

Speak Out (Whistleblower) Policy

Aussie Broadband Limited

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1. Introduction

1.1 The basics

This policy applies to Aussie Broadband Limited and its related bodies corporate (**Aussie Broadband**).

Our policy is that:

- if you see Aussie Broadband, or someone at Aussie Broadband, do something that seems wrong, THEN
- we want you to report it, AND
- we will protect you against any backlash if you do

We have written this policy in Plain English, to help everyone understand how important speaking out is, and the process that we follow when you do. Another word for “speaking out” is “whistleblowing”.

Legally we must have this policy, but we also want it because it’s the right thing to do under our “no bullshit” and “be good to people” values.

Speaking out when you think something is wrong is really important, and we want to ensure that everyone at Aussie – no matter what role you hold – feels safe to do so.

2. Rules of speaking out

2.1 Who can speak out?

- Current or former staff members, whether permanent or temporary
- Current or former suppliers of goods or services to Aussie Broadband, including their staff
- Current or former directors and officers of Aussie Broadband and its related bodies corporate,
- Contractors of Aussie Broadband,
- A relative, dependent or spouse of anyone above

2.2 What can you speak out about?

You can speak out when you have a genuine and reasonable concern about:

- A significant danger to people, property or the environment
- Fraud or corruption, including bribery
- Unethical behaviour, like altering company records, not declaring an intimate relationship with a direct report, or breaching one of our policies
- Breaking any law, including laws relating to employment, safety, discrimination, competition, consumer protection and privacy
- Undermining or harming the company
- Behaviour that may cause harm to the public
- Bullying and harassment
- Abuse of authority
- Breaching a duty of care or trust

- Any other misconduct or improper state of affairs

You can also speak out when you suspect someone is deliberately hiding any of these things.

2.3 What shouldn't you speak out about?

In the spirit of no bullshit, you can't use this policy to speak out about personal work-related grievances, unless you think there's an underlying issue that fits one of the categories above.

This does not mean you cannot lodge a complaint about how a personal grievance has been handled - contact the People Partnering and Services team for assistance.

2.4 Who do you speak out to?

There are lots of people you can speak out to, both inside and outside Aussie.

Inside, you can speak to any of our Whistleblower Protection Officers (**which we'll call WPOs from now on**). They are:

- Our Chief People and Reputation Officer
- Our Chief Financial Officer
- Our Managing Director

Or you can also tell:

- Any General Manager
- An internal auditor
- A director or officer of Aussie Broadband

Contact details for our WPOs, internal auditors and General Managers are available on our staff directory on SharePoint.

Outside of Aussie Broadband, you may receive whistleblower protection if you speak to:

- A lawyer if you are obtaining legal advice relating to whistleblower laws and protections
- An auditor of Aussie Broadband
- Regulators like ASIC or the Australian Tax Office, or
- WBS Whistleblowing Services (confidential and can also be anonymous) via:
 - Online:
 - Click on this [link](#)
 - Click on the 'Make a Report' button
 - Enter 'AUSSIE2020' in the 'Unique Key' field
 - Click on 'next' and follow the prompt
 - Use Client Reference Number "dgyff234".
 - Phone:
 - Call 1300 687 927 between 8am – 5pm, Monday – Friday
 - Provide 'AUSSIE2020' as your unique key
 - Use Client Reference Number "dgyff234".

2.5 Can you remain anonymous?

The quick answer is yes, you can.

You can:

- stay anonymous during and after an investigation
- refuse to answer any questions that might reveal your identity
- choose to use a pseudonym

If you choose to remain anonymous, you do need to maintain two-way communication with any investigation to help answer follow-up questions or provide feedback.

2.6 Emergency disclosures

If you have reasonable grounds to believe that the issue you've reported is about to become dangerous to people or the environment

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- You may consider telling a journalist or member of Parliament, provided that your disclosure contains only the amount of information necessary to understand the danger.
- **Before** you speak to a journalist or politician, you must write to the regulatory body that you originally reported to, to let them know what you're going to do. You should also consider seeking independent legal advice.

In order to qualify for whistleblower protection in relation to an emergency disclosure, you should understand the criteria for protection under the Corporations Act by seeking legal advice or contacting ASIC. Please visit <https://asic.gov.au/about-asic/contact-us/reporting-misconduct-to-asic/whistleblower-protections/> or contact the General Manager, Legal for further information.

2.7 Public interest disclosures

If you have reasonable grounds to believe that the issue you've reported is:

- In the public interest, and
- Nothing has happened for at least 90 days since you reported it to a regulatory body, and you think it's in the public interest to speak out, THEN
- You may consider telling a journalist or member of Parliament, provided that your disclosure contains only the amount of information necessary to understand the danger
- **Before** you speak to a journalist or politician, you must write to the regulatory body that you originally reported to, to let them know what you're going to do. You should also consider seeking independent legal advice.

