

Whistleblower Operational Procedure

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1. Purpose and scope

The purpose of this procedure is to set out the processes by which certain, otherwise disclosable conduct, can be reported. Georgiou is committed to conducting business in a manner, that is safe, ethical, professional and that complies with the law. This procedure aims to promote openness and transparency within Georgiou and prescribe measures by which persons who make a report under this procedure may do so without fear of intimidation, retaliation, or disadvantage.

This procedure does not form part of any contract of employment or any industrial instrument.

This procedure applies to all employees of Georgiou Group Pty Ltd, Georgiou Capital Pty Ltd and Georgiou Development Pty Ltd (**Georgiou**).

2. Terminology and definitions

To the extent of any inconsistency in this document, the definitions of the following terms will prevail:

- Whistleblowing means a disclosure by (or for) a witness of actual or suspected wrong doing;
- Whistleblower means a person who reports actual or suspected wrongdoing in accordance with this procedure.

3. What is Reportable conduct?

Georgiou encourages the report of information about misconduct, the existence of an improper state of affairs, or a contravention of statutory obligations.

A person qualifies for Whistleblower protection if they have objectively reasonable grounds to suspect:

- Dishonest behaviour (including fraud);
- Illegal activities (including but not limited to theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage against property);
- Unethical behaviour, including anything that would breach the Code of Conduct;
- Improper or misleading accounting or financial reporting practices;
- Breaches any legislation;
- Behaviour that is oppressive, discriminatory or grossly negligent;
- An unsafe work-practice or any behaviour that poses a serious risk to the health and safety of any person at the workplace;
- A serious risk to public health, public safety, or the environment; or
- Any other conduct which may cause loss to Georgiou or be otherwise detrimental to the interests of Georgiou.

Example

An example of reportable conduct that qualifies for Whistleblower protection;

Conflict of interest/fraud

Information suggests that an employee has a financial interest in a company that is being used as a supplier on a project, and no disclosure of the employee's interest in the supplier has occurred (and Georgiou has not approved the supplier in full awareness of the conflict of interest).

What is not 'reportable conduct'?

- Personal work-related grievances do not qualify for protection under this procedure unless they relate to a detriment suffered in contravention of this procedure.
- The information does not have significant implications for Georgiou that do not relate to the person reporting the conduct.
- The information does not concern conduct that would be a breach of the legislation set out above or constitute an offence against any other law of the Commonwealth or State that is punishable by imprisonment for a period of 12 months or more, or represent a danger to the public or the financial system.

Examples of grievances that may be personal work-related grievances, and consequently do not qualify for protection under this procedure:

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

4. Making a report?

Georgiou has contracted Stoptline to receive and manage reports under this procedure with impartiality and confidentiality. This service allows whistleblowers to:

- remain completely anonymous;
- identify themselves to Stoptline only; or
- identify themselves to both Stoptline and Georgiou.

Reportable Conduct can be reported via Stoptline, a confidential, independent provider of whistleblowing services who will take full details of your concerns via telephone, mail, email, fax or the specifically created website.

It is Georgiou's preference that reports are made through Stoptline, however Georgiou's Disclosure Officers are:

- Chief Risk Officer
- Executive General Manager - Shared Services
- Human Resources Managers

4.1. Stoptline reporting options

Website

<https://georgiou.stoplinereport.com>

Telephone

1300 30 45 50 (9am and 12am, recognised business days, AEST)

Email

georgiou@stopline.com.au

Smart Phone App

You can download (free of charge) the Stopline smart phone APP from Google Play (Android phones) or the APP store (iPhones or Apple devices) by searching “stopline365”.

Send a letter

If you feel more comfortable you can also send a letter or mail to Georgiou c/o Stopline;

Postal

PO Box 403, Diamond Creek, VIC 3089, Australia

Office

Unit 25, 7 Dalton Road, Thomastown VIC 3074, Australia

Fax

You can also send a fax to the following phone number; (03) 9882 4480.

4.2. Other reporting options

Letter

Please write your information in a detailed letter and send to:

Georgiou

Attention: Chief Risk Officer

PO Box 1815

Osborne Park DC WA 6916

5. Confidentiality

Whistleblowers are encouraged to initially report the conduct on a non-anonymous basis since such a report can assist the ‘Disclosure Officer’ to more readily investigate the allegations.

