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Eighty9 Limited and its wholly owned subsidiaries Status Works Pty Ltd and Allied Services Worldwide Pty Ltd

WHISTLEBLOWER POLICY

Policy

The high level of public support and respect that Eighty9 Limited and its wholly owned subsidiaries Status Works Pty Ltd and Allied Services Worldwide Pty Ltd, (collectively and hereinafter referred to as “the Organisation”), enjoys success not only from the recognition of its work in the community but from the high degree of integrity, objectivity, and professionalism of the Organisation’s employees and volunteers.

The Eighty9 Limited board recognises that any genuine commitment to detecting and preventing illegal and other undesirable conduct must include, as a core principle, a mechanism whereby employees and others can report their concerns freely and without fear of repercussion. This Whistleblower Policy provides such a mechanism and encourages the reporting of such conduct, and is intended to enhance public confidence in the integrity of the Organisation and its personnel.

Purpose

The purpose of this Whistleblower Policy is to establish a framework for reporting and addressing concerns regarding illegal, unethical, or improper activities within the Organisation. This Policy aligns with the whistleblowing provisions of the Corporations Act and is intended to provide protection to individuals who make protected disclosures.

Objectives of the Policy

The objectives of this Policy are to:

- (a) encourage disclosures of potential misconduct;
- (b) help deter potential misconduct, in line with the Organisation’s risk management and governance framework;
- (c) ensure that individuals who disclose potential misconduct can do so safely, securely and with confidence that they will be protected and supported;
- (d) ensure that disclosures are dealt with appropriately and on a timely basis;
- (e) provide transparency around the Organisation’s framework for receiving, handling and investigating disclosures; and
- (f) meet the Organisation’s legal and regulatory obligations.

The Organisation will not tolerate anyone being discouraged from speaking up or being subject to detriment because they want to speak up or they have done so. Disciplinary action, up to and including termination of employment or engagement, may be imposed on anyone shown to have caused detriment to a person because they want to, or have, spoken up.

Scope

This Policy applies to all directors, officers, employees, volunteers, contractors, suppliers, and any other individuals associated with the Organisation.

Definitions

1. Eligible Whistleblower: An individual who makes a protected disclosure in accordance with this Policy.
2. Protected Disclosure: A report made by a whistleblower in accordance with the procedures outlined in this Policy, regarding a suspected or known violation of the law, unethical behaviour, or any other activity that poses a risk to the Organisation's operations, assets or reputation.

Who Can Be A Whistleblower?

Anyone with information about potential misconduct is encouraged to speak up. This Policy applies to an individual who is, or has been, any of the following in relation to the Organisation:

1. an officer or employee, including current and former employees who are permanent, part-time, fixed-term or casual, trainees, managers, directors and volunteers, or;
2. a supplier of services or goods to the Organisation (whether paid or unpaid), including their employees, including current and former contractors, consultants, service providers and business partners, or;
3. an associate of the entity, or;
4. a relative, dependant or spouse of an individual ie relatives, dependants or spouse of current and former employees, contractors, consultants, service providers, suppliers and business partners.

What Matters Can Be Reported Under This Policy?

Eighty9 Limited encourages any individual identified in 1 to 4 above to speak up about potential misconduct. You should provide as much information as possible, including details of the potential misconduct, people involved, dates, locations along with any evidence that may exist.

When speaking up, you will be expected to have reasonable grounds to suspect the information you are disclosing is true and accurate from first-hand knowledge, but you will not be penalised if the information turns out to be incorrect. However, you must not make a report that you know is untrue or misleading. Deliberate false reporting will not be covered by this Policy and will not be a protected disclosure. Where it is found that the person speaking up has knowingly made a false report, this may result in disciplinary action.

Examples of potential misconduct include but are not limited to:

- failure to comply with, or breach of the Organisation's legal or regulatory requirements;
- breach of the Organisation's Code of Conduct or other Organisational policies, standards or codes;
- engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure, or is believed or suspected to have made, or be planning to make a disclosure of a potential misconduct;
- criminal activity;
- bribery or corruption;

- conduct endangering health and safety or causing damage to the environment;
- dishonest, unethical or irresponsible behaviour;
- conflicts of interest, including those relating to outside business interests, relationships, improper payments and donations;
- victimisation or harassment;
- modern slavery, which exists if a person is not working of their own free will, is treated like property, or is seriously exploited or abused.
- misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting, taxation or financial reporting practices;
- conduct endangering the health and safety of any person or persons;
- breaches of privacy;
- unauthorised use of the Organisation's confidential information;
- concerns that pose a danger to the public or financial system (even if it does not involve a breach of law), and;
- deliberate concealment of any of the above.

