Date: November 2022
Business unit: Corporate Affairs

Whistleblowing Policy

1. Purpose

- This Policy sets out the processes for reporting suspected serious wrongdoing, in line with the Protected Disclosures (Protection of Whistleblowers) Act 2022 (**the Act**).
- Contact, as a private sector organisation, has obligations under the Act.
- Reporting serious wrongdoing helps Contact to protect its people, manage risk, promote openness and transparency and protect our reputation.

2. Application

- This policy applies to all Contact employees (including secondees, contractors and consultants).
- The Policy also applies to former employees and volunteers working for Contact when they are a Notifier making a protected disclosure.

3. Serious wrongdoing

- Serious wrongdoing includes any act, omission, or course of conduct that constitutes a:
    - serious risk to public health, public safety, the health or safety of any individual or the environment (for example: bullying, sexual harassment, arson, wilful damage to critical safety equipment);
    - serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial (e.g. bribery, fraud, false accounting);
    - criminal offence (e.g. insider trading, theft, receiving stolen property); or
    - contravention of Contact's Bullying, Harassment, and Discrimination Procedure (found here).
- In certain cases, the misuse by someone in a private company of public funds, public resources, or powers conferred by a public body, could amount to serious wrongdoing.

4. Reporting process

- Any employee who becomes aware of or suspects any serious wrongdoing at Contact is strongly encouraged to report it.
- In order to claim the protections described in section 5 below, information about serious wrongdoing can be reported:
    - using the reporting service designated by Contact for this purpose;
    - to the CEO or General Counsel; or
    - to an appropriate authority (whether or not Contact has been notified).

- The person making the report (the Notifier) can seek help from People Experience in making the disclosure.
- The recipient of the disclosure should acknowledge to the Notifier the date the disclosure was received and take steps under the Act within 20 working days of a report of serious wrongdoing.
- If no action is taken within 20 working days or if the Notifier believes the CEO or General Counsel may be involved in serious wrongdoing, the Notifier can raise their concern directly with the Chair of the Audit & Risk Committee or Chair of the Board.
- If the Notifier believes that Contact or the appropriate authority has not responded in the way the Act requires, the Notifier can raise their concern with a government minister.
- There is more guidance on making a disclosure on the Parliamentary Ombudsman's website.

5. Investigation process

- Once a disclosure is made, the recipient will consider the information provided and decide on the type of investigation (if any) to be undertaken.
- If Contact is the recipient and it decides that no further action is required, it will inform the Notifier of that decision and the reasons behind it.
- If Contact decides to refer the disclosure to an appropriate authority, it will consult with the Notifier and the intended recipient of the referral.
- Any investigation carried out must reflect the principles of natural justice, which include:
    - remaining unbiased and impartial;
    - making a decision only once all parties involved (or alleged to be involved) in the serious wrongdoing have been given the opportunity to be heard;
    - giving all parties involved (or alleged to be involved) in the serious wrongdoing reasonable notice of any interview;
    - advising all parties involved (or alleged to be involved) in the serious wrongdoing that they may be represented at any interview;
    - giving all parties involved (or alleged to be involved) in the serious wrongdoing a reasonable opportunity and period of time to respond to the allegation.
- The details of any disclosure may be reported to the Board.

6. Protections available under the Act

- The protections available under the Act are that:
    - no civil, criminal, or disciplinary proceedings can be taken against a person for making a protected disclosure.

- an employee who suffers retaliatory action, or the threat of retaliatory action, by their employer for making a protected disclosure can take personal grievance proceedings.
- an employee who is treated less favourably, or is threatened with less favourable treatment, than other persons in the same or substantially similar circumstances can take action under the Human Rights Act 1993.

- These protections only apply if the Notifier makes their disclosure using the channels described in section 4. Protections are lost if the concern is disclosed publicly or through the media.

- The protections apply even if the Notifier is mistaken and there is no serious wrongdoing.

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7. Confidentiality and Privacy

- The identity of the Notifier will be kept confidential unless:

  - that person consents to their identity being disclosed; or
  - there are reasonable grounds to believe that the release of the identifying information is essential:
    - for the effective investigation of the allegations;
    - to prevent serious risk to public health, public safety, the health and safety of any individual or the environment;
    - to comply with principles of natural justice; or
    - to an investigation by a law enforcement or regulatory agency for the purposes of law enforcement.

- Before releasing identifying information, Contact will consult with the Notifier where required in accordance with the Act. Contact will also inform the Notifier that the identifying information has been released where required in accordance with the Act.

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8. Requirement to act in good faith

The protections offered by the Act and this Policy do not apply where the Notifier makes a disclosure they know to be false or otherwise acts in bad faith. Allegations made maliciously or in bad faith may result in disciplinary action.

9. Related policies

This Policy should be read alongside the Code of Conduct and other policies that guide business conduct. Contact's policies can be found here.

10. Compliance

Contact requires all employees to comply with this policy. Compliance with this policy will be periodically monitored by the General Counsel.

Any known or suspected instances of non-compliance should be discussed with your manager, your Leadership Team member, or the General Counsel, or in accordance with the Act.

11. Document control

Approved	By the Chief Executive Officer 28 November 2022	**Document owner**	General Counsel