Whistleblowers are entitled to make an anonymous report if they wish, however, doing so results in certain challenges in both investigating the report and seeking to provide Whistleblower protection.

If a person makes a report that would otherwise qualify for protection under this procedure, to a person who is not an ‘Disclosure Officer’, the person to whom the disclosure is made must:

- keep it strictly confidential
- not disclose the name of the person who made the disclosure

6. How will Georgiou investigate disclosures?

The investigation of a report will be undertaken by the Disclosure Officer (or delegated representative as required), depending on the matter or content of the material reported. Investigations will be conducted in accordance with the usual principles outlined in the Managing Misconduct Procedure.

The exact process will be determined on a case-by-case basis.

- All reports will initially be investigated by one of the Disclosure Officers or delegated representative and the outcome of each recorded in an investigation report in line with Georgiou procedures.
- Feedback on the investigation outcome can be given to the whistleblower, but only if contact details are released to Georgiou.
- Georgiou does not guarantee the outcome of the investigation is the result the whistleblower might be seeking, and it affirms its right to ultimately decide matters referred to it.

7. How will Georgiou support and protect Whistleblowers?

7.1. Whistleblowers protection

Protection is available to Whistleblowers who disclose wrongdoing that is:

- Serious in nature;
- Made in good faith; and
- Made with reasonable grounds and believing their report to be true.

7.2. Outside of protection

- Trivial or vexatious in nature and lacking substance. Such reports will be treated in the same manner as a false report and may itself constitute wrongdoing.
- Unsubstantiated allegations, which are found to have been made maliciously, or knowingly to be false. These will be viewed seriously and may be subject to disciplinary action that could include dismissal, termination of service or cessation of a service or client relationship.

A Whistleblower must provide information to assist any inquiry/investigation of the wrongdoing disclosed.

All officers and employees must ensure they are familiar with this procedure.

If a Whistleblower is concerned that they have suffered any detriment or victimisation as a result of having made a report, the Whistleblower is encouraged to contact a Disclosure Officer in section 4. and provide full details of what has occurred.

7.3. Employee Assistance Program

Where the Whistleblower is a current Georgiou employee, the Employee Assistance Program (EAP) is also available as a source of support. The Employee Assistance Program (EAP) Benestar is a professional, confidential counselling service for all employees (including any employee who may be engaged in any aspect of an investigation) is encouraged to consider whether they might benefit from accessing the EAP. The service is provided by a team of qualified and experienced counsellors who can offer support in these circumstances.

7.4. Legal protection for Whistleblowers

A report who meets the requirements for legal whistleblower protection is entitled to protections under the Corporations Act including:

- not to have their identity revealed by Georgiou, and
- not to have information revealed by Georgiou that is likely to lead to the identification of the person reporting the conduct.

These requirements will not be contravened where Georgiou provides information to ASIC, APRA, a member of the Australian Federal Police, a legal practitioner for the purpose of obtaining legal advice, a Commonwealth or State authority for the purpose of assisting the authority in the performance of its functions, or where the person reporting the conduct consents. Further, provided the identity of the person reporting the conduct is not revealed and all reasonable steps are taken to reduce the risk that the person reporting the conduct identity will be revealed, steps may be taken that are reasonably necessary for the purpose of investigating the matter.

For example, if a person reporting the conduct alleges that a Georgiou employee has endangered the safety of a child or young person in out-of-home care, Georgiou is required by law to report to this to the relevant statutory child protection authorities and Ombudsman (if it's a reportable conduct allegation against an employee or carer).

A report who meets the requirements for legal whistleblower protection is also entitled to:

- protection from civil or criminal liability for making the report;
- not suffer any detriment (real or threatened as discussed further below) as a result of the report;
- have their contract not terminated on the basis of their report, and
- protection from victimisation (as discussed further below).

In particular, a person making a report must not be disadvantaged by any form or detriment or victimisation including reprisals such as dismissal, demotion, alteration of their position or duties, blocking of promotion, discrimination, harassment, intimidation, harm or injury (including psychological harm), damage to property, damage to reputation, damage to their business or financial position or any other damage.

8. References

- Managing Substandard Performance Procedure
- Managing Misconduct Procedure
- Unacceptable Workplace Behaviour Procedure
- Code of Conduct Procedure
- Employee and Industrial Relations Policy
- 1317A1 of the *Corporations Act 2001* (Cth)

