

## **WHISTLEBLOWER POLICY**

### **1.OUR GOAL**

At Enviropacific, we strive to develop and maintain a culture of ethical conduct and ensure all employees have a clear understanding of what represents ethical conduct. We rely on our employees and eligible disclosers to help maintain and grow a culture of honest and ethical conduct. It is therefore expected that an individual who becomes aware of business misconduct or wrongdoing will report it.

### **2.OUR COMMITMENTS**

We commit to:

- › creating and maintaining a positive and open environment where individuals feel they can come forward and report known or suspected business misconduct or wrongdoing
- › adhering to the legislative and regulatory requirements when handling disclosures which may or may not qualify for whistleblower protections
- › taking all practicable measures to maintain the confidentiality of a Discloser's identity
- › protecting individuals from victimisation, harassment or detriment for having made, planning to make, could make or believed or suspected to have made, or be planning to make, or could make, a protected whistleblower disclosure
- › conducting timely, fair, objective and independent investigations, while preserving the confidentiality of the investigation
- › ensuring the fair treatment of individuals mentioned in a disclosure
- › providing appropriate training to employees, officers and eligible recipients, on this Policy, and making and handling whistleblower disclosures
- › investigating any concerns or complaints raised regarding breaches of this Policy or the victimisation of a Discloser

### **3.PURPOSE**

Enviropacific is committed to advocating and implementing proper and ethical business practices. The purpose of the Whistleblower Policy is to ensure Enviropacific complies with its core values and commitments and ensure individuals can raise concerns regarding any business misconduct or improper state of affair or circumstance (including unethical, illegal, corrupt or other inappropriate conduct) without being subject to victimisation, harassment, discriminatory or detrimental treatment.

This Policy applies to eligible 'whistleblowers' who disclose information to an eligible recipient which is protected under the legislation.

This Policy outlines:

- › who the Policy applies to;
- › what matters should be reported;
- › who can receive a disclosure;
- › how to make a disclosure;
- › legal protections for Disclosers;
- › support and protections for Disclosers;

- › how a disclosure will be handled and investigated;
- › fair treatment of individuals mentioned in a disclosure;
- › how the policy is communicated and made available;
- › monitoring and reporting on effectiveness of the Policy; and
- › reviewing and updating the Policy.

#### **4.FOSTERING A WHISTLEBLOWER CULTURE**

Enviropacific takes its compliance obligations seriously and is committed to creating and maintaining a positive and open environment where individuals feel they can come forward and report known or suspected business misconduct or wrongdoing.

It is important for Enviropacific to develop and maintain a culture of ethical conduct and ensure all employees have a clear understanding of what represents ethical conduct. All levels of management play a critical role creating an ethical culture and a positive and open environment for all employees

#### **5.WHO CAN MAKE A DISCLOSURE**

Enviropacific relies on its employees and eligible disclosers to help maintain and grow a culture of honest and ethical conduct. It is therefore expected that an individual who becomes aware of business misconduct or wrongdoing will report it.

An individual will be an eligible whistleblower ('Discloser') if they:

- › are a current or former employee or officer of Enviropacific;
- › supply or previously supplied, good or services to Enviropacific (including on an unpaid basis), or are an employee of such a supplier;
- › are or were an associate of Enviropacific; or
- › are a spouse or relative of an individual listed above, or another dependant of (or dependant of the spouse of) the individuals listed above.

A Discloser qualifies for protection as a whistleblower under the *Corporations Act 2001* ('Corporations Act') or the *Taxation Administration Act 1953* ('Taxation Administration Act') if they are an eligible whistleblower, as outlined above, and:

- › they have made a disclosure of information relating to a 'Disclosable Matter' directly to an 'Eligible Recipient', or to Australian Securities and Investment Commission ('ASIC'), Australian Prudential Regulation Authority ('APRA'), Australian Federal Police (AFP), Australian Taxation Office ('ATO') or another Commonwealth body as prescribed by regulation;
- › they have made a disclosure to a legal practitioner for the purpose of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Corporations Act; or
- › they have made an 'emergency disclosure' or 'public interest disclosure'.

