



# Whistleblower Policy

AK-Legal- Whistleblower Policy V3  
Effective from: 13 July 2023

Last reviewed: 13 July 2023

---

## 1. PURPOSE OF THIS POLICY

The purpose of this Whistleblower Policy is to identify wrongdoings and conduct not aligned with Angus Knight Group policies and values and to encourage individuals to disclose any such wrongdoings safely and securely and with confidence that they will be protected and supported.

A whistleblower is someone with inside knowledge of an organisation who reports misconduct or dishonest or illegal activity that may have occurred within that organisation. Angus Knight encourages individuals to disclose wrongdoing and speak up when something is not right. Angus Knight is committed to ensuring disclosures are dealt with on a timely basis, in accordance with the *Corporations Act 2001* (Cth) (the 'Act') and other regulatory obligations.

This Policy is important in helping identify wrongdoing that otherwise would not have been uncovered without the protections granted by the Act which are detailed below.

---

## 2. WHO DOES THIS POLICY APPLY TO?

This Policy applies to individuals who are, or have been, any of the following in relation to Angus Knight Pty Ltd and / or its wholly owned Australian subsidiary entities (**Angus Knight**):

- (a) An officer or employee, including permanent, full time, fixed term or temporary roles, interns, secondees, and directors;
- (b) A supplier of services to Angus Knight (paid or unpaid) and their employees including contractors, consultants, service providers and business partners;
- (c) An associate of Angus Knight; and
- (d) A relative, dependant or spouse of an individuals listed in (a)-(c).

The individuals listed above (collectively referred to as 'eligible whistleblowers') can make a disclosure which may qualify for protection under the Act.

---

## 3. A DISCLOSABLE MATTER

An eligible whistleblower is able to make a disclosure relating to a 'disclosable matter.'

To be a 'disclosable matter', you must have **reasonable grounds** to suspect that 'disclosable conduct', that is, misconduct (ie negligence, breach of trust, or breach of duty) or illegal conduct, has occurred. 'Reasonable grounds' means that a reasonable person in your position would also suspect the information indicates misconduct or a breach of the law. Disclosable matters may also relate to issues of public safety but do not necessarily involve a breach of law. Disclosures which are not about a 'disclosable matter' do not qualify for protection under the Act.

### ***Personal Work Grievances***

Disclosures that relate solely to personal work-related grievances and do not relate to detriment or threat of detriment to the discloser, do not qualify as a disclosable matter. Employees can raise personal work grievances via the Angus Knight Grievances & Complaints Handling Policy &



Procedure.

**False Reports**

We strongly discourage the reporting of deliberate false reporting, which may delay the investigation of valid disclosures. Any false reporting will be treated seriously and may be subject to reporting to appropriate authorities.

**4. WHO CAN RECEIVE A DISCLOSURE WITHIN ANGUS KNIGHT?**

The following people are able to receive a disclosure within Angus Knight:

- A person authorised by the entity to receive disclosures.
- Angus Knight has engaged an independent whistleblowing service provider, Stoptline, to receive whistleblowing disclosures. Stoptline can be the first port of call for an eligible whistleblower by calling 1300 30 45 50 or by e-mailing [angusknight@stoptline.com.au](mailto:angusknight@stoptline.com.au).
- An internal or external auditor; OR
- Any one of the following individuals to qualify for protection:

Disclosure Officers:	• Anthony Parsons (Chief of Governance and Compliance)
	• Elyse Jeffress (Chief Operating Officer)
	• Bianca Achilles (Head of Legal, Risk and Company Secretary)
	• Angus Knight Board of Directors
	• Angus Knight Executives and Senior managers

(collectively referred to as ‘Disclosure Officers’)

**Who can receive a disclosure external to Angus Knight?**

An eligible whistleblower can make a disclosure to one of the following individuals to qualify for protection:

- **Legal practitioner**  
A legal practitioner you have engaged to provide advice on the disclosure or to represent you. In the event that your legal practitioner concludes that a disclosure doesn’t fulfil the criteria of a disclosable matter, protections still may apply.
- **Regulatory Bodies**  
Disclosures can also be made to ASIC, ACNC, or another Commonwealth body (body prescribed by regulation) and still qualify for protections granted under the Act outlined in point 6.
- **Public Interest Disclosure**  
Disclosures can be made to a journalist or parliamentarian under certain circumstances and still qualify for protection, this is called a ‘public interest disclosure’. A public interest disclosure can be made where all of the below criteria is met:
  - At least 90 days have passed since the eligible whistleblower made the disclosure to ASIC, ACNC or other Commonwealth body (prescribed by regulation);



- The eligible whistleblower doesn't have reasonable grounds to believe that action is being, or has been taken;
  - The eligible whistleblower has reasonable grounds to believe making another disclosure is in the public interest; **and**
  - Before making a public interest disclosure, the eligible whistleblower has given written notice to ASIC, ACNC or another Commonwealth body (prescribed by regulation) that identifies their original disclosure, and outlines that they intend to make a public interest disclosure.
- **Emergency Disclosure**

