

# “WHISTLEBLOWER” PROCEDURE

Primary Department: 3 - People Culture  
 Primary Area: 30 - HR  
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## 1 PURPOSE

SDS is committed to ensuring corporate compliance and promoting ethical corporate culture by observing the highest standards of fair dealing, honesty and integrity in our business activities. SDS encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent or undesirable conduct involving SDS's business and provides protections and measures to individuals who make a disclosure in relation to such conduct without fear of victimisation or reprisal.

## 2 SCOPE

This procedure applies to any person who is, or has been, any of the following with respect to SDS:

- Employee;
- Officer;
- Director;
- Contractor (including sub-contractors and employees of contractors);
- Supplier (including employees of suppliers);
- Consultant;
- Auditor;
- Associate; or
- Relative, dependant, spouse, or dependant of a spouse of any of the above.
- A Community or member of the public

## 3 DEFINITIONS/ABBREVIATIONS USED IN THIS DOCUMENT

|   |   |
|---|---|
| SDS   | Safety Direct Solutions Pty Ltd   |
| Whistleblower                                   | An individual or group who exposes information on a person or organisation regarded as engaging in an unlawful, unsafe or immoral activity. |
| Business Conduct Concern/<br>Reportable Conduct | refer section 5.1   |
| Disclosure                                      | Information brought forward by 'whistleblower'  |

## 4 RESPONSIBILITIES

Everyone has a responsibility to bring attention to any unethical, illegal, corrupt, fraudulent or undesirable business conduct. Speaking up protects everyone. If you have a business conduct concern, don't ignore it.

Whistleblower Protection Officers identified in section 5.2.2 are responsible for the investigation of any disclosure brought to their attention.

### 4.1 IF SOMEONE REPORTS TO YOU A BUSINESS CONDUCT CONCERN, YOU MUST:

- listen, respond respectfully and promptly, and treat every concern seriously;
- protect the identity of the whistleblower (as needed); and
- escalate the concern in accordance with this procedure.

Use of the *Statement of Events form (FRM-273)* is recommended to record the business conduct concern.

### 5 PROCEDURE

#### 5.1 REPORTABLE CONDUCT / BUSINESS CONDUCT CONCERN

You may make a report or disclosure under this procedure if you have reasonable grounds to believe that a Company director, officer, employee, contractor, supplier, consultant or other person who has business dealings with SDS has engaged in conduct ('Reportable Conduct') which is:

- Dishonest, fraudulent or corrupt;
- Illegal (such as theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property);
- Unethical including any breach of SDS's policies such as the Code of Conduct; Oppressive or grossly negligent;
- Potentially damaging to SDS, its employees or a third party;
- Misconduct or an improper state of affairs;
- A danger, or represents a danger to the public or financial system;
- Harassment, discrimination, victimisation or bullying.

For the avoidance of doubt, Reportable Conduct does not include personal work-related grievances. These grievances should be reported to your line manager in accordance with the *Grievance Policy*. A personal work-related grievance is a grievance about any matter in relation to a personnel member's current or former employment, having implications (or tending to have implications) for that person personally and that do not have broader implications for SDS. Examples of personal work-related grievances are as follows:

- An interpersonal conflict between the personnel member and another employee;
- A decision relating to the engagement, transfer or promotion of the personnel member;
- A decision relating to the terms and conditions of engagement of the personnel member;
- A decision to suspend or terminate the engagement of the personnel member, or otherwise to discipline the personnel member.

#### 5.2 MAKING A DISCLOSURE - RAISING A BUSINESS CONDUCT CONCERN

SDS relies on its employees maintaining a culture of honest and ethical behaviour. Accordingly, if you become aware of any Reportable Conduct, it is expected that you will make a disclosure under this procedure. Raise the concern immediately so we can take necessary action.

##### 5.2.1 Anonymity

When making a disclosure, you may do so anonymously. It may be difficult for SDS to properly investigate the matters disclosed if a report is submitted anonymously and therefore SDS encourages you to share your identity when making a disclosure, however you are not required to do so.