How To Speak Up And Report Potential Misconduct

You are encouraged to speak up to the Whistleblower Protection Officer (WPO) in the first instance. The WPO is the individual within the Organisation who has specific whistleblower responsibilities under this Policy. This includes protecting and safeguarding the interests of the person speaking up.

For the purposes of reporting by external parties, the Organisation's WPO and Privacy Officer is:
 Emma Farina
 t: 08 8445 2931
 e: Emma@Eighty9.org.au

Alternatively, reports of potential misconduct may be emailed to enquiries@eighty9.org.au or by telephone 08 8377 0101. Any reports received by this communication will be received by the CEO, Chair of the board and the board's Executive Assistant and will be referred to the WPO unless there are exceptional circumstances.

You can also speak up to a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower requirements. You can also speak up to regulatory bodies such as the:

- Australian Securities and Investments Commission (ASIC);
- Australian Prudential Regulation Authority (APRA);
- Australian Charities and Not-for-profits Commission (ACNC), and;
- in certain circumstances, public interest disclosures or emergency disclosures can be made to a journalist or a member of parliament.

Please note: There is threshold criteria for making public interest disclosures or emergency disclosures and it is strongly recommended that you contact the Organisation's WPO, or obtain independent legal advice in the first instance, to ensure you understand the criteria for making a public interest or emergency disclosure that qualifies for whistleblower protection under law.

Can I Speak Up Anonymously?

You can choose to speak up in a confidential manner, anonymously or in a partially anonymous manner.

You can make a confidential disclosure where your identity is known to the WPO and relevant stakeholders involved in the investigation and reporting of the potential misconduct. This is the preferred option as it allows the matter to be fully investigated whilst providing you with ongoing protection and support.

You can also choose to be partially anonymous where only the WPO is aware of your identity and a pseudonym is used so your identity is not known to others. This may create some limitations to the investigation process.

You can make an anonymous disclosure if you do not want to reveal your identity. This is the least preferred option as it may not be possible to investigate the report if the Organisation is unable to contact you for further information and it may make it difficult to offer you the same level of practical support if the Organisation does not know your identity.

What Protection Exists If I Speak Up Under The Policy?

The Organisation will look to protect the identity of people who speak up. Your identity (and any information the Organisation has because of your report that someone could likely use to work out your identity), will only be disclosed if you give your consent to the Organisation to disclose that information or in exceptional circumstances where the disclosure is allowed or required by law.

All information, documents, records and reports relating to the investigation of a potential misconduct will be confidentially stored and retained in an appropriate and secure manner. Access to all information relating to the disclosure will be limited to those directly involved in managing and investigating the disclosure. Only a restricted number of people who are directly involved in handling and investigating the disclosure will be made aware of your identity (subject to your consent), or information that is likely to lead to the identification of your identity.

You can lodge a complaint with the WPO, or a regulator for investigation if you believe that is a breach of confidentiality under this Policy.

Protecting You From Detriment

You will not be penalised or subject to any detriment for speaking up. It is unlawful to cause detriment to you or another person on the belief or suspicion that a report has been, or will be made, regardless of whether the report was made. The Organisation will not tolerate such unlawful behaviour.

Examples of detrimental conduct include, but are not limited to:

- (a) dismissal from employment of an employee;
- (b) injury of an employee in their employment;
- (c) alteration of an employee's position or duties to their disadvantage;
- (d) discriminatory behaviour towards the employee;
- (e) harassment or intimidation of a person;
- (f) harm and injury to a person, including psychological harm; or
- (g) damage to a person's property, reputation, business or financial position.

What Does Not Constitute A Detriment?

Reasonable administrative or management action such as managing your unsatisfactory work performance does not constitute a detriment if the action taken is consistent with the Organisation's performance management process. An administrative action that is reasonable for the purpose of protecting you from risk of detriment is not detrimental conduct. For example, the Organisation may ask you to perform your duties from another location, reassigning you to another role at the same level, make other modifications to your workplace or the way you perform your work duties.

What If I Believe I Have Suffered a Detriment?