Disclosures can be made to a journalist or parliamentarian under certain circumstances and still qualify for protection, this is called a 'emergency disclosure'. An emergency disclosure can be made where all of the below criteria is met:

    - An eligible whistleblower has made the disclosure to ASIC, ACNC or another Commonwealth body (prescribed by regulation);
    - The eligible whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health and safety of one or more persons or the natural environment;
    - Before making a public interest disclosure, the eligible whistleblower has given written notice to ASIC, ACNC or another Commonwealth body (prescribed by regulation) that identifies their original disclosure, and outlines that they intend to make an emergency disclosure; **and**
    - The extent of the information disclosed is no greater than necessary to inform the journalist or parliamentarian of the substantial and imminent danger.

Before making a public interest or emergency disclosure it is important to ensure all of the above criteria is met. It may be prudent to seek external legal advice prior to making this type of disclosure.

---

## 5. MAKING A DISCLOSURE

An eligible whistleblower who makes a disclosure (a 'discloser') is able to disclose their report by internal and external means. If the individual has any concerns regards whistleblower protections or procedures. Individuals can contact the third party service, Stoptline or the individuals listed in point 4 noting that they will not have legal protections available to them outlined in point 6.

---

## 6. YOUR PROTECTION

Disclosers who fulfil the criteria outlined in points 1-4 above will likely have certain legal protections available to them for both internal and external disclosures.

### A. Protection of a Discloser's Identity

Angus Knight has a legal obligation to protect the confidentiality of a discloser's identity.

A person cannot disclose the identity of a discloser or information that is likely to lead to the identification of the discloser *unless* a person discloses the identity of a discloser to:

- ASIC, ACNC or a member of the Australia Federal Police;
- A lawyer (to obtain legal advice or legal representation);



- A person or body prescribed by regulations; or
- With the consent of the discloser.

A person can disclose the information contained in the disclosure with or without the discloser's consent if:

- The information doesn't include the discloser's identity;
- Angus Knight has taken all reasonable steps to reduce the risk that the discloser will be identified from the information; and
- It is reasonably necessary for investigating issues mentioned in the disclosure.

It is illegal for a person to identify a discloser or disclose information that is likely to lead to the identification of the discloser.

- If this has occurred, you can lodge a complaint for breach of confidentiality via Stopline.
- A discloser may also lodge a complaint with a regulator such as ASIC or ACNC for investigation.

### **Anonymity**

Disclosures by a discloser who fulfils the criteria in points 1-5 can make a disclosure anonymously and still be protected by the Act.

A discloser who makes a disclosure can choose to remain anonymous:

- Whilst making a disclosure;
- Over the course of the investigation;
- After the investigation is finalized.

A discloser can refuse to answer any questions which could reveal their identity at any time.

If a disclosure is received from an email address where a person's identity cannot be determined, it will be treated as an anonymous disclosure. Other mechanisms for protecting anonymity include adopting a pseudonym. Angus Knight will only be able to investigate based on the information provided and subject to the limitations of ensuring the maintenance of identity protection.

### **B. Protection from detrimental acts or omissions**

A person cannot engage in conduct that causes detriment to a discloser (or another person) in relation to a disclosure if:

- The person believes or suspects that the discloser made, may have made, proposes to make or could make a valid disclosure; and
- The belief or suspicion is the reason (whole or in part) for the conduct.

Threats, (whether express or implied) to cause detriment to a discloser (or another person) are not permitted.

Detrimental conduct which is prohibited under law includes:

- Dismissal, injury to employment, alteration of position or duties
- Discrimination between an employee and other employees
- Harassment or intimidation
- Harm or injury to a person, property or reputation
- Damage to a person's business or financial position
- Any other damage



### C. Compensation and other remedies

A discloser (or any other worker or person) can seek compensation and other remedies through the courts if:

- They suffer loss, damage or injury because of a disclosure;
- Angus Knight failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

If a person wishes to proceed with seeking compensation and/or other remedies from the courts independent legal advice should be sought.

### D. Civil, criminal and administrative liability protection

A discloser is protected from the below in regards to their disclosure:

- Civil liability
  - Such as legal action against a discloser for breach of an employment contract or duty of confidentiality.
- Criminal liability
  - Such as attempted prosecution of the discloser for unlawfully releasing information.
  - This *does not* include protections for making a false disclosure.

These protections do not grant immunity for misconduct by the discloser which is revealed throughout the disclosure procedure.

---

## 7. SUPPORT AND PRACTICAL PROTECTION FOR DISCLOSURES

Angus Knight is committed to supporting disclosers and protecting disclosers from detriment throughout the disclosure process. Angus Knight cannot disclose (a) the identity of a discloser or (b) information that is likely to lead to the identification of the discloser. Outlined below are the measures adopted by Angus Knight to support and protect disclosers from suffering detriment during the disclosure process.