#### **6.WHAT DISCLOSABLE MATTERS SHOULD BE REPORTED**

Disclosers can report any known or reasonably suspected business misconduct, or improper state of affairs or circumstances in relation to Enviropacific (or a related body corporate), in breach of Enviropacific Policies, Procedures or the Law ('Disclosable Matters').

Business misconduct refers to:

- › breaches of Code of Conduct relating to unethical or unlawful business practices;
- › serious offences which are punishable by imprisonment;
- › offences under corporate and financial sector laws; and
- › conduct which represents danger to the public or financial system,

by Enviropacific Services Pty Limited, or an officer or employee of Enviropacific.

Disclosable Matters may include:

- dishonest behaviour;
- unethical behaviour;
- fraud, money laundering or misappropriation of funds;
- offering or accepting a bribe;
- financial irregularities;
- failure to comply with, or break of, legal or regulatory requirements;
- illegal activities - including theft, dealing in or use of illicit drugs, violence or threatening violence and criminal damage against property; and
- 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.

Disclosable Matters include conduct that may not involve a contravention of a particular law. Further, information that indicates a significant risk to public safety or the stability of, or confidence in, the financial system is also a Disclosable Matter, even if it does not involve a breach of a particular law.

Disclosures that relate solely to personal work-related grievances do not qualify for protection under this Policy (or the Corporations Act or Taxation Administration Act (where relevant)) and are handled under Enviropacific's Grievance Procedure (EP-HR-07-MPR). Personal work-related grievances mean a grievance about any matter in relation to your employment, or former employment, having (or tending to have) implications for you personally. This includes:

- an interpersonal conflict between you and another employee;
- a decision relating to your engagement, transfer or promotion;
- a decision relating to your terms and conditions of engagement; and
- a decision to suspend or terminate your engagement, or otherwise to discipline you.

A personal work-related grievance report may still qualify for protection if:

- it includes information about misconduct, or information about misconduct includes or is accompanied by a personal work-related grievance;
- Enviropacific has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the Discloser's personal circumstances;
- the Discloser suffers from or is threatened with detriment for making a disclosure;
- the Discloser seeks legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act;
- it includes any conduct that would be considered victimisation or threatened victimisation of an individual because they have made, may have made or propose to make a report under this Policy; or
- it includes a matter that would have significant implications for Enviropacific.

A Discloser does not need to be certain that the information they have is accurate in order to make a report, and the Discloser will not be penalised if a concern raised ultimately turns out to be incorrect, if the disclosure was made with a reasonable belief or suspicion as to its contents. A Discloser can still qualify for protection even if their disclosure turns out to be incorrect.

A Discloser must not make a report that they know is false, or malicious (and without reasonable grounds). Disciplinary action (up to and including termination of employment or contract) may be taken against the Discloser if they make a report that they know to be false or malicious (and without reasonable grounds), or if the Discloser is found to have deliberately misled any person involved in dealing with the disclosure.

## **7.WHO CAN RECEIVE A DISCLOSURE**

To make a disclosure under this Policy, to qualify for whistleblower protections, the disclosure of known or reasonably suspected business misconduct must be made to a person who is designated as someone who can receive that type of report ('Recipient').

### **7.1. INTERNAL REPORTING**

Enviropacific Nominated Recipients:

› Loretta Lynch  
Position: National Commercial Manager and General Counsel  
Phone: 0421 964 292  
Email: [loretta.lynch@enviropacific.com.au](mailto:loretta.lynch@enviropacific.com.au)  
In Person / Post: Macquarie Park - Level 5, 123 Epping Road, Macquarie Park NSW 2113

› William Kidman  
Position: Chief Financial Officer  
Phone: 0409 435 881  
Email: [will.kidman@enviropacific.com.au](mailto:will.kidman@enviropacific.com.au)  
In Person / Post: Macquarie Park - Level 5, 123 Epping Road, Macquarie Park NSW 2113

The Nominated Recipients can also be contacted by individuals seeking accurate and confidential advice or information about the following, without making a disclosure:

- › how Enviropacific's Whistleblower Policy works;
- › what the Policy covers; and
- › how a disclosure might be handled.

