

**ASIAN BANKING SCHOOL**

**WHISTLEBLOWING POLICY**

# WHISTLEBLOWING POLICY

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## 1. INTRODUCTION

- 1.1 Asian Banking School (ABS) is committed to the highest possible standards of openness, probity and accountability in the delivery of its services. Despite the best efforts put in place on matters relating to governance, rules and regulations, unfortunately malpractices, abuses and/or wrongdoings may still occur.
- 1.2 ABS does not tolerate any malpractice, abuse or wrongdoing and it invites employees and other ABS stakeholders, who have concerns about what is happening at the work place to come forward and voice those concerns.
- 1.3 This policy is introduced by ABS to enable whistleblowers to raise/escalate complaints to the appropriate level of authority on such malpractices, abuses or wrongdoings at an early stage and in an appropriate manner, without fear of being prejudiced, unfairly persecuted, victimised, discriminated against or disadvantaged.
- 1.4 The policy is intended to promote a culture of shared responsibility and openness among the ABS employees.
- 1.5 In this Policy,
  - 1.5.1 a broad definition of whistleblower is a person who reveals wrongdoing within ABS to those in positions of authority within ABS.
  - 1.5.2 unless the context otherwise requires, words importing one gender include all other genders and words importing the singular include the plural and vice versa;
  - 1.5.3 the headings do not form part of this policy and shall not be taken into account in its construction or interpretation;

## 2. PRINCIPLES

- 2.1 The principles underpinning the policy are as follows:
  - All concerns raised will be treated fairly and properly;
  - ABS will not tolerate harassment or victimisation of anyone raising a genuine concern;
  - Any individual making a disclosure will retain anonymity unless the individual agrees otherwise;
  - ABS will ensure that any individual raising a concern is aware of who is handling the matter; and
  - ABS will ensure no one will be at risk of suffering some form of reprisal as a result of raising a concern even if the individual is mistaken. ABS, however, does not extend this assurance to someone who maliciously raises a matter he/she knows is untrue or could reasonably have known is untrue.

### 3. OBJECTIVE

- 3.1 To encourage employees to disclose any malpractice, abuse, wrongdoing or misconduct which comes to their knowledge.
- 3.2 To provide protection for employees who report such malpractice, abuse, wrongdoing or misconduct.
- 3.3 To enable ABS to deal with a concern internally and in an appropriate manner, rather than publicly. Publicity about malpractice, abuse, wrongdoing or misconduct can severely harm ABS's reputation and may have far-reaching consequences given the public interests involved in ABS's activities and funding.
- 3.4 To encourage a climate of open communication which enables employees to voice concerns at the earliest opportunity and thus avert a larger issue in future. Also, if an employee's concerns are misplaced, then this misunderstanding can be addressed sooner rather than later.
- 3.5 The fact that ABS has a clear policy on whistleblowing and is serious about dealing with malpractice, abuse, wrongdoing or misconduct should act as a deterrent to those who may be considering any such practice.

### 4. SCOPE

- 4.1 The policy applies to all employees, including full-time, part-time and temporary employees of ABS who lodge complaints or reports of malpractice, abuse, wrongdoing or misconduct to positions of appropriate authority within ABS (hereafter referred to as whistleblowers).
- 4.2 Whilst the whistleblowing policy caters mainly for employees of ABS, if complaints are received from external parties e.g., trainees, trainers, agents, independent consultants, contractors, suppliers and customers, the investigation process will be triggered and similar principles will be applied in such cases.