### A. Protection the confidentiality of a discloser's identity

#### Receiving a disclosure

- All personal information or reference to the discloser witnessing an event will be redacted.
- The discloser will be referred with a pseudonym.
- Where possible, the discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them.
- Disclosures will be handled and investigated by qualified staff.

#### Record keeping

- All paper and electronic documents and other materials relating to disclosures will be stored securely.
- Access to all information relating to a 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 a disclosure will be made aware of a discloser's identity (subject to the



- disclosers consent) or information that is likely to lead to the identification of the discloser.
- Communication and documents relating to the investigation of a disclosure will not be sent to an email address or printed that can be accessed by other staff.
  - Each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements.

**B. Protection from detrimental acts or omissions**

Detriment in the workplace

- Assessing the risk of detriment against a discloser and other persons once a disclosure is received.
- Actions to protect a discloser from potential detriment, such as allowing a discloser to perform their duties at a different location or reassigning a discloser to a different role at the same level.
- Ensure that Disclosure Officers are aware of the need to manage conflicts, ensure fairness and assess the risk of harm to the discloser.
- A discloser can lodge a grievance with Stopline (<https://www.stopline.com.au/>) if they have suffered detriment.

**C. Personal Wellbeing**

In some instances personal wellbeing services may be offered to a discloser, or those subject to detriment, including support services (such as counselling or psychology services) and/or strategies to help a discloser minimize and manage stress, time, performance impacts and other challenges resulting from a disclosure and subsequent investigation.

**8. HANDLING AND INVESTIGATING A DISCLOSURE**

**A. Receiving a disclosure**

Upon receiving a disclosure, Angus Knight will assess it to determine:

- whether the disclosure qualifies for protection; and
- whether a formal, in-depth investigation is required.

**B. When and why a disclosure will be investigated**

Disclosures raised will be received and treated seriously and with the utmost sensitivity. All disclosures will be reviewed and, based on the nature of the disclosure and the evidence provided, a decision will be made as to whether the disclosure warrants an investigation.

We may not be able to undertake an investigation if we are unable to contact the discloser and/or if the discloser has refused to provide or has not provided a means of contacting them. In these circumstances, we may elect to conduct a broad review on the subject matter disclosed.

**C. Investigation Process**

For disclosures that qualify for protection, we will follow the below investigation process:

1. Receive the disclosure	Disclosures will be received by a Disclosure Officer.
---------------------------	---



2. Acknowledge the disclosure	A Disclosure Officer will acknowledge receipt of the disclosure within a reasonable timeframe.
3. Assess the disclosure and address immediate risks	A Disclosure Officer will assess the disclosure and determine whether the disclosure warrants an investigation.
4. Resolve the disclosure	For disclosures that do not meet the criteria or do not warrant an investigation, the Disclosure Officer will seek to resolve the disclosure directly with the discloser or redirect the disclosure (eg, the Angus Knight Grievances & Complaints Handling Policy & Procedure may be more appropriate).
5. Investigate or review the disclosure	A third party, such as Stopleveline, a Disclosure Officer of Angus Knight, may be appointed to conduct an investigation. All Angus Knight employees must cooperate fully with the investigation.
6. Provide regular updates throughout the process	Stopleveline or the relevant Disclosure Officer will provide regular updates to disclosers and to Angus Knight regarding the investigation's progress.
7. Provide the final outcome	The findings of the investigation will be communicated as appropriate to the discloser and involved parties.
8. Close the investigation and record the outcome	Stopleveline or the relevant Disclosure Officer will close out the investigation and maintain appropriate records.
9. Facilitate ongoing support for those involved	Where appropriate, Angus Knight will provide referrals to external professional services (eg psychology services).
10. Continuous improvement	Stopleveline or the relevant Disclosure Officer may provide recommendations for improvement for future investigations.

## 9. FAIR TREATMENT OF INDIVIDUALS MENTIONED IN A DISCLOSURE

We are committed to fair treatment of our employees who are mentioned in a disclosure that qualifies for protections under the Act, including those who are subject of a disclosure.

To ensure fair treatment of individuals mentioned in a disclosure:

- Disclosures will be handled confidentially.
- Each disclosure will be assessed as to whether the conduct listed warrants an investigation. The investigation is conducted to determine whether there is sufficient evidence to substantiate the claims made in the disclosure.
- Investigations will be objective, fair and independent.
- An employee will have the contents of the disclosure put to them as required by principles of procedural fairness and prior to any action being taken.
- An employee who is subject of a disclosure may access personal wellbeing services outlined in point 7(C) above.



---

## **10. QUESTIONS**

Any questions about this Policy should be directed to the Head of Legal, Risk and Company Secretary.

---

## **11. ACCOUNTABILITY & CONTINUOUS IMPROVEMENT**

This Policy will be regularly reviewed and training may be recommended by Disclosure Officers or the Board of Angus Knight as appropriate.