Other individuals eligible to receive a disclosure ('Eligible Recipients') are:

- › officers or directors of Enviropacific;
- › senior/executive managers of Enviropacific;
- › auditor or member of an audit team conducting an audit; and
- › actuaries.

Any email or correspondence that is sent to a Nominated Recipient should be marked 'Strictly Confidential'.

A whistleblowing disclosure should not be made to a Nominated Recipient who has been involved in the conduct or allegations being reported. In that case, contact a different Nominated Recipient.

Nominated Recipients will be provided training on how to respond and deal with reports made to them in accordance with this Policy.

If you are an employee of Enviropacific, we understand that when a business misconduct issue arises you may feel most comfortable approaching your supervisor or manager in the first instance. However, please be mindful that:

- › reports made to supervisors or managers will not attract the whistleblower protections unless your manager or supervisor is a nominated recipient or eligible recipient listed above; and
- › although our managers and supervisor can point you in the right direction, they may not be trained or experienced in receiving or handling whistleblower disclosures of business misconduct.

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Position: National Commercial Manager and General Counsel  
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In Person / Post: Macquarie Park - Level 5, 123 Epping Road, Macquarie Park NSW 2113

› William Kidman  
Position: Chief Financial Officer  
Phone: 0409 435 881

Email: will.kidman@enviropacific.com.au  
In Person / Post: Macquarie Park - Level 5, 123 Epping Road, Macquarie Park NSW 2113

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- reports made to supervisors or managers will not attract the whistleblower protections unless your manager or supervisor is a nominated recipient or eligible recipient listed above; and
- although our managers and supervisor can point you in the right direction, they may not be trained or experienced in receiving or handling whistleblower disclosures of business misconduct.

## **7.2. EXTERNAL REPORTING**

Disclosures of information relating to Disclosable Matters can also be made to ASIC, APRA, ATO or another Commonwealth body prescribed by regulation, and you should refer to their policy about how the disclosure will be managed.

If you are a person who can make a disclosure under this Policy, and you communicate with a lawyer for the purpose of obtaining legal advice or representation in relation to the operation of the whistleblower laws, then any disclosure you make to the lawyer (whether it relates to business misconduct) will attract the whistleblower protections.

Public interest and emergency disclosures (for example to a member of parliament or journalist) will only be protected if made in specific circumstances set out in legislation.

## **8. HOW TO MAKE A DISCLOSURE**

Disclosures can be made to a Recipient either:

- in person;
- by phone call;
- via email;
- via fax (where provided); or
- via post to the office address.

When making a disclosure a Discloser must first inform the Recipient that they wish to make a disclosure under the Whistleblower Policy.

If a Discloser is making a disclosure about known or reasonably suspected business misconduct in accordance with the Policy, their disclosure does not need to meet any specific content requirements in order for the Discloser to obtain the whistleblower protections.

However, to enable the disclosure to be properly assessed and addressed, we recommend that the Discloser provide at least the following basic information:

- › the relevant Business unit or Project;
- › the nature of the issue (providing as much specific detail as possible);
- › who is involved; and
- › what steps (if any) you have taken so far to address the issues.

## **8.1. ANONYMOUS REPORTING**

A Discloser does not need to identify themselves when making a disclosure in order to receive whistleblower protections. A Discloser can choose to remain anonymous or use a pseudonym and still be protected under the Corporations Act while making a disclosure, over the course of the investigation and after the investigation is finalised. However, it may be difficult for Enviropacific to properly investigate or take other actions to address the matter in the disclosure in anonymous reports.