Where a disclosure has been made externally and you provide your contact details, those contact details will only be provided to a Whistleblower Protection Officer with your consent.

##### 5.2.2 Who can I report to?

There are several ways in which to report or raise any issue or behaviour which you consider to be Reportable Conduct.

### **Internally**

In the first instance contact your direct line manager. If you are uncomfortable raising your concern with your line manager, you can report to a **Whistleblower Protection Officer** listed below:

|                                  |                            |
|----------------------------------|----------------------------|
| Director Corporate Services      | Phone Number: 1300 955 097 |
| Resource and Recruitment Officer | Phone Number: 1300 955 097 |
| Chief Executive Officer          | Phone Number: 1300 955 097 |

If you are unable to use any of the above reporting channels, a disclosure can also be made to an “eligible recipient” within SDS. Eligible recipients include:

- Directors;
- Leadership Team;
- Auditor or member of an audit team conducting an audit of SDS.

The Whistleblower Protection Officer or eligible recipient will safeguard your interests and will ensure the integrity of the reporting mechanism.

### **Externally**

Nothing prevents you from, or requires approval for, reporting what you reasonably believe is a breach of the law to an appropriate government/regulatory authority or from seeking legal advice on your rights.

- Reporting to Regulators  
You may also make a disclosure to the Australian Skills Quality Authority (ASQA), the Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA) in relation to a Reportable Conduct.
- Reporting to a Legal Practitioner  
You may choose to discuss your concerns with a legal practitioner for the purposes of obtaining legal advice or representation.

You will be covered by the protections outlined in this procedure if you have reported your concerns to a legal practitioner, ASQA, ASIC or APRA.

## **5.3 INVESTIGATION**

SDS will investigate all matters reported under this procedure as soon as practicable after the matter has been reported. The Whistleblower Protection Officer will complete a *Statement of Events* form (FRM-273) and investigate the matter and where necessary appoint an external investigator to assist in conducting the investigation. All investigations will be conducted in a fair, independent and timely manner and all reasonable efforts will be made to preserve confidentiality during the investigation.

If the report is not anonymous, the Whistleblower Protection Officer or external investigator will contact you to discuss the investigation process and any other matters that are relevant to the investigation.

Where you have chosen to remain anonymous, your identity will not be disclosed to the investigator or to any other person and SDS will conduct the investigation based on the information provided to it.

Where possible, the Whistleblower Protection Officer will provide you with feedback on the progress and expected timeframes of the investigation. The person against whom any allegations have been made will also be informed of the concerns and will be provided with an opportunity to respond (unless there are any restrictions or other reasonable bases for not doing so).

### **5.3.1 How do we treat those implicated in a report?**

We may be required to inform an implicated person if a complaint has been made against them. We will objectively and fairly assess each report and, where necessary, investigate it.

### **5.3.2 Closing a case**

Subject to confidentiality and privacy, the Whistleblower Protection Officer will inform you and/or a person against whom allegations have been made of our assessment and the outcome. Any report will remain the property of SDS and will not be shared with you or any person against whom the allegations have been made. We will take necessary remediation actions.

## **5.4 HOW WE PROTECT AND SUPPORT THE WHISTLEBLOWER**

We treat every report seriously. SDS is committed to ensuring that any person who makes a disclosure is treated fairly and does not suffer detriment and that confidentiality is preserved in respect of all matters raised under this procedure.

### **5.4.1 Protection from Legal Action**

You will not be subject to any civil, criminal or administrative legal action (including disciplinary action) for making a disclosure under this procedure or participating in any investigation.

Any information you provide will not be admissible in any criminal or civil proceedings other than for proceedings in respect of the falsity of the information.

