echorealty

Leaders
in affordable
housing

WHISTLEBLOWER PROTECTION POLICY

POLICY TYPE	Group Governance Policy
APPLICABILITY	**Company** EchoRealty NSW & ACT Limited EchoRealty Vic Limited
POLICY REFERENCE	GRC025 ER
POLICY OWNER	General Manager, Governance and Legal
APPROVED BY	Evolve Housing Ltd Board of Directors
APPROVAL DATE	09.2025
REVIEW DATE	09.2028

TABLE OF CONTENTS

1. Purpose **3**

2. In and Out of Scope **3**

3. Policy Statement **3**

4. Legislation **4**

4.1 Important definitions 4

5. What is whistleblowing? **4**

6. The Company's whistleblowing process **4**

6.1 Eligible Whistleblower 4

6.2 Reportable Conduct 4

6.3 Eligible Recipient 5

6.4 Whistleblower protections 6

6.4.1 Personal work-related grievances 6

6.5 Investigation 7

6.6 Confidentiality 7

6.7 Communication with the Whistleblower 7

6.8 Training and Communication 7

6.9 False Reporting 7

WHISTLEBLOWER PROTECTION POLICY

1. PURPOSE

This document defines the approach of Evolve Housing Limited and its controlled entities described under Applicability in the details table on Page 1 of this document (referred to as the Company) to the disclosure of information by Employees and others, through the process of 'whistleblowing'.

The Company is committed to developing a strong ethical culture within the company. The reporting of improper conduct is a key element in developing this ethical culture. This includes the ability for people inside and outside of the Company, to be able to come forward with concerns about instances of fraud, corruption or general misconduct, and not fear retribution.

This Whistleblower Protection Policy is based on the whistleblower protection provisions of the Corporations Act 2001 (the "Act") and aims, among other things, to:

- Encourage the reporting of matters that may cause loss or damage to the Company or its reputation;
- Enable the Company to effectively deal with reports from Eligible Whistleblowers in a way that will protect the identity of the Eligible Whistleblower;
- Ensure a mechanism is in place for protecting Eligible Whistleblowers against reprisal; and
- Comply with legislative requirements regarding the protection of Eligible Whistleblowers.

2. IN AND OUT OF SCOPE

This Policy applies to all Company Directors and Employees of the Company, including contractors, volunteers and students. The provisions of this Policy are also relevant to Company suppliers and others who meet the definition of Eligible Whistleblower.

It is important that only genuine concerns are reported. Malicious or false allegations will be treated as a serious offence.

3. POLICY STATEMENT

It is generally acknowledged that whistleblowers perform a vital role in the community in exposing fraud, corruption and other misconduct. The act of whistleblowing helps to ensure that companies are held to account and operate within the confines of the law. It is therefore necessary to protect whistleblowers and promote open, transparent and accountable practices.

The Company is committed to achieving and maintaining high standards in all its working practices with regard to behaviour at work and service to the public. Employees are expected to conduct themselves with integrity, impartiality and honesty.

The Company seeks to develop a culture that encourages the challenge of inappropriate behaviour at all levels. To achieve this aim, the Company encourages Employees to report genuine concerns about malpractice, illegal acts or failures to comply with recognised standards of work, without fear of reprisal or victimisation.

The Company will not tolerate harassment or victimisation of an Eligible Whistleblower and will treat such conduct as serious misconduct which, if proven, may result in dismissal.

4. LEGISLATION

The Company is a charity regulated by the Australian Charities and Not-for-profits Commission. Evolve is also a company regulated under the Corporations Act 2001, to which the provisions of Part 9.4AAA of the Act apply. Part 9.4AAA legislates the requirements around whistleblower rights and protection.

4.1 Important definitions

Under the Act, there are a number of specific definitions which relate to the protection of Eligible Whistleblowers. Any capitalised term used in this Policy is fully defined in the Defined Terms table on page 8 of this Policy.

5. WHAT IS WHISTLEBLOWING?

Whistleblowing is a disclosure of information (a report), in connection with misconduct, such as fraud, corruption, or illegal activity, by a company, its employees or representatives, by a person who is an Eligible Whistleblower to a person who is an Eligible Recipient.

6. THE COMPANY'S WHISTLEBLOWING PROCESS

An **Eligible Whistleblower**
- ⇨ reports **Reportable Conduct**,
- ⇨ to an **Eligible Recipient**, and
- ⇨ the **Report** is investigated**.**

6.1 Eligible Whistleblower

An individual who discloses information or makes a report about potential misconduct by a company or its employees, is referred to as a whistleblower.