In order to qualify for whistleblower protection in relation to a public interest disclosure, you should understand the criteria for protection under the Corporations Act by seeking legal advice or contacting ASIC. Please visit <https://asic.gov.au/about-asic/contact-us/reporting-misconduct-to-asic/whistleblower-protections/> or contact the General Manager, Legal for further information

3. What happens next?

3.1 How does Aussie Broadband investigate?

Once we receive information, our WPOs will decide **how** we will investigate. They will think about:

- The scope
- Whether the investigator should be someone inside or outside Aussie
- What expert advice may be needed (eg, technical or legal)
- Deadlines

(Note also that sometimes, if someone has spoken out anonymously and we cannot get more information, an investigation may not be able to proceed)

When those decisions have been made, Aussie Broadband will ensure the investigation happens:

- As quickly as possible

- In a fair (no bullshit) way
- As confidentially as possible
- With appropriate updates to you where possible

3.2 What if you're the one being investigated?

For any staff member who is the **subject** of an investigation, we will:

- follow objective and fair procedures
- keep things confidential when appropriate
- advise you when appropriate (before any action is taken), and
- offer support via our Employee Assistance Program

3.3 What if it's an emergency or things are moving too slowly?

If you believe that the issue you've reported is about to become dangerous to people or the environment, or in the public interest and no action has been taken in response to your report, please refer to the Emergency disclosures section and the Public interest disclosures section above.

3.4 After the investigation

When the investigator has finished, they will give an initial report to one of our WPOs. It should include:

- A summary of the facts and investigation
- Whether any accusations are correct or not
- Whether anything should be reported to the police
- Next steps, such as disciplinary action, internal changes etc.

If it's appropriate, you will also receive a summary, and a report will also go to senior management and the Board where appropriate.

4. If I speak out, how will I be protected?

4.1 The basics

If you've spoken out on reasonable grounds, we will act to protect you from:

- Victimisation
- Adverse reactions or intimidation
- Any disadvantage in your employment at Aussie

4.2 Your identity

We will also protect your identity and any information that might identify you, unless you say otherwise.

To do this, we will:

- Have qualified staff or external advisors handle investigations, and limit access only to them
- Remind those people that they may face criminal charges if they reveal your identity
- Securely store all records, including limiting access from emails or printers
- Black out personal information in records

- Refer to you in a gender-neutral way
- Work with you to find anything else that might accidentally identify you

There are some legal exceptions— eg, we may have to give your identity to regulators, the Australian Federal Police, a government authority or a lawyer if we're seeking advice.

If you think your identity has been inappropriately breached, you can lodge a complaint with one of our WPOs, or a regulator.

4.3 Other harm

It may be a criminal offence to harm or threaten someone who speaks out, or is about to speak out.

"Harm" includes things like dismissal or downgrading your job, discrimination, injury (including psychological), harassment, damage to your property, reputation or business, and other damage.

It doesn't include performance management that aligns with our normal performance management process (see our staff handbook for more details) OR reasonable action to protect you – for example, moving you to another office where necessary.

To protect you, we will:

- Assess any risk of harm to you as soon as possible after we learn you've spoken out
- Offer support via our EAP program
- Work with you to minimise other impacts, which might include moving you to another location, reassigning you to a comparable role, reassigning other staff, or modifying your workplace in other ways
- Remind relevant managers of their responsibilities around confidentiality, risks and fairness
- Make sure there's a clear method for you to lodge a complaint if you want, which will be independently investigated with findings to the Board

4.4 Legal protections

Additional whistleblower protections are set out under corporations laws and tax laws and apply where specific criteria are met. Contact ASIC or visit <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/> for further information in relation to whether these additional protections apply to you.

4.5 If you've already been harmed

If you believe you've already been harmed, we strongly encourage you to:

- Seek legal advice, or speak to a regulator, and/or
- Alert one of our WPOs, so they can take action

Once alerted, Aussie will investigate and address the issue. We may take a range of actions as a result, including disciplinary action against offenders, giving you extended leave, helping to develop new training or career opportunities, offering compensation, or other options.

You may also be able to seek compensation through the courts if you suffer harm through speaking out, or if we did not do enough to prevent harm.

5. Who does what?

5.1 Whistleblower Protection Officers (WPOs)

WPOs administer this policy. They:

- Ensure everyone at Aussie, including those involved in any speaking out process:
 - Has access to this policy
 - Complies with their legal obligations and
 - Are appropriately trained
- Receive speaking out information, and let the person speaking out know it has been received (if possible)
- Report speaking out information as appropriate (eg, to the relevant General Manager, Managing Director or Board)
- Ensure appropriate investigations happen and that principles of natural justice are applied
- Provide investigation reports to the Board, or as directed by the Board Chair
- Provide quarterly consolidated reports to the Board about speaking out incidents
- Review this policy in conjunction with the Board

5.2 All staff

All staff must:

- Not victimise or harm anyone speaking out, or planning to speak out
- Make sure you have reasonable grounds if you are planning to speak out

5.3 Managers

As well as the responsibilities that apply to all staff, managers must:

- Consider all disclosures appropriately, and promptly advise a WPO if they receive one, and
- Maintain confidentiality

5.4 Board

The Board must:

- Receive notifications/reports of speaking out that managers consider appropriate to escalate to the Board
- Decide on appropriate responses to investigation reports, including corrective action

- Review this policy in conjunction with the WPOs, at least every two years, and approve any material changes
- Ensure that all Aussie Broadband staff comply with their obligations