

Access Industries for the Disabled Limited

Whistleblower Protection Policy

1. Company's commitment

Access Industries for the Disabled Limited ABN 84 001 797 511 (the Company) is committed to promoting a culture of honesty, fairness and integrity. The Company encourages all of its employees to report any suspected or actual wrongdoing.

This policy provides guidance on how you can make a whistleblower report, how that report will be investigated and the protections available to you. It aims to provide reassurance that if you make a report, you can do so without fear of retaliation, even if you are mistaken.

Section 10 of this policy outlines certain statutory protections for whistleblowers which may be available under the *Corporations Act 2001* (Cth). You are encouraged to raise any concern you may have, even if it relates to something you only reasonably suspect is occurring. You do not have to be sure that the conduct is a 'disclosable matter' under the *Corporations Act* (or any other legislation) in order to make a report.

Any report made under this policy will be treated seriously and will be properly investigated.

2. What is a whistleblower?

A whistleblower is a person who reports or attempts to report certain conduct which is described in section 3 below.

You may make a report as a whistleblower if you are an officer of the Company, an employee, a former employee, a contractor or supplier, or a family member of any of these individuals.

You may choose to remain anonymous when making a report.

3. What is reportable conduct?

Reportable conduct is any activity or behaviour involving the Company or its business operations which is:

- dishonest;
- corrupt;
- fraudulent;
- illegal;
- unsafe;
- unethical or otherwise has the potential to damage the Company's reputation;
- likely to be considered harassment, discrimination or bullying; or
- in breach of any law, regulation or policy, including the Company's Code of Conduct for Employees.

Any behaviour which endangers the health or safety of a person, property or the environment is likely to constitute reportable conduct.

Reportable conduct will also include retaliation against any person who raises concerns of actual or suspected reportable conduct under this policy.

Reportable conduct will usually relate to the conduct of an employee of the Company but it can relate to the actions of a third party, such as a customer, supplier or service provider.

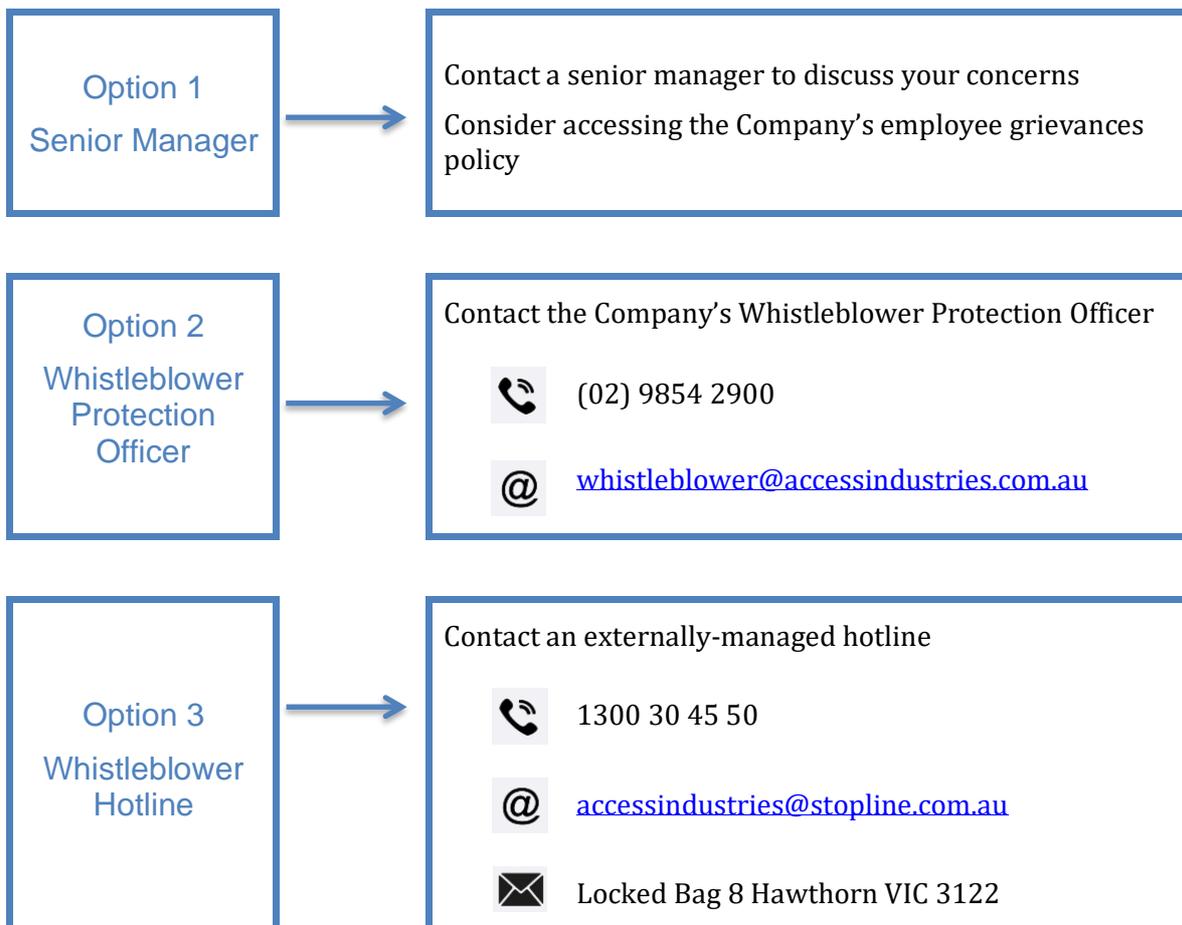
To make a report using the whistleblower reporting channels set out in this policy you must have reasonable grounds on which to base your report.

