

WHISTLEBLOWER POLICY

1. PURPOSE AND SCOPE

1.1 Introduction

Service Stream is committed to maintaining a high standard of corporate governance through a culture of strong ethical behaviour and corporate compliance. Employees and subcontractors must fulfil their roles and responsibilities with honesty and integrity.

The objectives of this Policy are:

- ▶ to encourage directors, employees, suppliers, contractors, tenderers (**Personnel**) or any person who has business dealings with Service Stream, to raise any concerns and report any instances of misconduct, illegal, fraudulent or other unethical conduct where there are reasonable grounds to suspect such conduct has occurred;
- ▶ to provide an appropriate procedure for individuals to report such conduct in the knowledge they can act without fear of intimidation, disadvantage or reprisal; and
- ▶ to ensure that any person who makes a report in accordance with this Policy (a **Whistleblower**) is appropriately protected from any **Detrimental Action** (as defined in this Policy).

1.2 Interaction between this Policy and legislative whistleblower protections

In Australia, the various pieces of legislation that protect whistleblowers from negative treatment include the *Corporations Act 2001* (Cth) and *Taxation Administration Act 1953* (Cth) (**Whistleblower Protection Laws**). Other jurisdictions have their own whistleblowing regimes which need to be complied with to the extent they apply.

Where relevant, this Policy distinguishes between disclosures made under this Policy and protected disclosures made under Whistleblower Protection Laws, for example in the case of disclosures made to regulators, and disclosures made by persons external to Service Stream.

One of the aims of this Policy is to comply with our legislative obligation to provide information about the protections available to whistleblowers, including the protections under the Whistleblower Protection Laws.

1.3 Who does this Policy apply to?

This Policy applies to all Service Stream Personnel including;

- ▶ its officers and employees;
- ▶ its consultants, secondees and volunteers;
- ▶ its contractors, suppliers and their employees; and
- ▶ all Service Stream operations, including its related bodies corporate.

A copy of this Policy is available on our intranet and webpage or can be requested from our WPO.

Service Stream's employees and officers are required to comply with any lawful directions made by Service Stream in respect of this Policy. This Policy is not intended to be contractually binding and does not form part of any employment contract with Service Stream. Service Stream may amend this Policy at any time in its sole discretion.

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2. WHAT IS REPORTABLE CONDUCT

In this Policy, **Reportable Conduct** means conduct on the part of a Service Stream director, officer, employee, contractor, or any person who has business dealings with Service Stream (in the context of those dealings with Service Stream), whether actual or suspected, which an individual suspects on reasonable grounds:

- ▶ is dishonest, fraudulent or corrupt, or involves bribery or corruption, or an improper state of affairs or otherwise amounts to an abuse of authority;
- ▶ is illegal, including theft, drug sale or use, violence, or threatened violence, harassment, intimidation, or criminal damage to property;
- ▶ is in breach of Commonwealth or state legislation or local authority by-laws;
- ▶ is unethical, including dishonestly altering company records or data, adopting questionable accounting practices, or the unauthorised disclosure of confidential information;
- ▶ breaches Service Stream’s Code of Conduct or other Service Stream policies;
- ▶ is potentially damaging to Service Stream, a Service Stream employee or a third party, or the public or the financial system, such as unsafe work practices, environmental damage, health risks or substantial wasting of company resources;
- ▶ amounts to an improper state of affairs or circumstances, in relation to the tax affairs of Service Stream, a related company or associated entity and this information may assist the recipient to perform their functions or duties in relation to those tax affairs;
- ▶ may cause financial or non-financial loss to Service Stream, damage its reputation or be otherwise detrimental to Service Stream’s interests; or
- ▶ is an attempt to conceal or delay disclosure of any of the above conduct.

Reportable Conduct does not include conduct that is dealt with, and therefore more appropriately raised, under an alternative policy. This Policy should not be used for complaints relating to personal workplace grievances (such as the Standards of Behaviour Policy) or concerns which relate to individual working arrangements. Concerns of that nature should be raised:

- ▶ by Employees and Officers - with Human Resources; or
- ▶ Otherwise - concerns should be raised with your Line Manager.

This Policy is not designed to replace normal communication channels between management and employees to address questions, concerns, suggestions or complaints. If employees have any concerns about what is proper conduct for themselves or others, it is expected they will raise their concern. In most instances, the employee’s immediate supervisor is in the best position to address an area of concern. Serious matters or matters not satisfactorily resolved should be escalated through appropriate management channels in the normal course of business.