Enviropacific may implement the following measures for protecting the identity of a Discloser:

- › communication with a Discloser through the Workplace Protection Officer;
- › communication with a Discloser through anonymous telephone calls and anonymised email address; and
- › a Discloser may adopt a pseudonym for the purpose of their disclosure

## **9. LEGAL PROTECTIONS FOR DISCLOSERS**

If an individual is listed as a person who can make a disclosure under this Policy, and they report known or reasonably suspected business misconduct to an eligible recipient (in accordance with this Policy), they will receive the whistleblower protections outlined below.

### **9.1. CONFIDENTIALITY OF IDENTITY**

A Recipient, or other person, cannot disclose the identity of a Discloser or information that is likely to lead to the identification of a Discloser, unless:

- › the Discloser consents; and/or
- › the disclosure is required by law.

In accordance with applicable legislation, a Recipient may disclose a Discloser's identity and information that is likely to lead to identification of a Discloser's identity in the following circumstances:

- › where the information is disclosed to ASIC, APRA, ATO or AFP;
- › where the information is disclosed to a legal practitioner for the purpose of obtaining legal advice or representation in relation to the operation of the whistleblower laws;
- › to a person or body prescribed by regulations; or
- › with the consent of the Discloser.

If reasonably necessary, information that does not reveal your identity may be disclosed to investigate your disclosure. The Company will take all reasonable steps to reduce the risk that you will be identified as a result.

Breaches of these confidentiality requirements are illegal and may attract severe penalties.

### **9.2. PROTECTION FROM VICTIMISATION**

Enviropacific encourages individuals to speak up about known or reasonably suspected business misconduct without fear of reprisal.

Victimisation is strictly prohibited. Our people are prohibited from causing, or threatening to cause, detriment to:

- › anyone who makes a disclosure of known or reasonably suspected business misconduct;
- › anyone who otherwise qualifies for whistleblower protections under applicable legislation;
- › any other person (including those involved in receiving or investigating a whistleblower disclosure, or a colleague, supporter, friend or family member of a whistleblower), because of (or for reasons including) the belief or suspicion that a person has made, or may make, proposes to make or could make, a protected whistleblower disclosure.

Detriment may include:

- › dismissal of an employee;
- › injury of an employee in their employment;
- › alteration of an employee's position or duties to their disadvantage;
- › discrimination between an employee and other employees of the same employer;
- › harassment or intimidation of a person;
- › harm or injury to a person, including psychological harm;
- › damage to a person's property, reputation, business, financial position or any other damage to a person.

Detriment is not:

- › administrative action that is reasonable for the purpose of protecting a Discloser from detriment, such as moving a Discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment; and
- › managing a Discloser's unsatisfactory work performance in accordance with Enviropacific Policies and Procedures.

Please note: this protection will not shield a Discloser from the consequences of their own wrongdoing. Enviropacific may still take appropriate disciplinary action against a Discloser who is found to have engaged in misconduct or unacceptable workplace behaviour.

Individuals who:

- › have made a disclosure under this Policy and believe that they have been victimised as a result; or
- › believe they have been victimised as a result of another person's protected whistleblower disclosure under this Policy;

should immediately report the alleged victimisation to any of the following persons, as appropriate in the particular circumstances:

- › the Recipient you made your report to (as applicable);
- › the Workplace Protection Officer;
- › the Investigation Officer (if one has been appointed);
- › the Human Resource department; or
- › ASIC, APRA, ATO or the AFP.

Consequences of victimising conduct

Any employee, director, officer, supplier or contractor of Enviropacific who is found to have victimised a person for making a disclosure under this Policy may be subject to disciplinary measures up to and including termination of employment or contract. Victimisation may also attract severe penalties.

A Discloser, or any other person, can seek compensation and other remedies through the courts if:

- › they suffer loss, damage or injury because of a disclosure; and
- › Enviropacific failed to take reasonable precautions and exercise due diligence to prevent the detriment.

A Discloser is encouraged to seek independent legal advice.