### 5. POLICY

- 5.1 The whistleblowing policy is designed to encourage employees to report actual or suspected malpractice, abuse, wrongdoing or misconduct, to ensure that all reports are thoroughly investigated and suitable action is taken where necessary.
- 5.2 All whistleblowers are protected against adverse employment actions (discharge, demotion, suspension, harassment, or other forms of discrimination).
- 5.3 An employee is protected even if the allegations are proven to be incorrect or unsubstantiated unless it is established that the whistleblower made a report or raised an allegation which he/she knows to be untrue or could reasonably have known is untrue.
- 5.4 Employees who participate or assist in an investigation will also be protected. Every effort will be made to protect the anonymity of the whistleblower, however there may be situations where it cannot be guaranteed.
- 5.5 For purposes of this Policy, malpractice, abuse, wrongdoing and/or misconduct includes but is not limited to the issues listed below:
  - (a) Any unlawful act, whether of a criminal or civil nature;
  - (b) Misadministration (e.g. unjustified delay, incompetence, negligent advice);
  - (c) The use of deception to obtain an unjust or illegal financial advantage, either for the business unit or personally;
  - (d) Intentional misrepresentations directly or indirectly affecting financial statements;
  - (e) The unauthorized use of ABS funds (e.g. expenditure for improper purpose);
  - (f) Fraud and corruption (e.g. to solicit or receive any gift/reward as a bribe);
  - (g) A failure to comply with any legal obligations;
  - (h) Conflict of interest;
  - (i) Danger to the health and safety of any individual;
  - (j) Damage to the environment (e.g. pollution);
  - (k) Abuse of power (e.g. bullying/harassment);
  - (l) A breach of fundamental internal control;
  - (m) Non-professional or non-ethical behavior; and
  - (n) The deliberate concealment of information tending to show any of the matters listed above.

## 6. PROCEDURES

### Reporting Process

#### 6.1 Whistleblower to report

- 6.1.1 verbally through the whistleblower hotline at **03-2095 1399** between the hours of 9:00 am and 5:00 pm from Mondays to Fridays; or
- 6.1.2 via email at [wbp@asianbankingschool.com](mailto:wbp@asianbankingschool.com). The Form at Appendix A may be used for this purpose.
- 6.1.3 In the case of verbal report, upon receipt of the complaint, the Chairman of the Audit Committee will have to document the report in writing and within three (3) working days of receipt of the report, thereafter verify and confirm the whistleblowing report with the whistleblower in a case of an identified whistleblower. In the case of an anonymous report, the verification and confirmation of the whistleblowing report with the whistleblower will not be undertaken.
- 6.1.4 All whistleblowing reports will be investigated, whether made anonymously or otherwise.

#### Whistleblowing Reports received under 6.1

- 6.1.5 The Chairman of the Audit Committee shall determine the appropriate course of action with regard to reports received under 6.1 and keep the Audit Committee informed of same in a timely manner.

#### 6.2 Investigation

- 6.2.1 Appointment of Whistleblowing Investigations Officer (WIO)
  - WIO will be appointed by the Chairman of the Audit Committee and is the responsible party to conduct investigations into whistleblowers' reports.
  - The role of WIO is to investigate the substance of the complaint including by collecting all evidence relating to the report made and interviewing individuals who are implicated in the report or who may in other ways be able to assist in the investigation.
  - In the course of investigation, the WIO is required to update the Audit Committee on a regular basis on the progress of the investigation.
  - Upon completion of investigation, the WIO shall prepare his findings in writing and forward his findings, together with all supporting evidence and written statements obtained, to the Audit Committee.
  - If the findings of the WIO are that there has been malpractice, abuse, wrongdoing or misconduct, the Audit Committee will recommend that ABS take appropriate remedial and/or disciplinary action.

### 6.2.2 Investigation Principles

- (i) All reports are subject to thorough investigation.
- (ii) The investigation will be conducted fairly, independently and without bias. If appropriate, a statement will be obtained from the person against whom the malpractice, abuse, wrongdoing or misconduct is alleged.
- (iii) If deemed appropriate, an external party may be engaged to conduct or assist in the investigation. External parties engaged may be required to enter into a binding confidentiality and non-disclosure agreement to protect confidential information that he/she may have access to in the course of investigation and to protect the confidentiality of the investigation and findings.
- (iv) All investigation reports will be kept in accordance with legal, best practice or privacy management guidelines.

