

Whistleblower Protection Policy

This policy applies to AMES Australasia (the Company) and every individual person who works for the Company. The policy does not form part of the terms of employment or engagement of any employee or individual contractor.

The policy is developed and implemented in accordance with the requirements of Part 9.4AAA of the Corporations Act 2001 (Cth) (the Act). It will be made available to all applicable persons by way of the AMES HRIS System (The Shed)

A whistleblower is a person related to the Company who reports information that might show misconduct or other inappropriate activity that has occurred within the Company.

The Act provides protections for certain whistle-blowers in certain circumstances, and the Company is committed to recognising and upholding those protections.

A person working for the Company who falls in to one or more of the following categories may be eligible for whistle-blower protection under the Act (eligible person):

- a Company director;
- a Company officer; and
- a Company employee or an individual contractor supplying goods and services to the Company (regardless of whether they are paid for doing so) or the contractor's employee.

This policy applies if any eligible person knows of information and has reasonable grounds to suspect the information concerns misconduct, or an improper state of affairs or circumstances, in relation to the Company or a related body corporate. In that event, they will have legal protection under the Act and this policy if they disclose that information to:

- the Australian Securities and Investments Commission (ASIC);
- a Company director or officer; or
- the following person authorised by the Company to receive disclosures that may qualify for protection under the Act (Whistleblower Protection Officer(s):

Michael Wood – Human Resource Manager – 0431 840 774

AMES Ethics Compliance Line: 1300 361 497

Disclosures can also be made to EAP assist, who can anonymously send your disclosure to AMES on your behalf – phone 0407 086 000 or email to Support@EAPassist.com.au

In addition, a disclosure to any officer or senior manager of the Company or a related body corporate, an auditor, or a member of an audit team conducting an audit, of the Company or related body corporate or an actuary of the Company or a related body corporate may qualify for protection.

An example of conduct that may be the subject of a protected disclosure includes information concerning a contravention of the Act, an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more, or conduct that represents a danger to the public or the financial system.

A disclosure of information by an individual concerning a personal work-related grievance does not qualify for protection (except where the grievance is about a breach of the whistleblowing protections).

In particular, a grievance about any matter in relation to the discloser's employment, or former employment, having (or tending to have) implications for the discloser personally will not qualify where it does not have significant implications for the Company.

Examples are:

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

There is no requirement for a discloser to identify him or herself for a disclosure to qualify for protection.

A disclosure of information by an individual qualifies for protection if the disclosure is made to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of these laws. A disclosure concerning a personal work-related grievance that is made to a legal practitioner may qualify for protection.

Investigation of disclosures

The Company will investigate all disclosures made by a person under this policy, as is appropriate, as soon as reasonably practicable after the disclosure has been made. A Whistleblower Protection Officer may, with the consent of the whistleblower, appoint a person/(s) to assist in the investigation of a disclosure.

The investigation will be conducted independently of any person who is the subject of the disclosure. Where appropriate, such persons will be informed of the allegations and provided with the opportunity to respond.

While the particulars of the investigation process will be determined by the nature and substance of the disclosure, if the disclosure is not anonymous, a Whistleblower Protection Officer or investigator will contact the whistleblower as soon as practicable upon receipt of the disclosure to discuss the investigation process including who may be contacted and such other matters as are relevant to the investigation.

Where appropriate, the Company will provide feedback to the whistleblower regarding the progress and/or outcome of the investigation.

Where a report is submitted anonymously, the Company will conduct the investigation based on the information provided.

Any findings of the investigation related to criminal activity will be reported to the police and/or regulators.

Protection for whistleblowers

The Company will support whistleblowers and protect them from detriment in the following ways:

(a) Protection from detrimental conduct

If a person makes a disclosure that qualifies for protection, they will not be subject to any disciplinary or other detrimental action by the Company. This includes (but is not limited to) protection from:

- termination of employment;
- disciplinary action;
- performance management;
- bullying or harassment; or
- unlawful discrimination.

The Company will ensure no person on its behalf victimises or threatens detrimental action against a person because of the disclosure.

(b) Protection of the identity of the whistleblower

Except in the circumstances specified below, the Company will not disclose the information, the identity of the discloser and any information that is likely to lead to the identification of the discloser, unless the discloser agrees.

The circumstances in which the Company may disclose the information are where disclosure is made:

- to ASIC, *Australian Prudential Regulation Authority*, Australian Federal Police or to a Commonwealth authority, or a state or territory authority, for the purpose of assisting the authority in the performance of its functions or duties;
- to a lawyer to obtain legal advice or legal representation in relation to the operation of the whistleblowing provisions; and/or
- because it is reasonably necessary to do so for the purposes of the Company investigating a matter to which the qualifying disclosure relates (in which case the Company will ensure the disclosure does not identify the whistleblower and will take all reasonable steps to reduce the risk the discloser will be identified as a result of the disclosure).

(c) Protection of files and records

All files and records created from an investigation will be securely retained.

(d) Additional support

The Company recognises that making a disclosure as a whistleblower can be stressful. If a person who makes a disclosure is an employee of the Company, they may access the Employee Assistance Program/Confidential Counselling Service EAP Assist and may also request additional support.

EAP Assist: Phone 0407 086 000 or Email: Support@eapassist.com.au

While the Company may not be able to provide the same level of counselling support to other whistleblowers, the Company will look at ways to provide support to the extent reasonably possible.

This policy is to be read in conjunction with the Griffon Corporation – Code of Business Conduct and Ethics