### 9.3. CIVIL, CRIMINAL AND ADMINISTRATIVE LIABILITY

A Discloser, who makes a disclosure of known or reasonably suspected business misconduct in accordance with this Policy is protected from civil, criminal or administrative liability for making a protected whistleblower disclosure. None of the protections outlined above will shield a Discloser from the legal consequences of any of their own wrongdoing revealed by their whistleblower disclosure.

## 10.SUPPORT AND PROTECTIONS FOR DISCLOSERS

The Recipient of a disclosure, with consent from the Discloser, will inform the Workplace Protection Officer of any disclosures made. The Workplace Protection Officer is responsible for safeguarding the interests of the Discloser by:

- › communicating the measures Enviropacific will take to keep their identity confidential;
- › protecting the Discloser from retaliation;
- › maintaining the confidentiality of the Discloser; and
- › reviewing and considering any complaints of retaliation or any concerns that a disclosure has not been dealt with in accordance with the Policy.

The Enviropacific Workplace Protection Officer is:

- › Kirby Somerville  
 Position: Human Resources Manager  
 Phone: 0438 139 053  
 Email: [kirby.somerville@enviropacific.com.au](mailto:kirby.somerville@enviropacific.com.au)  
 Office: Unit 1, 4 Revelation Close, Tighes Hill NSW 2297

The Workplace Protection Officer can also be contacted by individuals seeking accurate and confidential advice or information about the following, without making a disclosure:

- › how Enviropacific’s Whistleblower Policy works;
- › what the Policy covers; and
- › how a disclosure might be handled.

Support available for persons implicated in a disclosure under this Policy includes:

- › connecting the person with access to the Employee Assistance Program (EAP);
- › appointing an independent support person from the Human Resource team to deal with any ongoing concerns they may have; or
- › connecting the person with third party support providers such as Lifeline (13 11 14) or Beyond Blue (1300 224 636).

### 10.1. MEASURES TO PROTECT CONFIDENTIALITY OF IDENTITIES

Enviropacific will implement the following measures to reduce the risk of the identity of a Discloser being revealed:

- › all personal information or reference to the Discloser witnessing an event will be redacted;
- › the Discloser will be referred to in a gender-neutral context;
- › where possible, the Discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
- › disclosures will be handled and investigated by trained staff.

All files and records created from a disclosure and subsequent investigation will be retained securely. Unauthorised release of information to someone not involved in the investigation (other than Senior Managers or Directors who need to know to take appropriate action, or for corporate governance purposes) without a Discloser’s consent is a breach of this Policy.

While Enviropacific will implement the above measures to reduce the risk of the identity of a Discloser being revealed, in practice, people may be able to guess a Discloser’s identity if:

- › the Discloser has previously mentioned to other people that they are considering making a disclosure;
- › the Discloser is one of a very small number of people with access to the information; or
- › the disclosure related to information that a Discloser has previously been told privately and in confidence.

## 10.2. PROTECTION FROM DETRIMENTAL ACTS

Enviropacific will implement the following measures for protecting persons involved in a disclosure from detriment:

- › processes for assessing the risk of detriment against a Discloser and other persons, which will commence as soon as possible after receiving a disclosure;
- › support services, as outlined above;
- › strategies to help a Discloser minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation;
- › actions for protecting a Discloser from risk of detriment, such as administrative actions mentioned above;
- › processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of a disclosure, address the risk of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to a Discloser;
- › procedures on how a Discloser can lodge a complaint if they have suffered detriment and the actions Enviropacific may take in response to such complaints; and
- › interventions for protecting a Discloser if detriment has already occurred.

## 11. HOW A DISCLOSURE WILL BE HANDLED

### 11.1. HANDLING A DISCLOSURE

The Recipient receiving a disclosure will determine whether the location and time to receive a disclosure are appropriate:

- › for the Discloser to make their disclosure comfortably; and
- › for ensuring the Discloser is protected.

