

## Whistleblower

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### POLICY

#### 1. OVERVIEW

- 1.1 The Pickles values of excellence, innovation, teamwork and integrity, all underpinned by safety, reinforce our culture of respect, honesty and our commitment to act legally and ethically throughout our organisation. Staying true to our values is a key part of the way we work, and we encourage all people involved with Pickles, including those with a work, client or supply relationship, to feel comfortable reporting any wrongdoing.
- 1.2 Pickles acknowledges the importance of managing confidentiality and protecting anyone who reports wrongdoing from any detrimental action such as intimidation or harassment.
- 1.3 Under this policy, Pickles is committed to:
  - Handling all reports confidentially and securely.
  - Undertaking necessary actions to safeguard the wellbeing of Whistleblowers raising concerns regarding reportable conduct.
  - Providing timely feedback to Whistleblowers on the outcome of their report, where possible.

#### 2. SCOPE

- 2.1 The purpose of this policy is to encourage all directors, employees and contractors of Pickles, to raise concerns without fear of intimidation, reprisal or victimisation and to ensure all reports are handled professionally and confidentially.
- 2.2 This policy applies to any individuals who are, or whoever have been:
  - A Pickles employee.
  - An officer of Pickles including directors and secretaries
  - A director or secretary of one of Pickles' subsidiaries.
  - A consultant to Pickles, or an employee of a consultant that provides services to Pickles
  - A contractor or an employee of a contractor that provides services to Pickles.
  - A sub-contractor or an employee or any sub-contractor to Pickles.
  - A supplier or an employee of any supplier to Pickles.
  - A casual staff member or volunteer.
- 2.3 This policy also applies to all relatives and dependents of the individuals (or the individual's spouses) listed above

#### 3. DEFINITIONS

**Whistleblowing** – The disclosure by or for a witness of actual or suspected wrongdoing in an organisation that reveals fraud, corruption, illegal activity, gross mismanagement, malpractice or any other serious wrongdoing.

**Whistleblower** – A person who reports serious wrongdoing in accordance with this policy.

## 4. WHAT IS REPORTABLE?

- 4.1 This policy refers to reportable conduct as 'Wrongdoing', which includes conduct that is or could be suspected by the Whistleblower as:
- Illegal, or in breach of regulations
  - Fraudulent or corrupt
  - Unethical, including acting dishonestly or wilfully breaching any Pickles policy
  - Seriously harmful or has the potential to be seriously harmful, including deliberate unsafe
  - work practices or disregard for standard operating procedures
  - Represents a serious mismanagement of Pickles resources
  - Theft, or misappropriation
  - Abuse of authority
  - Acts that are inconsistent with Pickles' values and/or behaviours (e.g. discrimination and/or bullying.)
  - Sexual harassment, dishonest conduct, unsafe work practices
- 4.2 Disclosure of personal work-related grievances are excluded from the scope of this policy. These may include a conflict between the Whistleblower and a colleague, a decision relating to the promotion of the Whistleblower or a decision to suspend or terminate the Whistleblower.

## 5. HOW TO REPORT WRONGDOING

- 5.1 The below diagram outlines the process for making a report.



- 5.2 Refer to section 6 of this policy for more detail on how you will be informed and what information you may need to provide.
- 5.3 Pickles has several channels for making a report if a person becomes aware of any issue or behaviour which they consider to be a Wrongdoing. A report can be made confidentially or anonymously through the internal authorised channels as listed in the above diagram.
- 5.4 Pickles has engaged a third party, Stopleveline to host its Whistleblower service. Stopleveline is not a related party to Pickles and will gather information independently and confidentially. Stopleveline will gather as much information as it can from you and will then provide a report to the Chief Operating Officer and Head of People and Culture. You can contact Stopleveline via the below contact details:

Mailing Address: Pickles Auctions Pty. Limited  
C/o The Stopleveline  
Locked Bag 8  
Hawthorn VIC 3122, AUSTRALIA

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Facsimile: Pickles Auctions Pty. Limited  
C/o The Stopleveline  
(03) 9882 4480 (within Australia)  
61 3 9882 4480 (International)