### 6.3 Communication with Whistleblower

6.3.1 If a report is lodged by an employee, the WIO will ensure that the whistleblower is kept informed of the outcome of the investigation, subject to the privacy rights of those against whom the allegations are made and ABS's confidentiality policies and provided always that the WIO has the discretion not to keep the whistleblower informed if he has reasonable cause to believe or suspect that such information may jeopardise the investigation process, the confidentiality of the process or the safety and privacy of the persons involved in the investigation.

6.3.2 The timely reporting guideline to the whistleblower on the investigation progress are as follows:

- (i) confirmation upon receipt of complaint;
- (ii) updates on the status of the investigation;
- (iii) completion of the investigation; and
- (iv) outcome of the investigation.

6.3.3 The WIO may communicate with the whistleblower who is not an employee only through the CEO.

### 6.4 Protecting the Whistleblower

6.4.1 The Whistleblowing Protection Officer (WPO) shall be the party responsible to execute the Whistleblower Protection Programme.

6.4.2 The duration of the appointment and the appointment of the WPO or a substitute or replacement WPO is at the discretion of the Audit Committee.

6.4.3 The role of WPO is to safeguard the interests of the whistleblower and ensure that the whistleblower is not subject to any form of discrimination or victimization as a result of lodging a report.

- 6.4.4 If reprisals are taken or claimed to have been taken against a whistleblower, the whistleblower may make a complaint, verbally or in writing to the WPO. Upon receipt of such a complaint, the WPO shall within two (2) working days direct the General Manager of Shared Services to investigate the complaint and if the complaint is found to be substantiated to take appropriate remedial and/or disciplinary action (up to and including termination of employment.) The General Manager of Shared Services shall through the WPO inform the whistleblower in writing of the results of the investigation and/or action taken in response to the whistleblower's complaint. If the whistleblower is not satisfied with the outcome of the complaint made to the WPO, he/she may appeal to the Audit Committee within fourteen (14) days of being notified of the results of the investigation or the action taken.
- 6.4.5 The WPO is responsible to:
- (i) Inform and provide his name and contact number to the whistleblower;
  - (ii) Brief the whistleblower on the independent appeal process to the Audit Committee;
  - (iii) Review and monitor the whistleblower's status during the period of investigation and upon completion to ensure that the whistleblower is not personally disadvantaged; and
  - (iv) Assist the whistleblower in making an appeal to the Audit Committee if he chooses to make such an appeal.
- 6.4.6 WPO will have the right to access the background information and progress of investigation undertaken by WIO provided always that the WIO has the discretion not to keep the WPO informed if he has reasonable cause to believe or suspect that such information may jeopardise the investigation process, the confidentiality of the process or the safety and privacy of the persons involved in the investigation.

## **6.5 Confidentiality**

- 6.5.1 Whistleblowers will be guaranteed anonymity unless the law requires disclosure of identity in the legal proceedings.
- 6.5.2 Files or reports in relation to the case should be kept secured and information received be held in the strictest confidence.
- 6.5.3 Information can only be disclosed to persons not connected with the investigation provided:
- (a) The whistleblower has been consulted and consents in writing to the disclosure; or
  - (b) ABS or the WIO or WPO is compelled by law to do so; or
  - (c) ABS deems it appropriate to report the matter to the relevant enforcement agency(ies).

### 6.6 Safeguards for Employees under Investigation

- 6.6.1 Employees under investigation should be treated fairly and justly so that their rights are not impinged upon during investigation period.
- 6.6.2 Employees concerned should not be personally disadvantaged if no malpractice, abuse, wrongdoing or misconduct is established upon completion of the investigation.
- 6.6.3 The principles on confidentiality granted to the whistleblower should apply equally to the employee under investigation.