The Nominated Recipients outlined in this Policy are authorised to review and assess each disclosure to determine whether:

- › it qualifies for protection; and
- › a formal, in-depth investigation is required.

Where it is considered an investigation is required, the Nominated Recipient may:

- › appoint an *Investigation Officer* – this person may be internal or external to Enviropacific;
- › act as the *Investigation Officer* themselves; or
- › refer the matter to the appropriate regulatory authority, following consultation with the Chief Executive Officer and/or Board.

In circumstances where the Discloser has not consented to the disclosure of their identity, the matter may be referred for investigation, but the investigation officer will be required to take all reasonable steps to reduce the risk that the Discloser will be identified as a result of the investigation.

Information contained in a disclosure can be disclosed with or without the Discloser's consent if:

- › the information does not include the Discloser's identity;
- › all reasonable steps have been taken to reduce the risk that the Discloser will be identified from the information; and
- › it is reasonably necessary for investigating the issues raised in the disclosure.

Where an anonymous disclosure has been made, Enviropacific may not be able to undertake an investigation if it is not able to contact the Discloser.

## 11.2. INVESTIGATING A DISCLOSURE

Before commencing an investigation, the Investigation Officer is responsible for determining:

- › the nature and scope of the investigation;
- › the nature of any technical, financial or legal advice that may be required to support the investigation; and
- › the timeframe for the investigation.

Investigations by the Investigation Officer will be carried out:

- › as promptly as practicable in the circumstances, considering the requirements to preserve confidentiality and, as far as reasonable, avoid disruption to Enviropacific's activities; and
- › in any event within 90 days after the disclosure is made to Enviropacific.

The Investigation Officer is responsible for investigating disclosures of known or reasonably suspected business misconduct and determining whether the allegations are substantiated, partly substantiated, not able to be substantiated, or unsubstantiated. Although the Investigation Officer has ultimate discretion to determine the way a disclosure is dealt with, an investigation will typically involve:

- › gathering evidence, which may include interviewing the Discloser (where they have disclosed their identity), any person(s) allegedly involved in the alleged business misconduct and any witnesses;
- › review of any documentation, reports or systems relevant to the investigation content;
- › any person(s) allegedly involved in the disclosed business misconduct being afforded the opportunity to respond to the allegations;
- › the person who made the report (where they have disclosed their identity), the person allegedly involved in the alleged business misconduct and the CEO (or Board, as necessary) receiving regular and appropriate updates on the progress of the investigation.

A formal investigation might involve third parties such as lawyers, accountants, consultants or specialist forensic investigators.

## 11.3. KEEPING PARTIES INFORMED

The Investigation Officer (where the Discloser's identity has been disclosed) or the Workplace Protection Officer will provide updates to the Discloser during key stages of the investigation, such as:

- › when the investigation process has begun;

The Investigation Officer (where the Discloser's identity has been disclosed) or the Workplace Protection Officer will provide updates to the Discloser during key stages of the investigation, such as:

- › when the investigation process has begun;
- › at regular and appropriate times throughout the investigation; and
- › after the investigation has been finalised.

## 11.4. COMMUNICATION OF INVESTIGATION FINDINGS

At the conclusion of the investigation, the Investigation Officer will prepare and submit a written report of the findings. The report will contain:

- › the allegations;
- › an account of all relevant information received, and if the investigation officer has rejected the evidence as being unreliable, the reasons for this opinion being formed;
- › the matters considered in the course of the investigation;
- › the duration of the investigation;
- › the investigation officer's findings, being either substantiated, partly substantiated, not able to be substantiated, or unsubstantial, and the basis for the findings;
- › any action that has been, or is being, or is recommended to be taken; and
- › any claims made about, any evidence of, detrimental action taken against the Discloser and Enviropacific's response to those claims and that evidence.

Where the Discloser's identity is known, the Investigation Officer or Nominated Recipient, within a reasonable timeframe after the report being finalised, will advise the Discloser of the outcome of the investigation. Dependent on the nature of the disclosure, a copy of the final report may be provided to the Discloser with identifying information of the Discloser, or another person, being redacted.