In order to receive protection under this Policy (and the Act), the whistleblower must be an Eligible Whistleblower. Eligible Whistleblowers include individuals who are, or at any time in the past have been, any of one the following:

a. a Director or Employee of Evolve or any of Evolve's subsidiaries;
b. anyone who supplies services or goods to Evolve, or an employee of that supplier;
c. a Relative or dependant of an individual in (a) or (b).

An individual who is unsure whether they are a whistleblower or is unsure about what protections or rights to compensation may or may not apply to them, should consider seeking advice from a properly accredited legal practitioner.

6.2 Reportable Conduct

Reportable Conduct is conduct by the Company or by a person or persons connected with the Company, which the Eligible Whistleblower has Reasonable Grounds to suspect:

- concerns misconduct or an improper state of affairs or circumstances in relation to the Company; or
- indicates that the Company or one of its Directors or Employees has engaged in conduct that:
  - constitutes an offence against, or a contravention of, the Act or any other legislation referred to in section 1317AA, subsection 5(c) of the Act;
  - represents a danger to the public or the financial system; or
  - constitutes an offence against any other Commonwealth law (e.g. Trade Practices Act or Income Tax Assessment Act) that is punishable by imprisonment for a period of 12 months or more.

Important: an Eligible Whistleblower must have Reasonable Grounds to suspect the conduct is Reportable Conduct.

Examples of Reportable Conduct include:

- suspected fraud, bribery or corruption;
- conduct which is illegal or is a failure to comply with a legal obligation;
- a criminal offence;
- a danger to the health and safety of any individual;
- damage to the environment; or
- a deliberate concealment of information tending to show any of the above.

For the purposes of this Policy, Reportable Conduct also includes conduct which may negatively impact the Company's finances or reputation.

The Company will ensure any individual who is the subject of Reportable Conduct is treated in line with the principles of natural justice and procedural fairness, prior to any action being taken. Where that individual is an Employee, the services of the Employee Assistance Program are available.

6.3 Eligible Recipient

To qualify for whistleblower protection under this Policy and the Act, the Eligible Whistleblower's report needs to be made to someone who is eligible to receive the information - an 'Eligible Recipient'.

Eligible Recipients for the Company are:

- a Director of the Company, who can be contacted on Chair@evolvehousing.com.au;
- the Company's Group Chief Executive Officer (CEO), who can be contacted on lyall.gorman@evolvehousing.com.au;
- a Group General Manager (GM) of the Company, who can be contacted on melissa.scardino@evolvehousing.com.au;
- the Company's external auditor, who can be contacted on Tel: +61 2 9251 4100; and
- any other person authorised by the Company to receive disclosures that may qualify for protection.

A report by an Eligible Whistleblower will also qualify for protection if it is made to:

- a legal practitioner for the purpose of obtaining legal advice or legal representation; or
- the Australian Securities and Investments Commission (ASIC).

6.4 Whistleblower protections

Whistleblower protections are provided to whistleblowers to enable them to come forward to report misconduct without fear of retribution or personal Detriment.

To be entitled to protection under this Policy and the Act, the whistleblower must:

- be an Eligible Whistleblower;
- have reasonable grounds to suspect the Reportable Conduct; and
- have disclosed the Reportable Conduct to an Eligible Recipient or other allowable party.

Where the above criteria have been met, an Eligible Whistleblower will receive protections in relation to:

- confidentiality of their identity;
- not being liable (including disciplinary action) for making the report;
- victimisation, where it will be an offence to engage in conduct causing Detriment or threatening to cause Detriment to the Eligible Whistleblower due to any belief or suspicion that the Eligible Whistleblower has made or proposes to make a disclosure; and
- The Company will put mechanisms in place to ensure an Eligible Whistleblower is supported through the whistleblowing process and protected as far as possible from potential Detriment. Where that individual is an Employee, the services of the Employee Assistance Program will be made available

A number of remedies are available to an Eligible Whistleblower (as detailed in section 1317AE of the Act), including compensation for any loss, damage, or injury they suffer and damages.

If reprisals are taken, or are claimed to have been taken, against an Eligible Whistleblower and the matter cannot be resolved within the Company, the whistleblower can seek independent legal advice or contact a regulatory body such as ASIC.

6.4.1 Personal work-related grievances

Whistleblower protections do not cover a report by an Employee about a personal work-related grievance. A disclosure of a work-related grievance will only be protected if it relates to the Company's or a person's treatment of an Employee for making, or believing they have made, a report protected under this Policy, or the conduct breaks employment or other laws, or suggests systemic misconduct.

A disclosure of a work-related grievance may be protected if it is made to a legal practitioner in order to obtain legal advice or representation in relation to whistleblower provisions.