3. INDIVIDUALS REPORTING CONDUCT

Service Stream supports measures enabling disclosure of Reportable Conduct based on honesty, integrity and ethical behaviour. A Whistleblower who has not him or herself engaged in serious misconduct or illegal conduct may be provided with immunity from disciplinary proceedings.

Service Stream cannot provide immunity from civil penalties or criminal prosecution.

Before conduct is reported, the Whistleblower must have reasonable grounds to suspect that Reportable Conduct has occurred. Individuals must not make baseless reports or knowingly provide false or misleading information regarding Reportable Conduct or Detrimental Action. Doing so may result in disciplinary action up to and including termination of employment.

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4. MAKING A REPORT

4.1 Process for making a report internally

Reportable Conduct can be reported to Service Stream's Whistleblower Protection Officer (WPO) via **Stopline**, 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.

Phone: 1300 30 45 50

Website & Online Reporting Form: <https://servicestream.stoplinereport.com/>

Stopline will review reports and direct those that require further investigation to the Whistleblower Investigations Officer (**WIO**) which may be the General Counsel of Service Stream Limited, or General Manager Human Resources of Service Stream Limited.

If the Whistleblower wishes to remain anonymous, he or she may do so.

4.2 Other reporting

It is Service Stream's preference that reports follow the process set out in paragraph 4.1 above. For other reporting options see Schedule 1.

5. WHISTLEBLOWER PROTECTION

5.1 Victimization is prohibited

A Whistleblower who:

- ▶ suspects on reasonable grounds that a Service Stream officer, employee or contractor has engaged, or plans to engage, in Reportable Conduct; and
- ▶ reports that matter in accordance with section 4 of this Policy,

must not be subjected to Detrimental Action for reporting the Reportable Conduct.

In this Policy, **Detrimental Action** includes the following (even if done unintentionally):

- ▶ action causing injury, harm, loss or damage (including psychological harm);
- ▶ damaging a person's property, reputation, business or financial position or causing any other damage to a person;
- ▶ intimidation, bullying or harassment;
- ▶ discrimination or other adverse treatment in relation to the Whistleblower's employment, career, profession, trade or business, including dismissal, demotion or the taking of other disciplinary action;
- ▶ current or future bias;
- ▶ action that constitutes the making of a threat to cause any such Detrimental Action to another person; or
- ▶ any conduct which incites others to subject the Whistleblower to any of the above conduct.

5.2 Confidentiality of disclosures

All information provided by a Whistleblower will be treated as confidential and maintained securely. Any breach of confidentiality will be treated as a serious disciplinary matter.

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The identity of a Whistleblower (or information that is likely to lead to them being identified as a Whistleblower) will be kept confidential, unless any of the following apply:

- ▶ they consent to this information being disclosed;
- ▶ during the investigation of a report, Service Stream needs to disclose information that may lead to the Whistleblower being identified. All reasonable steps will be taken to ensure that the Whistleblower's identity is not disclosed;
- ▶ Service Stream needs to disclose this information to obtain legal advice or representation;
- ▶ Service Stream is required to do so by law (for example where Service Stream needs to disclose this information to an external regulator or Service Stream is ordered to do so by a court);
- ▶ The information is provided to APRA, ASIC or a member of the police; or
- ▶ Service Stream needs to disclose the information to prevent a serious and imminent threat to life, health or property.

If any Personnel receives information about Reportable Conduct, and does not keep that information confidential or discloses any information that is likely to lead to the Whistleblower being identified (except in the circumstances permitted above):

- ▶ If they are Service Stream employees – they will be subject to disciplinary action, which may include a formal written warning, or termination of employment with Service Stream;
- ▶ If they are not a Service Stream employee – Service Stream may take other corrective action; and
- ▶ They may be subject to criminal and civil penalties, including substantial fines and / or jail.

This applies even if they did not receive the disclosure but received the information indirectly.

Service Stream will ensure that files and records relating to disclosures are kept confidential and stored securely.

5.3 What support and protections are provided to Whistleblowers?

Part of the role of the WPO is to safeguard the interests of Whistleblowers, to assist them to understand the process and the available protections and to ensure the integrity of the whistleblowing mechanism. Whistleblowers who are an employee or officer of Service Stream:

- ▶ are entitled to support through the WPO;
- ▶ may explore options such as taking leave, relocation to another area of business, or a secondment arrangement while the concern is being investigated.