If you believe you have been subjected to a detriment because of the actual or intended disclosure, you should immediately report the matter to the WPO so prompt action can be taken to protect against further detrimental acts or omissions. Reports of detrimental conduct will be treated

confidentially. You may also seek independent legal advice or contact regulatory bodies if you believe you have suffered a detriment.

Anyone engaging in unlawful detrimental conduct may be subject to disciplinary action. The action taken will depend on the severity of the breach, and may include a reprimand, formal warning, demotion, and/or termination of employment in the case of employees, or termination of contract in the case of suppliers or agents.

Protection From Civil, Criminal And Administrative Liability

You may be entitled to protection from civil liability, criminal liability and administrative liability (including disciplinary action), in respect of the disclosure. Please note: whistleblower protections do not grant immunity for any potential misconduct you have engaged in that is revealed in the report.

Compensation And Other Remedies

Any person who has suffered a detriment because of the Organisation's failure to take reasonable precautions and exercise due diligence to prevent the detrimental conduct may be entitled to compensation or some other legal remedy through the courts. A person who is unsure of the protections or rights to compensation under the whistleblower laws should seek independent legal advice from a legal practitioner.

What Happens Once A Report Is Made?

All reports of misconduct under this Policy will be dealt with promptly, fairly and objectively. The Organisation's response to a report will vary depending on the nature of the report and the amount of information provided. Your report may be addressed and resolved informally or through formal investigation.

While speaking up does not guarantee a formal investigation, all reports will be properly assessed and considered by the WPO and a decision made as to whether it should be investigated.

If the WPO determines that an investigation is required, the WPO will brief the Whistleblower Investigation Officer (WIO) to undertake an investigation with the objective of locating evidence that either substantiates or refutes the claims of potential misconduct. The WIO may engage external professionals to assist in any investigation. The WPO will monitor the WIO's investigation to ensure the confidentiality of the investigation is maintained.

The WIO will conduct the investigation in a timely manner and will be fair and independent from any persons to whom the report relates. All employees and contractors must cooperate fully with any investigation.

Where appropriate, a person being investigated will be provided with details of the report that involves them (to the extent permitted by law), and be given an opportunity to respond.

The WIO will gather documents, information and evidence relating to the report including ensuring that all documentations and information relating to the report is kept secure and protected. The WIO will draw objective conclusions based on the evidence gathered during the investigation and present findings and recommendations to the WPO. The WPO will determine appropriate response and necessary action to remediate, or act on the investigation findings.

The Organisation is committed to implementing the findings and recommendations of any investigation with a view to rectifying any wrongdoing as far as is practicable in the circumstances.

Confidentiality Of Your Identity

The Organisation will maintain the confidentiality of your identity unless the disclosure is authorised under law, or you consent to the disclosure of your identity.

Information obtained from you will only be disclosed to the extent reasonably necessary to conduct an investigation into the matter and the Organisation will take all reasonable steps to reduce the risk that your identity will be identified as a result of the disclosure.

Keeping You Informed

Assuming your identity is known and where appropriate, you will be kept informed and updated during the following key stages of the investigation:

- when the investigation process has begun;
- while the investigation is in progress; and
- after the investigation has been finalised.

There may be some circumstances where it may not be appropriate to provide details of the outcome to you. You will not be provided with a copy of the investigation report.

Reporting

The WPO will report the findings and actions directly to the board Chair and the Audit, Finance and Risk Committee (AFRC), if established.

In cases where the CEO, or a member of the Board or AFRC has been accused of reportable conduct, or where they have a close personal relationship with the person against whom the accusation is made, they will be excluded from the reporting process.

Changes To This Whistleblower Policy

This Whistleblower Policy will be reviewed periodically to ensure its effectiveness and compliance with the evolving legal and regulatory landscape. Any necessary updates will be made to reflect changes in laws, regulations, and best practice. Any updated versions of this Whistleblower Policy will be posted on our websites and will be effective from the date of posting.

By implementing this Whistleblower Policy, The Organisation demonstrates its commitment to promoting a culture of transparency, accountability, and ethical behaviour.

Enquiries

For any enquiries or to make a protected disclosure, please contact our Whistleblower Protection Officer:

Emma Farina

t: 08 8445 2931

e: Emma@Eighty9.org.au

Approved by: Gary Hatwell

Signature:



Date: 07/02/2024