Examples of personal work-related grievances include, but are not limited to:

- 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 employment or engagement of the discloser, or otherwise to discipline the discloser.

6.5 Investigation

All reports provided under this Policy will be the subject of a thorough investigation with the objective of locating evidence that either substantiates or refutes the claims made by the whistleblower. Information on the investigation process can be found in Related Resources table on page 9 of this Policy.

Such investigations will be fair and independent. If deemed appropriate by the CEO or GM Growth, Governance and Legal, the investigation will be conducted by an independent third party.

6.6 Confidentiality

Any Eligible Whistleblower who provides a report under this Policy will be given a guarantee of anonymity, unless there are legal requirements for the disclosure.

All documents (including emails) relating to the Reportable Conduct will be kept secure and confidential and only released to another party where required to do so under law, or if the Eligible Whistleblower has been consulted and consents in writing to the disclosure.

6.7 Communication with the Whistleblower

If desired by the Eligible Whistleblower, the Company will ensure, where possible, that the whistleblower is kept informed of the outcomes of the investigation of the report, unless the report has been made anonymously.

This is subject, among other things, to

- the Eligible Whistleblower agreeing in writing, to maintain any information provided to him or her, in relation to their report, confidential; and
- the consideration of maintaining the privacy of those against whom the allegation is made and compliance with the Company's Privacy Policy.

6.8 Training and Communication

The Company will ensure that new and existing Directors and Employees, and other parties as considered relevant, are informed about this Policy.

Each Employee will have access to this Policy on the Evolve Housing Intranet and be provided with training. A copy of this Policy is also available on the Company's website and is made available to Directors as part of the Company Director Induction documents.

6.9 False Reporting

Where it is shown that a person purporting to be an Eligible Whistleblower has intentionally made a false report under this Policy, then that conduct itself will be regarded as "Serious Misconduct" under the Employee Disciplinary Procedure and will lead to disciplinary action which may include termination of employment.

DEFINED TERMS

TERM	DEFINITION
Act	the *Corporations Act 2001*.
ASIC	Australian Securities and Investments Commission.
Company	Evolve Housing Limited and its controlled entities as detailed in the Applicability table on Page 1 of this policy.
Detriment	detriment includes (without limitation) any of the following: a. dismissal of an employee; b. injury of an employee in his or her employment; c. alteration of an employee's position or duties to his or her disadvantage; d. discrimination between an employee and other employees of the same employer; e. harassment or intimidation of a person; f. harm or injury to a person, including psychological harm; g. damage to a person's property; h. damage to a person's reputation; i. damage to a person's business or financial position; and j. any other damage to a person.
Eligible Recipient	each of the following is an eligible recipient under this Policy: a. a Director of the Company, the Company's CEO and any General Manager of the Company; b. the Company's external auditor; and c. any other person authorised by the Company to receive disclosures that may qualify for protection.
Eligible Whistleblower	An individual who is, or has been at any time in the past, any of the following: d. a Director or Employee of the Company; e. anyone who supplies services or goods to the Company (whether paid or unpaid); f. an employee of anyone who supplies services or goods to the Company (whether paid or unpaid); g. an associate of the Company as defined in Section 9 of the Act; h. a Relative of an individual referred to in (a) to (d); i. a dependant of an individual referred to in (a) to (d), or of such an individual's Spouse.
Employee	any person employed by, or engaged to represent, the Company, including contractors, volunteers and students.

Relative	includes a Spouse, parent, child, brother or sister of the individual.
Reportable Conduct	has the meaning given to that term in clause 6.2 of this policy
Reasonable Grounds	means that a reasonable person in the whistleblower's position would also suspect the information indicates misconduct or a breach of the law.
Spouse	includes a de facto partner of the individual

RELATED RESOURCES

RESOURCE
Evolve Housing Code of Conduct Policy
Evolve Housing Conflict Of Interest Policy
Evolve Housing Privacy Policy
Evolve Housing Delegations of Authority Policy
Evolve Housing Employee Disciplinary Procedure
Evolve Housing Fraud, Bribery and Corruption Prevention Policy

REVISION HISTORY

DATE REVIEWED	POLICY REVIEWER	KEY CHANGES
01.11.2016		Policy adopted
04.07.2022	Raylee Golding, GM GAL/ Co Sec	Application of policy extended to controlled entities (excluding Evolve Housing Vic Limited)
13.01.2025	Andrea Jeffrey	Minor update to contact details as recommended by NSW Registrar
09.09.2025	Andrea Jeffrey	Updated to include additional detail from the whistleblower provisions in the *Corporations Act 2001 (Cth)*