct

Wrongdoing is a conduct that includes but is not limited to:

- dishonesty, fraud, or corruption
- money laundering or misappropriation of funds

- offering or accepting a bribe
- illegal such as theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property
- unethical, including any breach of our policies or the Code of Conduct
- oppressive or grossly negligent
- potentially damaging to the Bentleys SA/NT, its employees or a third party
- failure to follow, or breach of, legal or regulatory requirements
- posing a danger to clients, employees, or the public

You can report or disclose a wrongdoing when you reasonably suspect that it has occurred or is occurring within Bentleys SA/NT.

4.1 What is not reportable conduct

Personal work-related grievances are not reportable conduct and do not qualify for protection unless they involve a threat to the discloser. For those instances **PRO-P&C-005 Employee grievance procedure** shall be followed.

Examples of work-related grievances are:

- An interpersonal conflict between the staff member and another employee
- A decision relating to the engagement, transfer, or promotion of the staff member
- A decision relating to the terms and conditions of engagement of the staff member
- A decision to suspend or end the engagement of the staff member, or otherwise to discipline the staff member

4.2 Legal protection

You are qualified for protection as an eligible whistleblower if you are included within the scope of this policy. The following protections are available for you.

Identity protection

We shall not disclose your identity or any information that may lead to your identification.

Your identity will only be shared if necessary and with your consent to further an investigation or if it is required by law (for example where the concern is raised with a lawyer for the purpose of obtaining legal advice).

Anonymity

You have the right to remain anonymous when making a complaint and we shall protect your anonymity.

Protection from detrimental acts or omissions

We shall not engage in conduct that may harm you, in relation to a protected disclosure nor we shall threaten to cause you any harm.

If you are subjected to any harmful conduct because of making a disclosure or for taking part in an investigation, you must inform a Whistleblower protection officer in accordance with the reporting guidelines outlined in the procedure.

Compensation and other remedies

You can seek compensation and other remedies through courts if:

- you suffer loss, damage, or injury because of a disclosure
- we did not take reasonable precautions and exercise due diligence in preventing you from harm

Protection from Legal Action

You shall not be subject to any civil, criminal, or administrative legal action (including disciplinary action) for making a disclosure or for participating in any investigation.

However, you will not be protected from any conduct you have engaged in that may be the subject of any civil, criminal, or administrative legal action.

Any information provided by you will not be admissible in any criminal or civil proceedings other than the ones dealing with the falsehood of the information.

4.3 Support available

You may access our *Employee Assistance Program (EAP)* which is a free and confidential counselling service if you make a disclosure or are implicated because of making a disclosure.

Where appropriate, we may also appoint an independent support person from the People & Culture team, or person of your choice to deal with any ongoing concerns you may have.

PROCEDURE

1.2 Making a disclosure

There are several ways in which you may report or disclose any wrongdoing.

Internal Reporting

You can raise the matter verbally or in writing with any of our Whistleblower Protection Officers who are trained in receiving reports:

1. Partners representing the Board of Management
2. Director, People & Brand,
3. Senior People & Culture Business Partner

External Reporting

You may use our external Grapevine Whistleblower service if you:

- require further information before making a report,
- do not feel comfortable making an internal report, or where you have made an internal report, but no action has been taken within a reasonable time. See Appendix 1 for contact information.

Reporting to Regulators

You may make a disclosure to the Australian Securities and Investments Commission (ASIC). You will be covered by the protections outlined in this policy if you have reported your concerns to ASIC.

Reporting to a Legal Practitioner

You may choose to discuss your concerns with a legal practitioner to obtain advice or representation. You will be covered by the protections outlined in this policy if you consult a lawyer.

Public Interest and Emergency Disclosure

If you are not satisfied after 90 days that any action has been taken in relation to your report, you may make a public interest disclosure. See Appendix 2 for more information.

1.3 Receiving and investigating a disclosure

When you make a disclosure, we shall:

- determine whether the investigation must be conducted by an internal or external investigator
- assist the investigator in conducting an investigation fairly and independently
- ensure that every individual subject to the investigation is granted sufficient opportunity to reply to allegations before any findings are made
- resolve issues found from the investigation and keep you informed of the investigation progress
- protect you from retaliation, discrimination, harassment, or victimisation
- treat any retaliation against you as serious wrongdoing
- report details of the investigation and the outcome to the Board

REFERENCES

Employee Assistance Program – Access Programs www.accesssa.com.au | 1300 66 77 00

Related documents and Policies

POL-P&C-010 Code of Conduct Policy
PRO-P&C-005 Employee Grievance Procedure

Related Legislation

Corporations Act 2001 (Cth)
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)
Regulatory Guide 270 Whistleblower Policies ASIC

RESPONSIBILITIES

Contact details of Whistleblower Protection Officers

Name	Position	Contact Number	Email
Internal Contacts			
Kerry Sanders	Director, People & Brand	08 8372 7900	ksanders@adel.bentleys.com.au
Carissa Edgar	Snr People & Culture Business Partner	08 8372 7900	cedgar@adel.bentleys.com.au
Michael Ruggiero	Chairman of Partners	08 8372 7900	mruggiero@adel.bentleys.com.au
David Papa	Partner, Board of Management	08 8372 7900	dpapa@adel.bentleys.com.au
James Allen	Partner, Board of Management	08 8372 7900	jallen@adel.bentleys.com.au
Cristina Clemente	Partner, Board of Management	08 8372 7900	cclemente@adel.bentleys.com.au
David Francis	Partner, Board of Management	08 8372 7900	dfrancis@adel.bentleys.com.au
External Contact			
Grapevine whistleblower	Hotline: 1300 933 977 available 24 / 7 Enquiries: 1300 580 685		enquiries@grapevineonline.com.au