

THE HONG KONG FOOTBALL ASSOCIATION LIMITED

Policy for Whistleblowing

Introduction

The HKFA embraces the values of accountability and transparency, in which an important aspect is a mechanism to enable all individuals and stakeholders to voice concerns in a responsible and effective manner when they detect information which they believe shows irregularities, misconduct or malpractice.

Within the HKFA family, colleagues and stakeholders are encouraged in the first instance to make use of those usual reporting / communication channels when any irregularities, misconduct or malpractices are to be reported (e.g. contact and consult respective supervisor / department head, or approach the HKFA Secretariat in general). If uncomfortable about raising such matters through the Association's normal reporting channels, this whistleblowing policy can be referred to.

Our whistleblowing policy is therefore fundamental to the HKFA's professional integrity. It provides a method of properly addressing bona fide concerns that individuals in relation to the HKFA might have, while also offering whistleblowers protection from victimization, harassment or disciplinary proceedings.

This policy is only intended to assist individuals who believe they have discovered malpractice or impropriety in relation to the HKFA. It is not designed to question financial or business decisions taken by the HKFA nor should it be used to reconsider any matters which have been investigated under the harassment, grievance or disciplinary policies and procedures.

What is whistleblowing?

Whistleblowing is the confidential disclosure by an individual of any concern encountered in the workplace relating to perceived wrongdoings, which include (but not limited to) the following:

- Participation in illegal football betting
- Involvement in match-fixing
- Potential infraction of the HK laws
- Potential infraction of the Code of Conduct and other relevant codes as required by the HKFA / FIFA
- General malpractice / misconduct – such as immoral, illegal or unethical conduct

What does this policy apply to?

This policy covers situations where an individual (the whistleblower) raises a concern about a risk, malpractice or wrongdoing in relation to the HKFA that affects others such as club members, clients, suppliers, other staff, or the public interest.

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It is not applicable for employee-related matters, where staff members should make reference to the Employees' Handbook and follow relevant grievance procedures instead.

Who does this policy apply to?

This policy applies to everyone who works or interfaces with the HKFA, including:

- Board / committee members
- Employees
- Members / Football clubs
- Contractors and sub-contractors
- Consultants etc.

Protection to Whistleblowers

Whistleblowers are protected from victimization, harassment or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain.

Anonymity: Normally individuals should make disclosures internally. The identity of the whistleblower will be protected at all stages in any internal matter. While the HKFA can provide internal anonymity, it cannot guarantee this will be retained if external legal action flows from the disclosure. Whilst the HKFA encourages whistleblowers to identify them, anonymous reporting will nevertheless be taken and followed up as far as possible. The effectiveness of any whistleblowing enquiry may be limited where an individual chooses not to be identified.

Confidentiality

The HKFA will make every effort to keep the whistleblower identity confidential. In order not to jeopardize the investigation, the whistleblower should also keep the fact that the whistleblower has filed a report, the nature of the whistleblower concerns and the identity of those involved confidential.

There may be circumstances in which, because of the nature of the investigation, it will be necessary to disclose the whistleblower identity. If such circumstances exist, the HKFA will endeavour to inform the whistleblower that his/her identity is likely to be disclosed. If it is necessary for the whistleblower to participate in an investigation, the fact that the whistleblower made the original disclosure will, so far as is reasonably practicable, be kept confidential. However, it is also possible that the role as the whistleblower could still become apparent to third parties during investigation.

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Equally, should an investigation lead to a criminal prosecution, it may become necessary for the whistleblower to provide evidence or be interviewed by the relevant authorities. In these circumstances, the HKFA will, once again, endeavour to discuss with the whistleblower the implications for confidentiality. The whistleblower should, however, know that in some circumstances, the HKFA may have to refer the matter to the relevant authorities without prior notice or consultation with the whistleblower.

Reporting and Handling Mechanism for Whistleblowing

Reporting / Raising a concern

Individuals can make a reporting by email to the designated email address for this purpose, viz. whistleblowing@hkfa.com, in which emails will be handled confidently.

Usually, the best way to raise a concern is to do so openly. Openness makes it easier for the HKFA to assess the issue, work out how to investigate the matter, understand any motive and get more information. An individual raises a concern confidentially if he or she gives his or her name on the condition that it is not revealed without their consent.

An individual raises a concern anonymously if he or she does not give his or her name at all. As the HKFA does not know who provided the information in such cases, it is not possible to reassure or protect them.

Supporting evidence for the allegation is expected and helpful. Even if only suspicion / unvalidated information are available, the individual must reasonably believe the information is substantially true. Individuals should raise the concerns at the earliest opportunity rather than wait to collate any further evidence.

Follow up / Possible outcomes after reporting

The HKFA will acknowledge receipt of the report within 2 working days confirming that:

- The report has been received
- The matter will be investigated
- Subject to legal constraint, the whistleblower will be advised of the outcome in due course

Any valid disclosures will be followed up accordingly, e.g. interviews with all the whistleblower, witnesses and other parties involved, fact findings and investigations.

There will be no adverse consequences for anyone who reports a whistleblowing concern in good faith. However, any individual found responsible for making allegations maliciously or in bad faith may be subject to disciplinary action where applicable.

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The following actions may be taken after investigation of the concern:

- Disciplinary action against the wrongdoer, which depends on the results of the investigation; or
- Disciplinary action against the whistleblower if the claim is found to be
- Malicious or otherwise in bad faith; or
- No action if the allegation proves unfounded.

Where a regulatory non-compliance is suspected (e.g. when a match-fixing allegation is considered substantiated), relevant law enforcing parties (e.g. ICAC / HK Police Force) will be contacted accordingly by the HKFA.

The whistleblower will be kept informed of progress and the outcome of the investigation, within the constraints of maintaining confidentiality or observing legal restrictions generally. A confidential record of the steps taken will be kept and this will be in accordance with the relevant Personal Data (Privacy) Ordinance.