### **5.4.2 No Tolerance for Retaliation - Protection Against Detrimental Conduct**

Retaliation can take many forms including actual or threatened conduct such as the following (without limitation):

- Termination of employment;
- Injury to employment including demotion or disciplinary action;
- Alternation of position or duties;
- Discrimination;
- Harassment, bullying or intimidation;
- Victimisation;
- Harm or injury including psychological harm;
- Damage to person's property;
- Damage to a person's reputation;
- Damage to a person's business or financial position; or
- Any other damage to a person.

You will not suffer adverse consequences for:

- refusing to act (with or if asked by others) in a breach of our Code, related SDS policies, standards, procedures or the law;
- reporting a Business Conduct Concern; or
- co-operating with a company investigation.

**Any such retaliation is a serious breach of our Code**, and may result in disciplinary consequences including termination. Report any retaliation so we can take steps to manage it.

If you are subjected to any retaliation, you should inform a Whistleblower Protection Officer or eligible participant in accordance with the reporting guidelines outlined above.

You may also seek remedies including compensation, civil penalties or reinstatement where you have been subject to any Detrimental Conduct.

### **5.4.3 Protection of Identity (Confidentiality)**

All information received from you will be treated confidentially and sensitively.

If you make a disclosure under this procedure, your identity (or any information which would likely to identify you) will only be shared:

- If you give your consent to share that information; or
- If the disclosure is allowed or required by law (for example where the concern is raised with a lawyer for the purposes of obtaining legal advice); or
- If the concern is reported to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), the Australian Taxation Office (ATO) or the Australian Federal Police (AFP); or
- Where it is necessary for the effective investigation of the matter, and this is likely to lead to your identification, all reasonable steps will be taken to reduce the risk that you will be identified.

### **5.4.4 Support Available**

Any employee who makes a disclosure under this procedure or is implicated as a result of a disclosure that is made may access SDS's Employee Wellbeing and Support Program which is a free and confidential counselling service.

Where appropriate, SDS may also appoint an independent support person to deal with any ongoing concerns you may have.

You may also access third party support providers such as Lifeline (13 11 14) and Beyond Blue (1300 22 4636) for support.

## **6 OTHER MATTERS**

Any breach of this procedure will be taken seriously and may result in disciplinary action, up to and including termination of employment.

In so far as this procedure imposes any obligations on SDS, those obligations are not contractual and do not give rise to any contractual rights. To the extent that this procedure describes benefits and entitlements for employees, they are discretionary in nature and are also not intended to be contractual. The terms and conditions of employment that are intended to be contractual are set out in an employee's written employment contract.

SDS may unilaterally introduce, vary, remove or replace this procedure at any time. Employees are encouraged to read this procedure in conjunction with other relevant Company policies/procedures.

## **7 DOCUMENT MANAGEMENT**

This document shall be reviewed in 3 years or where a need to review it exists.

## **8 RELATED DOCUMENTATION**

[Whistleblower Policy \(POL-56\)](#)

[Grievance Policy \(POL-04\)](#)

[Statement of Events Form \(FRM-273\)](#)

[Employee Wellbeing and Support Program with Oasis \(DOC-259\)](#)

[Code of Conduct \(POL-57\)](#)



## APPENDIX – HOW THIS PROCEDURE IS REPRESENTED WITHIN OUR CODE OF CONDUCT (POL-57)

### SPEAK UP 'WHISTLEBLOWER'

Our Whistleblower Policy & Procedure is available to everyone on our website [here](#).

We also raise awareness with our People through management communications, training programs and in other related policies, standards and procedures.

Our Executive Committee are aware of all material concerns raised under the Policy, as well as material breaches of our Code, especially those calling into question our culture.

### TO BE FULLY INFORMED READ OUR WHISTLEBLOWER PROCEDURE (PRO-179).

It tells you the types of concerns and to whom you need to report them directly to.

#### *In brief ...*

Speak Up when our Values and standards of conduct are not being followed (a "Reportable Conduct / Business Conduct Concern"),

**Speaking Up protects everyone. If you have a Business Conduct Concern, don't ignore it.**

- For example, discrimination, bullying or harassment, fraud, bribery or corruption, misuse of company assets or a human rights violation.
- Raise the concern immediately so we can take necessary action.
- Raise your Business Conduct Concern honestly. Don't make accusations you know are false.

