

# AFSL WHISTLEBLOWING POLICY





## **1.0 Policy Statement**

1.1 Access Financial Services Ltd (AFSL) is committed to achieving the highest ethical standards in all its practices. To aid in the achievement of these standards AFSL encourages efficient, transparent, fair, professional and ethical behavior among all members of the organization.

## **2.0 Objective**

2.1 The objective of this Policy is to encourage employees or anyone with suspicions about serious misconduct involving an employee or in relation to AFSL's operations to come forward and voice those concerns. It will also facilitate a safe and confidential channel through which disclosures can be made, investigated and the appropriate actions taken. Feedbacks and updates will be provided to the person who disclosed the information (the Whistleblower) of any actions taken.

## **3.0 General**

3.1 To maintain the desired standards, AFSL seeks to provide an environment in which employees who are aware of suspected breaches of law, rules, regulations, or serious misconduct can make a report without any fear of repercussions as the employee will be protected under this Policy.

3.2 Employees are often the first to realize that there may be something seriously wrong. 'Whistleblowing' is viewed by AFSL as a positive act that can make a valuable contribution to the Organizations' efficiency and long-term success. It is not disloyal act to colleagues or the AFSL to make a disclosure.

3.3 AFSL presupposes that employees will act with honesty and sincerity when reporting breaches or misconduct of members of the Organization.

## **4.0 Scope**

### **4.1 This policy applies to:**

- Employees of Access Financial Group
- Board members of the Access Financial Group
- Individuals providing services under a contract or other agreement with the Access Financial Group
- Employees of contractors or supplier working for the Access Financial Group, suppliers, and contractors.
- Voluntary workers working with the Access Financial Group

## **5.0 Policy Details**

5.1. In this policy 'Whistleblowing' means the reporting by employees, contractors, employees of contractors or voluntary workers of suspected misconduct, illegal acts, breach of corporate governance, or failure to act within the Access Financial Group code of ethics.

5.2. Reports should be made of any serious concerns that may arise about service provision or the conduct of members of the Access Financial Group or others acting on behalf of the Access Financial Group such as:

- conduct which is an offence or a breach of the law (a criminal offence has been committed or failing to comply with any other legal obligation)
- disclosures related to miscarriages of justice
- racial, sexual, disability or other discrimination
- conduct that is likely to threaten the health and safety of the public and/or other employees
- unauthorized use of funds or other assets
- possible fraud and corruption



## **6.0 Confidentiality**

6.1 AFSL will protect the confidentiality of all Whistleblowers and their witnesses. The identity of the Whistleblowers and their witnesses will be kept confidential provided it does not create a barrier to any possible investigation. However, during an investigation it may be necessary to disclose the source of the information, and the Whistleblower may need to provide further details in support of the report.

## **7.0 Anonymous Reporting**

7.1 Individuals are not mandated to identify themselves in making a report, however, anonymous reports may be less credible. Depending on the nature of the report AFSL may utilize discretion in proceeding with the report.

## **8.0 Safeguarding of Whistleblowers;**

8.1 Protection is offered to Whistleblowers provided:

- The whistleblowing is done out of honesty and sincerity.
- The Whistleblower reasonably believed that there is some act of malpractice or impropriety.

It is important to note that no protection from internal disciplinary procedures is offered to those who choose to misuse the Policy. In an extreme case, malicious, vexatious, or wild allegations could give rise to legal action on the part of the persons complained about.

## **9.0 Employee Accountability for Making Malicious Allegations**

9.1 In making a disclosure, the Whistleblower should exercise due care to ensure the accuracy of the information he/she provides. If the company has reason to believe that the Whistleblower is making malicious or vexatious unfounded allegations, the company will treat this as a serious offence which may result in disciplinary action up to and including dismissal for cause.

## **General Procedures for Making a Disclosure**

- A. An individual who decides to make a disclosure must complete the Disclosure Form (*Appendix A*) and submit it to the Human Resource Manager (the designated officer) who will inform the General Manager of the complaint, commission an investigation and submit the findings report to the General Manager for possible submission to the Board.
- B. A Whistleblower who wishes to submit a complaint, may do so by oral disclosure directly to the Human Resource Manager or his/her Designate or, as the policy provides, directly to the General Manager.
- C. The Whistleblower needs to be guided by the following steps to complete the Whistleblower Disclosure Form.
- (i) provide the full name and position of the person complained of;
  - (ii) specify the charge;
  - (iii) state the relevant and material facts;
  - (iv) provide any evidence that support the charge.
- D. The Human Resource Manager (or his/her Designate) receives and assesses the complaints and passes on his/her assessment and recommendation to the General Manager who will determine the appropriate action to be taken. This could entail routing the matter to the Board, Corporate Governance, or any other Committee of the Board for further investigation.



