



ETHOS BUILDING & RESTORATION

WHISTLEBLOWER POLICY

Dated: 15/02/2023

Signed: 

By Director: Aaron Hair

DOMESTIC BUILDER: DB-U 29967
COMMERCIAL BUILDER: CB-L 47807
COMPANY BUILDER: CDB-U 51867

ABN: 49615519812
PH: 1300 238 467
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1. OUR POLICY

Ethos Building Pty Ltd is committed to high standards of behaviour and conduct in its business activities and encourages the reporting of behaviour which fails to meet this standard.

Ethos Building Pty Ltd's approach to protected whistleblower disclosures is set out in this policy, which will be communicated to all Ethos Building Pty Ltd officers and employees during induction and thereafter will be available on Ethos Building Pty Ltd's intranet and external website.

2. PURPOSE OF POLICY

The purpose of this policy is to ensure eligible whistleblowers, and those who may be involved in an investigation, understand: the ways in which a whistleblower can make a disclosure of information; the protections which arise under whistleblower laws; Ethos Building Pty Ltd's process for handling and investigating disclosures, and ensuring the fair treatment of the individuals involved; and how whistleblowers will be supported and protected by Ethos Building Pty Ltd.

3. APPLICATION OF POLICY

This policy applies to all directors, officers, and employees of Ethos Building Pty Ltd, as well as any eligible whistleblower who has made a protected disclosure under the whistleblowing legislation.

4. ELIGIBLE WHISTLEBLOWERS

Eligible whistleblowers are current and former:

- officers and employees of Ethos Building Pty Ltd.
- individuals who supply goods or services to Ethos Building Pty Ltd (and their employees);
- individuals who are associates of Ethos Building Pty Ltd; and
- relatives of any the above-named persons, as well as the dependents of any of the individuals listed above or their spouse.

Grievances made competitors, customers or clients of Ethos Building Pty Ltd are not covered by whistleblowing legislation.

5. DISCLOSABLE MATTERS

What is a disclosable matter?

An eligible whistleblower may make a disclosure under this policy if they have reasonable grounds to suspect the information concerns:

- misconduct; or
- an improper state of affairs or circumstances; in relation to Ethos Building Pty Ltd.
For example, this could include conduct by Ethos Building Pty Ltd, or a director, officer, or employee of Ethos Building Pty Ltd, involving:
 - fraud.
 - bribery or corruption.
 - money laundering or misappropriation of funds.
 - conduct which is detrimental to Ethos Building Pty Ltd and could cause financial or non-financial loss.

- contravention of any law administered by ASIC or APRA.
- offences punishable by 12 months imprisonment or more; or
- conduct that represents a danger to the public or the financial system.

What is not a disclosable matter?

Matters involving personal or work-related grievances are not generally capable of being a disclosable matter under whistleblowing legislation unless they point to systemic issues.

Personal or work-related grievances include grievances about:

- personal or interpersonal issues connected to work; and
- transfers, promotions, demotions, disciplinary action, performance management, or
- any other grievance connected to conditions of employment or employment generally.

Reports raised about concerns which are not disclosable matters do not qualify for protection under whistleblower laws.

6. ELIGIBLE RECIPIENTS

Only reports about disclosable matters made to an eligible recipient, or another individual recognised by whistleblower legislation as being able to receive such a report, attract protection under the whistleblowing legislation.

For the purposes of this policy, Ethos Building Pty Ltd's nominated eligible recipients are:

- Managing Director, Aaron Hair
- Chief Operating Officer, Joe Di Natale

Nominated eligible recipients' contact details can be found on the intranet, by mail or hand delivery to: 136 Roden Street, West Melbourne. VIC. 3003

Whistleblowing legislation states that reports about disclosable matters made to the following people will also attract protection:

- officers and senior managers of Ethos Building Pty Ltd, being anyone with the job title of Senior Director or above.
- Ethos Building Pty Ltd's auditors, members of an audit team conducting an audit, or actuaries.
- ASIC, APRA, the Commissioner of Taxation, members of the Australian Federal Police and other prescribed external agencies.
- legal practitioners (for the purpose of obtaining legal advice and representation);
- other external parties authorised by Ethos Building Pty Ltd from time to time; and
- journalists or Members of Parliament (but only in relation to public interest or emergency disclosures. A whistleblower who intends to make such a disclosure should seek independent legal advice before doing so).