Where a person(s) is named in a disclosure made under this Policy, but the Investigation Officer's investigation determines the allegations are baseless or unfounded, then the matter will be closed out.

If a Discloser is not satisfied with the outcome of the investigation, they should raise their concerns or lodge a complaint with the Workplace Protection Officer to review whether the handling of their disclosure and investigation was in accordance with this Policy.

Enviropacific is not obliged to reopen an investigation and a review may be concluded if the review finds that the investigation was conducted properly, or new information is either not available or would not change the findings of the investigation. If a Discloser is not satisfied with the outcome of the investigation or subsequent review of the investigation in accordance with this Policy, the Discloser may lodge a complaint with a regulator, such as ASIC, APRA or AFP.

## **12.FAIR TREATMENT OF INDIVIDUALS MENTIONED IN A DISCLOSURE**

Enviropacific will implement the following measures for ensuring fair treatment of individuals mentioned in a disclosure:

- disclosures will be handled confidentially, when it is practical and appropriate for the circumstances;
- each disclosure will be assessed and may be the subject of an investigation;
- the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
- when an investigation needs to be undertaken, the process will be objective, fair and independent;
- an employee who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken; and
- an employee who is the subject of a disclosure may contact Enviropacific's support services.

## **13.HOW THE POLICY IS COMMUNICATED AND MADE AVAILABLE**

The Whistleblower Policy will be issued to all new employees upon their commencement with Enviropacific and discussed during the Company Induction process.

Enviropacific will provide regular training to employees and officers on this Policy.

The Policy will also be able to be viewed and downloaded from MyEnviro (internal Intranet) and Enviropacific's external website.

## **14.MONITORING AND REPORTING ON THE EFFECTIVENESS OF THE POLICY**

The effectiveness of this Policy will be monitored by the Nominated Recipients providing quarterly feedback to the Enviropacific Board on the effectiveness of the Policy.

## **15.DEFINITIONS**

'Emergency disclosure' means the disclosure of information to a journalist or parliamentarian, where:

- the Discloser has previously made a disclosure of information to ASIC, APRA or another Commonwealth body prescribed by regulation;
- this Discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- before making the emergency disclosure, the Discloser has given written notice to the body to which the previous disclosure was made that:
  - includes sufficient information to identify the previous disclosure; and

- › states that the Discloser intends to make an emergency disclosure; and
- › the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or parliamentarian of the substantial and imminent danger.

'Public interest disclosure' means the disclosure of information to a journalist or a parliamentarian where:

- › at least 90 days have passed since the Discloser made the disclosure to ASIC, APRA or another Commonwealth body prescribed by regulation;
- › the Discloser does not have reasonable grounds to believe that action is being, or has been taken, in relation to their disclosure;
- › the Discloser has reasonable grounds to believe that making a further disclosure of information is in the public interest, and
- › before making the public interest disclosure, the Discloser has given written notice to the body to which the previous disclosure was made that:
  - › includes sufficient information to identify the previous disclosure; and
  - › states that the Discloser intends to make a public interest disclosure

## **16.REVIEW AND PUBLICATION OF THIS POLICY**

Enviropacific will review this Policy every two years or as otherwise required to check that it is operating effectively and determine whether any necessary amendments are required. Accordingly, Enviropacific may amend this Policy from time to time. It is not intended to be contractual in nature, but you may need to comply with this Policy as an employee or contractor of Enviropacific. It may be appropriate for Enviropacific to depart from this Policy where warranted in serious circumstances (such as, if there is a risk to a person's life or safety).

Enviropacific will review the Whistleblower Policy every two years or as otherwise required to ensure it:

- › reflects current legislation, regulations and current developments and best practice for managing disclosures;
- › meets the changing nature of Enviropacific; and
- › rectifies any issues identified in the review.

**Approved by the Board on 20 April 2020**