### 6.7 Disciplinary Action

- 6.7.1 If the report of malpractice, abuse, wrongdoing or misconduct is substantiated, appropriate disciplinary action will be taken against the responsible individual(s) up to and including termination of employment.
- 6.7.2 Any act of retaliation or victimisation against the whistleblower will result in disciplinary action, up to and including termination of employment.
- 6.7.3 While a whistleblower acting in good faith may be provided with immunity from disciplinary proceedings, the malicious use of the whistleblowing policy will result in disciplinary action against the whistleblower, up to and including termination of employment.
- 6.7.4 However, in no circumstances will ABS be able nor has the power to offer any person immunity against prosecution in criminal proceedings or in civil proceedings initiated by any person.

### 6.8 External Disclosure

- 6.8.1 Whilst internal disclosure is encouraged at all times, an employee may be of the view that there is an exceptionally serious issue, which warrants reporting to an enforcement agency in which event, the disclosure should be made in compliance with the Whistleblower Protection Act 2010.
- 6.8.2 This disclosure must be in good faith and not for the purposes of personal gain.

## **6.9 Complaints against Selected Persons**

- 6.9.1 In an event a report is made against the Audit Committee Chairman, Audit Committee members, WPO and/or General Manager of Shared Services (“Selected Persons”), an alternate and appropriate person from within ABS will be appointed to discharge the duties and functions of the relevant Selected Person(s) to ensure that the decision is made pursuant to the report is just, impartial, in adherence to procedural fairness and in so far as possible in accordance with the contents of this policy.
- 6.9.2 In the event a report is made against any one or more of the members of the Audit Committee, the Audit Committee when discharging its duties and functions under and pursuant to this policy shall exclude the person(s) complained against.
- 6.9.3 If the report impacts 50% or more of the Audit Committee members, the duties and functions under this policy shall be discharged by the ABS Board.

## Appendix A – Whistleblowing Policy

# WHISTLEBLOWER REPORTING FORM

Strictly Confidential

(Note: You may choose to submit the report anonymously)

<b>A. Person making this report (optional)</b> (If you do wish to remain anonymous you may skip the items in Part A)	
<b>Name</b>	
<b>Division</b>	
<b>Tel. no.</b>	
<b>Email</b>	

<b>B. Particulars of individual(s) involved in the allegation</b>	
<b>Name of individual</b> (to indicate "third party" if the person is not an employee)	
<b>Relationship to the complainant</b> (optional)	
<b>Address</b>	
<b>Tel. no.</b>	
<b>Email</b>	

<b>C. Details of Allegations</b> (Please fill in the details of what you wish to report below. Please try and provide as much details as possible as this will aid us in investigation your case)	
<b>Type of incident/transaction</b>	
<b>Date, time and place of the incident/transaction</b>	
<b>The act of improper conduct and amount involved</b> (if applicable)	
<b>No. and names of individuals involved</b>	
<b>Other information</b>	
Please provide supporting documents if available. Please attach extra sheets if necessary.	

<p><b>D. Description of reason for suspicion</b>          (Please fill in the details of what you wish to report below. Please try and provide as much details as possible and any supporting documentation as this will aid us in investigation your case)</p>

<b>Declaration:</b>	<p>1. I declare that that all information provided in this Form is true, correct and complete to the best of my knowledge, information and belief.</p> <p>2. I hereby agree that the information provided herein to be used and processed for investigation purposes and further agree that the information provided herein may be forwarded to another department / authority / enforcement agency for purposes of investigation.</p>	
<b>Signature of the reporting person</b> <i>(optional)</i>		Date:
<b>Name:</b> <i>(optional)</i>		
<b>Have you a lodged a complaint on this matter to another person and/or department and/or authority?</b>	Yes / No	
<b>If yes, please name the person and/or department and/or authority.</b>		

Submit this form to the email: [wbp@asianbankingschool.com](mailto:wbp@asianbankingschool.com)

The logo for Asian Banking School, featuring the text "ASIAN BANKING SCHOOL" in white, uppercase letters on a dark blue square background.

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