If an eligible whistleblower wishes to obtain additional information in relation to whistleblower laws or the operation of this policy, they should contact Ethos Building Pty Ltd's Director or Chief Operating Officer.

7. INVESTIGATION TEAM

When a protected disclosure is received, Ethos Building Pty Ltd will follow the process set out in section 8. As part of that process, the eligible recipient will pass the disclosure to a member or members of the investigation team. The members of the investigation team in each case will depend upon the nature of the disclosable matter, but will likely be made up of a combination of the following people:

- Directors & Chief Operating Officer
- External providers engaged by Ethos Building Pty Ltd for their specialist knowledge or in situations where (for reasons of confidentiality or independence) it is appropriate to have an external provider assist Ethos Building Pty Ltd in the investigation process.

8. DISCLOSURE AND INVESTIGATION PROCESS

The process for reporting a disclosable matter is as follows:

- Ethos Building Pty Ltd's preference is that eligible whistleblowers who wish to report a disclosable matter do so by submitting the report via the online Director Feedback Form – [CLICK HERE](#)
- If the Director Feedback Form is not available or is unsuitable, the disclosure can be reported directly to an eligible recipient by email, telephone, in person or in hard copy.
- Protected disclosures can be made anonymously. The process Ethos Building Pty Ltd will follow when a disclosure is made to an eligible recipient will vary depending on whether the whistleblower chooses to remain anonymous, as described below.

Notification process

1. The eligible recipient will send an acknowledgement message to the eligible whistleblower, where the message is not submitted anonymously and assuming contact details are available, confirming receipt of the disclosure and that the matter will be referred to the investigation team.
2. The eligible recipient will send the matter to the investigation team (or another eligible recipient or other appropriate person, depending on the circumstances).
3. A member of the investigation team will contact the eligible whistleblower, assuming contact details are available to:
 - i. ask if they are prepared to identify themselves to assist with the investigation; and
 - ii. to obtain further information, if possible, relevant to the disclosure and investigation.



4. If the eligible whistleblower is prepared to identify themselves, a member of the investigation team or another eligible recipient will confirm with them whether the eligible whistleblower's identity can be shared with a limited group of people, which will typically include the investigation team members, the Directors, and the Chief Operating Officer of Ethos Building Pty Ltd. If the eligible whistleblower is a current employee of Ethos Building Pty Ltd, the investigation team member will also ask whether they consent to their identity being shared with Ethos Building Pty Ltd's Leadership team so that support can be provided throughout and following the investigation, if required.

5. If the eligible whistleblower decides to remain anonymous, the investigation will proceed on that basis.

6. It is important to note that while Ethos Building Pty Ltd will make appropriate efforts to investigate a disclosable matter from an eligible whistleblower who remains anonymous, there may be limitations on what can be achieved by the investigation process in those circumstances.

Where the Eligible Whistleblower is Identified

1. The eligible recipient will send an acknowledgement message to the eligible whistleblower, assuming contact details are available to facilitate, confirming receipt of the disclosure and that the matter will be referred to the investigation team. They will also ask for confirmation as to whether the eligible whistleblower's identity can be shared with a limited group of people, which will typically include the investigation team members, the Directors, and the Chief Operating Officer of Ethos Building Pty Ltd. If the eligible whistleblower is a current employee of Ethos Building Pty Ltd, the eligible recipient will also ask whether they consent to their identity being shared with Ethos Building Pty Ltd's Leadership team so that support can be provided throughout and following the investigation, if required.

2. If the eligible whistleblower confirms that they do not want their identity to be disclosed, the eligible recipient will advise the eligible whistleblower that confidentiality with respect to the whistleblower's identity will be maintained to the fullest extent possible when passing the matter to the investigation team. The eligible recipient will then send the matter to a member of the investigation team without disclosing the whistleblower's identity.