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Stopleveline portal: [safecall@stopleveline.com.au](mailto:safecall@stopleveline.com.au)  
<https://pickles.stoplevelinereport.com/>

- 5.5 It is important to be aware that disclosure to your line manager may result in you losing the protections available to you as a Whistleblower under the legislation. To ensure that you are able to retain the relevant protections, a Whistleblowing report must be reported following one of the three options in the diagram in section 5.1 of this policy.
- 5.6 You may choose to make a Whistleblowing report anonymously. Information disclosed by you that may lead to your identification will only be disclosed if it is reasonably necessary for us to investigate the disclosure. If you report anonymously, we are required to take all reasonable steps to reduce the risk that you will be identified.

## 6. CONFIDENTIALITY

- 6.1 Keeping things confidential and protecting Whistleblowers is important to us. Pickles will take all reasonable and legal steps to protect the identity of a Whistleblower. Pickles will not disclose the Whistleblower's identity unless:
- The Whistleblower has consented to the disclosure.
  - The disclosure is required by law (for example, to ASIC, APRA, the Federal Police or further a criminal investigation).
- 6.2 We know that confidentiality is the best way to protect a Whistleblower. Protective actions will be undertaken with an aim to prevent any detrimental outcomes to the Whistleblower. These actions will depend on the circumstances surrounding the Whistleblower and the report made.

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- 6.3 Any retaliatory actions undertaken by Pickles staff in reprisal for the filing of a Whistleblower report will be treated extremely seriously, investigated and may result in disciplinary action or dismissal. If a Whistleblower believes they have experienced detriment following their report or does not believe the issue has been resolved in a satisfactory manner they should first discuss this with the Head of People and Culture or Chief Operating Officer.
- 6.4 It is important to note that a Whistleblower should have reasonable grounds to suspect the conduct having occurred. Whistleblowers should be aware that reports found to be knowingly false, of a trivial nature made maliciously, could result in disciplinary action up to and including termination of employment.
- 6.5 No action will be taken against a Whistleblower if investigations show that the concerns have a reasonable basis and are not vexatious in nature. For more information regarding roles and responsibilities and protection and confidentiality, please refer to Appendix 1 and 2 respectively.

## **7. HOW WILL WE INVESTIGATE?**

- 7.1 The action taken by Pickles in response to a report of concern under this Policy will depend on the nature of the concern. Pickles is committed to rectifying any wrongdoing identified under this Policy and will investigate reports in a timely, thorough, confidential, objective and fair manner and as is reasonable and appropriate having regard to the law, the nature of the reportable conduct and all of the circumstances.
- 7.2 Pickles will investigate all Whistleblower reports and, insofar as it is able, keep the Whistleblower informed of the outcomes of the investigation, subject to considerations of law, privacy and confidentiality (including those of the subject of the report). Illegal or criminal activities may result in police involvement.
- 7.3 The Investigator may be internal or external to Pickles and will be appointed by the Chief Operating Officer. The Investigator will have appropriate experience to carry out the role, at the discretion of the appointing Officer.
- 7.4 An internal Investigator will be independent of line management in the area of the whistleblowing report and Whistleblower.
- 7.5 The Investigator's role is to examine the substance of the report:
- Fairly and objectively.
  - In line with the principles of Briginshaw.
  - Independently of the Whistleblower, the applicable area of Pickles operations and the subject of the report.
- 7.6 Where an investigation verifies any wrongdoing, Pickles is committed to rectifying this, including taking disciplinary action as necessary.

## **8. HOW WILL THE REPORT WILL BE HANDLED?**

- 8.1 The following steps will be undertaken by the Chief Operating Officer and Head of People and Culture in handling the report. Specifically, but not limited to:

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- **Initial Inquiries** - Initial inquiries will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved without the need for investigation.
- **Further Information** - The amount of contact between you and the person or persons investigating the concern will depend on the nature of the issue, the clarity of information provided and whether you have requested anonymity. Further information may be sought from the Whistleblower.
- **Reporting Outcomes** - Information provided as a result of the report and details of the actions taken shall be provided to the Chief Operating Officer and Head of People and Culture as well as the Whistleblower.
- **Feedback** – Feedback on the outcomes or progress of the investigation will also be provided to the Whistleblower if and where appropriate.