4. How to make a report

The Company has a number of whistleblower reporting options.

You are encouraged to contact a senior manager at first instance, or use the Company's employee grievances policy if appropriate.

If the matter cannot be resolved by a senior manager, or if you do not feel comfortable discussing the matter with a senior manager, alternate whistleblower reporting options are available.



You will be asked to provide as much information as possible, including all known details about the events underlying the report and any steps already taken to report or resolve the matter.

This policy does not in any way restrict or diminish your right to make a report directly to a regulator or other authority, or to seek legal advice in respect of the matter.

5. The option to remain anonymous

You can choose to remain anonymous when making a report, over the course of the investigation and after the investigation is finalised. You may refuse to answer questions which you feel may reveal your identity at any time, including during follow-up conversations.

If you make an anonymous report, the Company will take all reasonable steps to ensure that your identity is not disclosed. These steps may include:

- referring to you in a gender-neutral context;
- where possible, seeking your assistance to help identify aspects of your disclosure that could inadvertently identify you;
- ensuring your report is handled and investigated by a minimum number of qualified staff; and
- ensuring that all relevant documents are securely stored.

There are, however, some circumstances where disclosure will be permitted or required. These include disclosure:

- to the Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA), or to a member of the Australian Federal Police;
- to a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower provisions in the *Corporations Act*; or
- with your consent.

6. Whistleblower investigation

Once a whistleblower report has been made, an investigation will be carried out in a confidential, fair and objective manner. All information provided by you will be held securely and in strict confidence unless disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors.

Most reports received through whistleblowing reporting channels will be assigned by the Chief Executive Officer to an appropriate senior employee of the Company, who is not implicated directly or indirectly in the report, for investigation.

There may be occasions where external advisers are also used to conduct investigations, either in conjunction with a senior employee of the Company or independently.

The Company is committed to resolving all whistleblower reports as quickly as possible. Some matters may, however, be complex and require extensive investigation (including the need to interview witnesses) in order to establish the facts.

If it is not possible to finalise an investigation within three weeks of a report being made, then you will be notified in writing of the status of the investigation, the action being taken and the expected time needed to finalise the process. You will also be advised once an investigation has been completed and will receive a report of the outcome of the investigation. In some circumstances, it may not be appropriate to provide you with details of the outcome of the investigation.

Any individual mentioned in a whistleblower report will be afforded procedural fairness during the investigation process. Where appropriate, the Company will notify all individuals involved in a whistleblower investigation and will provide those individuals with an opportunity to participate in the process.