**Anyone can report a Business Conduct Concern.**

This extends to, for example, our employees and their relatives, our Suppliers (including their employees), customers and community members.

**Who can I report a Business Conduct Concern to?**

See the next page for the various options we make available for raising a Business Conduct Concern.

**How we protect and support you**

- We treat every report seriously, confidentially and fairly.
- SDS will not retaliate against you, and will take steps to ensure our People won't retaliate against you, for raising your Business Conduct Concern.

**Protection of identity (confidentiality)**

We will only disclose identifying details where:

- You give your consent to share that information; or
- If the disclosure is allowed or required by law (for example where the concern is raised with a lawyer for the purposes of obtaining legal advice); or
- If the concern is reported to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), the Australian Taxation Office (ATO) or the Australian Federal Police (AFP); or
- Where it is necessary for the effective investigation of the matter, and this is likely to lead to your identification, all reasonable steps will be taken to reduce the risk that you will be identified.

**No tolerance for retaliation**

Retaliation can take many forms including threats, harassment, exclusion, intimidation, damage to person or property, victimisation, humiliation or other detrimental conduct.

You will not suffer adverse consequences for:

- refusing to act (with or if asked by others) in a breach of our Code, related SDS policies, standards, procedures or the law;
- reporting a Business Conduct Concern; or
- co-operating with a company investigation.

**Any such retaliation is a serious breach of our Code and this Policy**, and may result in disciplinary consequences including termination. Report any retaliation so we can take steps to manage it.



If someone reports to you a Business Conduct Concern, you must:

- listen, respond respectfully and promptly, and treat every concern seriously;
- protect the identity of the whistleblower (as needed); and
- escalate the concern in accordance with our procedure.

## HOW TO SPEAK UP?

### Options to report a Business Conduct Concern:

#### Contact your line leader in the first instance

If you are uncomfortable raising the Business Conduct Concern with your line leader, you can also report to:

#### A Whistleblower Protection Officer

- |                                    |                            |
|------------------------------------|----------------------------|
| ▪ Director Corporate Services      | Phone Number: 1300 955 097 |
| ▪ Resource and Recruitment Officer | Phone Number: 1300 955 097 |
| ▪ Chief Executive Officer          | Phone Number: 1300 955 097 |

#### Any of the following, if necessary and as relevant to your concern:

- Directors
- Leadership Team
- Auditor or member of an audit team conducting an audit of SDS.

## WHAT HAPPENS WHEN YOU REPORT A BUSINESS CONDUCT CONCERN?

### Can you report anonymously?

Yes.

### How does revealing your identity help us?

Providing your name and contact details will often assist in our assessing your concern. We hope you will feel comfortable to do this to assist us.

### What information will you be asked to provide?

Background and historical dates; Relevant names and information; Any relevant documents/ evidence. Please provide as much information as possible to allow us to assess and/or investigate properly.

### What happens if you report your Business Conduct Concern?

Based on the nature, urgency and severity of the concern we will acknowledge receipt of your report respectfully and within a reasonable period.

### How we investigate

In some cases, advice, support or guidance is all that we will need to resolve your concern. Where necessary, we will investigate the concern.

**Is it confidential?** The information you provide will be dealt with confidentially, if required. Measures will be put in place to protect your identity as needed. If you participate in or learn about an investigation, you must keep it confidential.

**How do we treat those implicated in a report?** We may be required to inform an implicated person if a complaint has been made against them. We will objectively and fairly assess each report and, where necessary, investigate it.

### Closing a case

Subject to confidentiality and privacy, we will update you appropriately on our assessment and the outcome. We will take necessary remediation actions.

## EXTERNAL WHISTLEBLOWING

Nothing in our Code or Whistleblowing Policy prevents you from, or requires approval for, reporting what you reasonably believe is a breach of the law to an appropriate government authority or from seeking legal advice on your rights.