



WHISTLEBLOWING POLICY

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1. INTRODUCTION

Montego is dedicated to maintaining the highest standards of openness, honesty, and accountability. Whistleblowing is essential for upholding the *Ethical Standards* and *Integrity* within the company.

This Policy aims to promote transparency in the workplace and provide legal protection to Whistleblowers under the *South African Protected Disclosures Act, Act 26 of 2000 (PDA)*, commonly known as the *Whistleblowing Act*. This is supported by the *South African Constitution and the Labour Relations Act*.

The *PDA* protects employees, contractors, clients, and members of the public from retribution, such as dismissal or any prejudicial conduct, if they disclose information about criminal offences, miscarriages of justice, unfair discrimination, and actions harmful to health, safety, or the environment.

2. PURPOSE

This Policy encourages and enables employees, contractors, clients or members of the public to raise serious concerns within the organisation without fear of retribution. It ensures a commitment to protecting Whistleblowers and ensuring their concerns are taken seriously.

It also provides a framework for reporting suspected or actual malpractice, illegal acts, or omissions at work, which also includes any wrongdoing or harm caused to pets or the planet, whether through direct or indirect actions by the company or its staff, reinforcing *Montego's Commitment to Ethical responsibility and Environmental stewardship*.

3. DEFINITION

Whistleblowing refers to the disclosure by employees, contractors, clients or members of the public of suspected or real malpractice, illegal acts, or omissions at work or elsewhere.

This includes, but is not limited to, actions that may cause harm to individuals, pets, or the environment, whether through direct or indirect means, including those resulting from the Company's operations or the conduct of its staff

4. LEGAL BACKGROUND

The *PDA* protects employees, contractors, clients or members of the public against retribution for disclosing information concerning criminal offences, miscarriages of justice, unfair discrimination, and conduct detrimental to health, safety, or the environment.

5. POLICY OBJECTIVES

This Policy aims to:

- Encourage individuals to raise serious concerns.
- Ensure individuals understand their responsibility for reporting misconduct.
- Provide avenues for raising concerns and receiving responses.

- Allow individuals to take matters further if dissatisfied with the company's response.
- Reassure individuals of protection from reprisals or victimisation.
- Commitment to investigating all concerns thoroughly and impartially.

6. SCOPE

This Policy applies to all employees, contract workers, temporary employees and the public.

The Policy encompasses, but is not limited to, the following:

- actions that are unlawful, fraudulent, or corrupt; or
- is against, or fails to comply with Montego's *Guidelines, Procedures, Values, Policies, Codes of Conduct, Legal Obligations*; or
- falls below established *Standards of Practice*; or
- amounts to improper conduct; or
- constitutes sexual, physical or emotional abuse of clients/employees; or
- endangers the health and safety of any individual; or
- is a miscarriage of justice; or
- is unfair discrimination as defined in the *Employment Equity Act* and *Promotion of Equality and Prevention of Unfair Discrimination Act*; or
- causes or contributes to harm to animals (including pets) or the natural environment, whether through negligence, misconduct, or failure to comply with *Environmental or Animal Welfare Standards*; or
- is an attempt to cover up any of the above.

7. SAFEGUARDS

Montego will not tolerate harassment or victimisation of Whistleblowers.

Whistleblowing refers to the disclosure by employees, contractors, clients or members of the public of suspected or real malpractice, illegal acts, or omissions at work. This includes, but is not limited to, actions that may cause harm to individuals, pets, or the environment, whether through direct or indirect means.

Under the *Protected Disclosures Act (PDA)*, a disclosure is protected only if it meets the following criteria:

- Made in good faith and not for personal gain;
- Based on a reasonable belief that the information shows wrongdoing (e.g. criminal conduct, legal breaches, corruption, discrimination, or risks to health / safety / environment);
- Made to an appropriate person or body, such as an employer, legal advisor, regulator, or other prescribed authority.

Disclosures that do not meet these requirements may not be protected and could lead to disciplinary or legal consequences.

Further to note, the *PDA* protects the Whistleblower from the following occupational detriment due to the disclosure:

- being subjected to any *Disciplinary Action*.
- being dismissed, suspended, demoted, harassed or intimidated.
- being transferred against their will.
- being refused transfer or promotion.
- being subjected to a term or condition of employment or retirement which is altered, or kept altered, to their disadvantage.
- being refused a reference, or being provided with an adverse reference, by their employer.
- being denied appointment to any employment, profession or office.
- being subjected to a *Civil Claim* arising from their breach of any confidentiality requirement through the disclosure of a criminal act or of a planned or current failure to comply with a law.
- being threatened with any of the actions mentioned above; or
- otherwise, adversely affected in respect of their employment, profession or office, including employment opportunities and work security.

Any investigation into allegations of malpractice will not influence or be influenced by any *Disciplinary* or *Redundancy Procedures* that may already affect an employee, but neither does it mean that any *Disciplinary Action* or *Redundancy Procedures* to which an employee is already a subject will be halted as a result of raising concerns.