## APPENDIX 1 - ROLES AND RESPONSIBILITIES

- A1.1 The internal and external reporting channels and their roles and responsibilities are outlined below along with those of Whistleblowers and management staff across Pickles.
- A1.2 A Whistleblower should have reasonable grounds to suspect the conduct being reported having occurred.
- A1.2 Whistleblowers should be aware that reports that are found to be knowingly false, or of a trivial nature, could result in disciplinary action.
- A1.3 No action will be taken against a Whistleblower if investigations show that the concerns have a reasonable basis.
- A1.4 The Head of People and Culture and Chief Operating Officer roles have direct access to independent financial, legal and operational advisers as required, and a direct line of reporting to the CEO or the Board, as may be required to satisfy the objectives of this Policy. However, the Head of People and Culture or Chief Operating Officer must not disclose the identity of the Whistleblower or the nature of any Whistleblower's report internally unless they have the consent of the Whistleblower.

## APPENDIX 2 – PROTECTION AND CONFIDENTIALITY

- A2.1 Whistleblowers should be aware that when a report is investigated it may become necessary to disclose details of the report to other personnel involved in the investigation and that through the investigation, elements of the reported conduct may become obvious to the subject(s) of the report.
- A2.2 Throughout the process, Pickles will work closely with the Whistleblower to protect their identity, however in a case where the subject may be able to determine who has provided information, immediate action will be taken to protect the Whistleblower from any detrimental actions.
- A2.3 The Corporations Act gives special protection to disclosures specifically relating to Corporations Act breaches if certain conditions are met. These conditions are:
- The Whistleblower falls within the scope defined in section 1 above.
  - The report is made to an 'eligible recipient', which includes:
    - a) The Whistleblower service
    - b) An officer or senior manager of the group company concerned
    - c) The Chief Operating Officer or the external auditor
    - d) A person authorised by Pickles to receive disclosures (for example the Head of People and Culture or the external whistleblowing hotline)
    - e) The Whistleblower has reasonable grounds to suspect that there has been misconduct, or an improper state of affairs in relation to Pickles or a Pickles Group company.
- A2.4 There are also some limited circumstances where a Whistleblower is entitled to disclose information to a journalist or member of State or Federal Parliament (an "Emergency Disclosure"). A Whistleblower may make an Emergency Disclosure if:
- They have previously made a disclosure using the process described above and a reasonable time has passed since this disclosure.

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- The Whistleblower has reasonable grounds to believe there is an imminent risk of serious harm or danger to public health or safety, or to the financial system, if the information is not acted on immediately.

A2.5 Before a Whistleblower makes an Emergency Disclosure, they must notify the person or body that made its original disclosure that it intends to make an Emergency Disclosure. In short, the protections given by the Corporations Act when these conditions are met are:

- The Whistleblower cannot be subject to legal liability for making the report (although a Whistleblower can be subject to civil or criminal litigation if the Whistleblower's report contains admissions of their own conduct).
- Anyone who victimises or threatens the Whistleblower is guilty of an offence and may be liable for damages.
- The Whistleblower's identity will be kept confidential, and not disclosed to any other person without the Whistleblower's consent (except any disclosures required to obtain legal advice or for the purpose of escalating or investigating the Whistleblower's report (e.g. disclosures to ASIC or the Federal Police)).
- The person receiving the report commits an offence if they disclose the substance of the report or the Whistleblower's identity, without the Whistleblower's consent, to anyone except ASIC, the Australian Federal Police or APRA, or as otherwise specifically authorised by law.
- Pickles is committed to full compliance with these protective provisions.

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## VERSION CONTROL

VERSION	DATE	REVISED BY	DESCRIPTION	NEXT REVIEW
1	15/03/2021	People & Culture	Review of Policy & Change in format	15/03/2024
2				
3				