The Company may be limited in its ability to investigate or report on a matter where the identity of the person making the report is not known or where the matter has been reported to a regulatory authority or law enforcement agency.

You may choose to lodge a complaint with a regulator, such as ASIC, if you are not satisfied with the outcome of the Company's investigation.

7. Protection and support

If you make a report using a whistleblower reporting channel you must not be discriminated against or disadvantaged, even if the report is subsequently determined to be incorrect or not substantiated.

The Company must take all reasonable steps to ensure that you are not subject to any form of:

- victimisation;
- discrimination;
- harassment;
- demotion;
- dismissal; or
- current or future bias.

The Whistleblower Protection Officer must protect and support you throughout the process. You may approach the Whistleblower Protection Officer prior to, during, or after making a report to seek advice.

The particular steps taken to protect you from the risk of detriment will vary on a case-by-case basis however it may be necessary to allow you to perform your duties from another location, to move you to another role, to make modifications to your workplace or the way you perform your work duties, or to relocate other employees involved in the matter.

This policy may not, however, protect you if you are involved in or connected to the reportable conduct. The Company is also not able to extend the full level of protection and support set out in this policy to whistleblowers who are not directly employed by the Company at the time the report is made.

8. Employee grievances policy

This policy is concerned with the disclosure of wrongdoing. The reporting channels under this policy must not be used for trivial or vexatious matters. This policy is not intended to replace the employee grievances policy which is available for you to raise any concern you have in relation to your work or work environment, another employee or a decision affecting your employment.

9. Where is this policy published?

This policy is available internally on the Company's electronic document management system (MFiles) and will be displayed on noticeboards at the Company's various sites. A copy of the policy will be made available to all employees and officers of the Company upon request.

The policy is also published on the Company's public website to inform former employees, contractors or suppliers, or family members of any of these individuals.

10. Statutory protections

Certain protections are afforded to whistleblowers under the *Corporations Act 2001* (Cth).

These protections will apply when an 'eligible whistleblower' makes a disclosure of information relating to a 'disclosable matter' to an 'eligible recipient'.

Eligible Whistleblower

To be an 'eligible whistleblower' you **must** be a current or former:

- employee of the company the disclosure relates to;
- director or company secretary of the company the disclosure relates to;
- contractor, or an employee of a contractor, who has supplied goods or services to the company the disclosure relates to;
- associate of the company the disclosure relates to; or
- spouse, relative or dependant of one of the people referred to above.



Disclosable Matter

For a matter to be a 'disclosable matter' you **must** have reasonable grounds to suspect that the information you are disclosing about the company or organisation concerns misconduct or an improper state of affairs or circumstances.

This information can be about the company or organisation, or an officer or employee of the company or organisation, engaging in conduct that:

- breaches the *Corporations Act*;
- breaches other financial sector laws enforced by ASIC or APRA;
- is an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months; or
- represents a danger to the public or the financial system.



Eligible Recipient

You **must** make your disclosure to one of the following 'eligible recipients':

- a director, company secretary, company officer, or senior manager of the company;
- an auditor (or a member of the audit team) or an actuary of the company;
- a person authorised by the company to receive whistleblower disclosures;
- ASIC or APRA; or
- your lawyer.

Disclosures can be made to a journalist or parliamentarian under certain circumstances (public interest disclosures or emergency disclosures) and still qualify for protection. You should seek legal advice before making a public interest disclosure or an emergency disclosure.

If you meet the requirements of the *Corporations Act* then whistleblower protections available include:

- the right to have your identity protected;
- a requirement for the company to take reasonable steps to reduce the risk that you will be identified as part of any investigation process;
- the right to be protected from civil, criminal or administrative liability (including disciplinary action) from making the disclosure;
- the right to be protected from detrimental treatment or any form of victimisation;
- the right to compensation and other remedies in accordance with the provisions of the legislation; and
- the right not to be required to disclose your identity before any court or tribunal.

Disclosures may be also protected under other legislation, such as the *Fair Work Act 2009* (Cth) in respect of the exercise of a workplace right, or the *Tax Administration Act 1953* (Cth) where a disclosure relates to a breach of tax laws or misconduct relating to a company's tax affairs.