3. If the eligible whistleblower confirms that they agree to their identity being disclosed, the eligible recipient will send the matter to a member of the investigation team along with the name and contact details of the whistleblower. This information may also then be shared with the members of the relevant group, in accordance with the whistleblower's consent.

All Eligible Whistleblowers – Investigation Process

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Once the investigation team has received the report of the disclosable matter which has been raised, they will undertake an investigation in accordance with Ethos Building Pty Ltd's standard practice, which will ordinarily include the following steps:

- speaking to the whistleblower to obtain more information (if possible).
- reaching a decision as to who will form the investigation team and conduct the investigation.
- informing the person (or group of people) to whom the disclosable matter relates (if it is a particular person, or group of individuals) that a report has been received and is being investigated.
- ascertaining whether there are any potential witnesses who should be interviewed and speaking to those witnesses (if any).
- accessing and reviewing relevant material including emails, historic documents, records, communications and the like.
- reviewing expenses, purchase orders, contracts, and other data.
- reaching findings as to whether the allegations raised by the disclosure are substantiated; and
- preparing a report to document the outcomes of the investigation.

The eligible whistleblower will be kept informed of the progress and the outcome of the investigation, to the extent possible, having regard to Ethos Building Pty Ltd's policies and duties.

Records of whistleblowing disclosable matters will be kept in a locked documents area (including a secure record area within Management File) for reporting and compliance purposes, which are only accessible to authorised personnel.

Where the eligible whistleblower is an employee of Ethos Building Pty Ltd, it is recommended that they check-in with a Director or Chief Operating Officer at both 3 and 6 months after the resolution of the matter. They will also be available to provide support to the whistleblower as required throughout the investigation process. Such support might include how to raise a concern if the whistleblower experiences victimisation as a result of raising a disclosable matter or participating in an investigation, or assistance from external support nominated by Ethos Building Pty Ltd.

9. ELIGIBLE WHISTLEBLOWER PROTECTIONS

Protection of Identity

If the eligible whistleblower discloses their identity, protections exist to ensure that Ethos Building Pty Ltd (and any other individual who is made aware of the whistleblower's identity) does not:

- disclose the identity of the whistleblower; or
- disclose information that is likely to lead to identification of the whistleblower,

unless it is reasonably necessary to investigate the disclosure, and with the exception of disclosure to certain regulatory and government bodies or a legal practitioner.

It is not a breach of the law to disclose the identity of an eligible whistleblower if the eligible



whistleblower consents to their identity being disclosed.

Complaints about any suspected or actual breach of the confidentiality requirements under whistleblower legislation may be raised with Ethos Building Pty Ltd Directors and or Chief Operating Officer. Complaints may also be lodged with an external regulator, such as ASIC, APRA or the ATO.

Protection from Victimisation

Eligible whistleblowers, and others who are involved in whistleblower investigations, also receive protection against victimisation and detrimental conduct.

Victimisation includes causing or threatening to cause a detriment to a person, including damage to the health, property, reputation, finances, or employment of the individual. Dismissal, demotion, harassment, and exclusion are examples of detriment to employment.

Ethos Building Pty Ltd does not tolerate victimisation of any kind. Any employee found to be participating in such conduct will face disciplinary action, which may include termination of employment.

Complaints of victimisation should, in the first instance, be raised with the Director and or Chief Operating Officer.

While Ethos Building Pty Ltd will take steps to protect those involved in whistleblowing investigations from unlawful victimisation, it is also important that employees are effective in their role and treated in regard to performance and conduct. Ethos Building Pty Ltd may raise performance or conduct concerns, as long as these concerns are not raised as a result of participation in the whistleblowing investigation.

Compensation, Other Legal Remedies and Penalties

A person who participates in a whistleblower investigation may be entitled to seek compensation and other legal remedies if they suffer loss, damage or injury as a result of the disclosure and reasonable steps were not taken to prevent detrimental conduct from occurring.

10. RELEVANT LEGISLATION

The laws regarding whistleblower disclosures and protections are set out in the following whistleblower legislation:

- *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth); and*
- *Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Act 2019 (Cth).*

11. WHO TO CONTACT

Director

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