E. The procedures involve the building of the case files, determination of the validity or sufficiency of the complaint disclosure, referral to an investigating unit, and Whistleblower notification of the actions taken on the complaint and their outcomes. Based on the sensitive nature of whistleblowing, the respective parties responsible for investigating reports will be required to sign a confidentiality agreement before pursuing investigations.

Below illustrates the investigative procedures in more detail:

- 1) Receive and endorse Whistleblowers disclosures.
- 2) Solicit as much information and details from the Whistleblower and his or her witness(es).
- 3) Request for supporting documents, witnesses and other evidence to support the charge.
- 4) Ask the Whistleblower if he or she is willing to sign the transcript of the complaint/disclosure to be identified during the investigation.
- 5) Assign a case number and establish official records of the case.
- 6) Determine sufficiency and validity of the complaint.
- 7) Determine if the complaint meets the minimum requirements.
  - (a) name of accused.

- (b) specification of the charge
  - (c) information supporting the charge.
  - (d) documents and evidence to support the charge.
- 8) Acknowledge the receipt of the complaint and advise the Whistleblower (if identified) in writing about the action to be taken.
- 9) Determine if the complaint is within the scope of company's policy on employee disclosures and if it involves violations of Corporate Governance Rules or other governing rules, laws or AFSL's policies. If not sufficient or within the scope of policy on employee disclosures, advise the Whistleblower. If the complaint is sufficient and within the scope of the policy on employee disclosures the General Manager will be informed.
- 10) Investigate Whistleblower's disclosures.
- 11) Evaluate the merits of the complaint/disclosure - if not meritorious, advise the complainant of the results of/resolution of the complaint disclosure and the reasons thereof. If complaint disclosure is sufficient for further action, determine whether the complaint disclosure will be pursued. If it will not be pursued, advise Whistleblower of the results and the reason why no further action on the complaint disclosure will be taken.
- 12) If complaint disclosure is sufficient and will be pursued, notify the Whistleblower that an investigation will be conducted, and the report of findings will be provided to the company's Board of Directors or appropriate units concerned).
- 13) Conduct investigation in accordance with existing applicable company laws, regulations, policies and procedures and due process.



- 14) Upon completion of the investigation a report is submitted to the General Manager (or his/her designate) for further submission to the Board.

#### **POST INVESTIGATION PROCEDURES**

1. If complaint disclosure is substantiated after the investigation, the accused and his/her immediate supervisor will be informed of the findings and appropriate action to be taken in accordance with the company's policies and procedures.
2. After action, General Manager will advise the Board and the whistleblower of the final action taken to allow closure of the case.



**Appendix A**

**WHISTLEBLOWER REPORT FORM**

Please provide the following details for any suspected serious misconduct or any breach or suspected breach of law or regulation that may adversely impact the Company. Please note that you may be called upon to assist in the investigation.

<b>CONTACT INFORMATION - WHISTLEBLOWER</b> <i>(this section may be left blank if the reporter wants to be anonymous)</i>			
Name			
Job Title			
Department/Branch			
Contact			
Email address			
Telephone Contact			
<b>SUSPECT INFORMATION</b>			
Name			
Job Title			
Department/Branch			
Contact			
Email			
<b>WITNESS INFORMATION</b>		<b>NAME</b>	<b>NAME</b>
Job Title			
Department/Branch			
Contact			
Email			
<p><b>DISCLOSURE:</b> Briefly describe the misconduct/improper activity and how you know about it. Be very specific. If there is more than one allegation, please indicate in numerical order.</p>			

1. What misconduct/improper activity occurred?

2. Who committed the misconduct/improper activity?

3. When did it happen and when did you notice it?

4. Where did it happen?

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2. Who committed the misconduct/improper activity?	
3. When did it happen and when did you notice it?	
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5.\* Is there any evidence that you could provide us?

6. Are there any other parties involved other than the suspect stated above?

7. Do you have any other details or information which would assist us in the Investigation?

8. Any other comments? Please state	
Date	Signature (Optional)


<b>For Whistleblower Committee Use</b>	<b>Report Type.</b>
Received By:	Date of Receipt:
Submitted by:	_____
<b>Investigation Required (Yes/No) <i>If no, please state the reason</i></b>	
<b>Investigation done by:</b>	



<b>Investigation Results:</b>
<b>Action Taken/Conclusion:</b>
<b>Reported to Audit Committee Chairman on:</b>
<b>Signed Off by:</b>

**APPROVAL**

Accepted and Approved by:

  
\_\_\_\_\_  
**CHIEF EXECUTIVE OFFICER**

June 3, 2021  
**DATE**

  
\_\_\_\_\_  
**CHAIRMAN - AUDIT COMMITTEE**

June 3, 2021  
**DATE**

  
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**CHAIRMAN - BOARD OF DIRECTORS**

June 3, 2021  
**DATE**