Should an employee believe that he/she has been subjected to detriment or victimisation because of a disclosure, he/she can follow the internal *Grievance Policy* or refer the matter to the *Labour Court* and/or *CCMA*.

8. HOW TO RAISE A CONCERN

8.1 In Person Reporting

- If an employee, contract worker, temporary employee or member of the public has a concern, they should not approach or accuse individuals directly or attempt to investigate the matter.
- This Policy encourages Whistleblowers to submit allegations in writing and to identify them directly to one of the officers listed below.
- All direct disclosures will be treated with confidence, and every effort will be made not to reveal their identity if they wish. It must be appreciated that the *Investigation Process* may reveal the source of the information, and a whistleblower's statement may be required as part of the process of gathering evidence.
- It is recommended that Whistleblowers should raise concerns with their immediate Management or;
 - Human Resources (HR) Manager
 - Communications Manager
 - Corporate Services Director

8.2 Anonymous Reporting

Montego provides *Anonymous Reporting Lines* for employees, contractors, clients or members of the public who wish to remain anonymous. These lines are managed independently to ensure confidentiality.

You may report concerns through the following independent and confidential channels:

- Toll-Free Number: **0800 212 689**
- Email: montego@whistleblowing.co.za
- Website: www.whistleblowing.co.za
- Availability: 24/7, 365 days a year
- Languages Supported: **English, Afrikaans, isiXhosa, isiZulu**

9. ALLEGATIONS

Employees, contractors, clients, or members of the public are encouraged to provide detailed information about their concerns, including the background and history, specific names, dates, and locations, as well as the reasons for their particular concerns.

Employees, contractors, clients, and members of the public are encouraged to provide any evidence that may support their allegations, such as *Invoices, Bank Statements, or Purchase Orders (POs)*. If you have access to additional evidence or know where it can be located, please share those details to assist with the investigation. Raising concerns promptly makes it easier to take appropriate action.

Although Whistleblowers are not expected to prove the truth of an allegation, they must demonstrate that there are reasonable and sufficient grounds for the concern raised.

The Company Representative or the *Ethics Report Line Consultant* will also assist Whistleblowers in this regard.

10. FALSE ALLEGATIONS

An allegation made frivolously, maliciously, or for personal gain will undermine the existence of reporting facilities and discourage employees from using them.

If a person is therefore identified at any stage after making such frivolous, malicious or for-personal-gain allegations, Montego will take decisive action against such a person. The *PDA* also makes it an offence to provide false information intentionally, and where this results in harm, a conviction may result in a fine, imprisonment or both.

11. MANAGEMENT RESPONSE

Montego Management will investigate concerns based on their nature. Within twenty-one (21) working days, Whistleblowers will receive an acknowledgement and information on how the matter will be handled. Regular updates will be provided until a final decision is made.

Should Montego not be in a position to decide within twenty-one (21) days whether to investigate or refer the matter, you will be informed that Montego is unable to do so and, thereafter, be advised on a regular basis (at intervals not more than two (2) months at a time) that the decision is still pending. The Whistleblower will be advised within six (6) months from the time they have made the protected disclosure of the decision to investigate or not.

Whistleblowers will be given as much feedback as possible. Still, sometimes precise action will not be set out, especially where this would infringe on a duty of confidence that Montego owes to someone else or if it is necessary to avoid prejudice to the prevention, detection or investigation of a criminal offence.

- Montego may, on occasion and after informing the Whistleblower, change the time limits referred to in this Policy.
- The amount of contact between the Whistleblower and the representative of Montego who is considering the issues will depend upon the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from you directly or through the *Ethics Report Line Consultant*.
- When any meeting is arranged, the Whistleblower has the right, if so wished, to be accompanied by a colleague or other representative who is not involved in the area of work to which the concern relates.
- Montego will also take steps to minimise any difficulties that a Whistleblower may or could experience as a result of raising a concern. For instance, if the person is required to give evidence in a *Criminal or Disciplinary Proceeding*, Management will arrange for the Whistleblower to receive advice on the process, etc.
- Montego accepts that Whistleblowers need to be assured that the matter has been properly addressed. If a Whistleblower is not satisfied with Management's response to concerns raised and has reasonable grounds to base their dissatisfaction, Montego could arrange for an independent body (e.g., external auditors) to investigate a matter.
- While Management cannot guarantee that it will respond to all matters in the way that a Whistleblower may wish, Montego will endeavour to handle all matters fairly and adequately. By abiding by this Policy, employees will assist management in achieving its objective.

12. ETHICS AND FRAUD REPORTING LINES

Montego has established several *Reporting Facilities*, including a 24-hour toll-free phone line, fax line, email, website and postal facility, managed by an independent operator to ensure anonymity.

13. CONCLUSION

Montego is committed to handling all Whistleblowing matters fairly and adequately. By adhering to this Policy, employees will help maintain the Company's *Integrity* and *Ethical Standards*.

14. QUERIES

All queries should be referred to the Human Resources Department for clarification.