Employees will not be subject to disciplinary action for making a disclosure of Reportable Conduct under this policy on reasonable grounds. They may, however, still be subject to disciplinary action for misconduct that is revealed as a result of the disclosure, however Service Stream may take the disclosure into account when determining the nature of any disciplinary action.

If any Whistleblower thinks that the person to whom they made a disclosure of Reportable Conduct has not dealt with the report sufficiently, or at all, they may raise the concern with the Managing Director.

If a person (whether the Whistleblower or not) believes on reasonable grounds that the Whistleblower has been, or is likely to be, subjected to Detrimental Action, he or she should report this to the WPO, who will investigate, or arrange an investigation into, the matter.

5.4 What are the consequences of Detrimental Action?

A Service Stream employee who is found to have subjected a Whistleblower to Detrimental Action will be subject to disciplinary action (which may include termination of employment) and may be guilty of an offence that is subject to prosecution under legislation.

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Service Stream may terminate the contract or engagement of non-employees, or take other corrective action.

The Whistleblower Protection Laws also prohibit victimisation and Detrimental Action. If a court finds that victimisation has occurred, the court may order the victimiser and/or Service Stream to:

- ▶ pay compensation to the person who was subject to the victimisation;
- ▶ pay substantial fines and / or go to jail.

6. PROTECTIONS AVAILABLE TO DISCLOSERS AT LAW

6.1 Whistleblower Protection Laws

If Whistleblowers make a protected disclosure under the Whistleblower Protection Laws, these laws provide that:

- ▶ they cannot be subject to any civil, criminal or administrative liability, for making a protected disclosure;
- ▶ they may be subject to civil, criminal or administrative liability for conduct that is revealed by their disclosure;

however if the disclosure is made to ASIC, APRA or the Commissioner of Taxation, or is an Emergency Disclosure as permitted under the *Corporations Act*, the information is not admissible in evidence against the Whistleblower in criminal proceedings, or in proceedings for the imposition of a penalty, except for proceedings in respect of providing false information.

If a Whistleblower is victimised as a result of making a disclosure of Reportable Conduct, there are possible remedies available under the Whistleblower Protection Laws (where they apply) and include reinstatement, compensation, an order prohibiting the victimisation, or an apology.

The victimiser can be ordered to pay substantial monetary fines or imprisoned. Protections for Service Stream employees also exist under the *Fair Work Act*. These are enforceable as a matter of statute and do not form part of this Policy.

7. INVESTIGATION

Service Stream has appointed a designated Whistleblower Investigation Officer (**WIO**) whose role is to investigate all cases of Reportable Conduct made under this Policy as soon as possible after the matter has been reported. If appropriate, an external investigator may be appointed to conduct the investigation.



Investigations will be conducted in a timely, thorough, confidential, objective and procedurally fair manner as is reasonable and appropriate having regard to the nature of the Reportable Conduct and all of the circumstances.

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8. FEEDBACK

Provided the identity of the Whistleblower is known or can be contacted, the Whistleblower will, where possible, be kept informed of the progress and outcomes of the investigation, subject to considerations of confidentiality and of the privacy of those against whom allegations are made.

All Whistleblowers must maintain the confidentiality of such information and not disclose details to any person.

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SCHEDULE 1

Under Whistleblowing Protection Laws, Personnel may make an internal disclosure to any one of the following:

- ▶ for employees of Service Stream – a person who supervises or manages them;
- ▶ an officer of Service Stream or a related body corporate;
- ▶ an auditor or a member of an audit team conducting an audit of Service Stream or a related body corporate;
- ▶ an actuary of Service Stream or a related body corporate;

If the disclosure relates to tax affairs, internal disclosures may be made to:

- ▶ a director, secretary, or senior manager of Service Stream;
- ▶ any other employee or officer who has functions or duties relating to the tax affairs of Service Stream;
- ▶ an auditor, or a member of an audit team conducting an audit of the entity;
- ▶ a registered tax agent or BAS agent providing tax agent or BAS services to the entity.

This Policy facilitates the internal reporting and investigating of disclosures, and enables the reporting of concerns about a broader range of conduct than provided for under the Whistleblower Protection Laws.

If a report relates to a protected matter under the Whistleblower Protection Laws, it may also be made to an external regulatory body including:

- ▶ ASIC;
- ▶ APRA; and
- ▶ the Commissioner of Taxation (for a protected matter under the *Taxation Administration Act*).

The *Corporations Act* permits an emergency disclosure about a protected matter to a journalist or a member of parliament in certain emergency circumstances. Service Stream encourages whistleblowers to seek independent legal advice (at their own cost) before making such a report.

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