

Purpose ● ● ● ●

This framework (**WBPF**) is a Schedule to and supports Kinetic IT’s Whistleblower Protection Policy (**WBPP**).

Kinetic IT expects all its employees, contractors and suppliers to adhere to the highest standards of behaviour when representing our company. The WBPP and WBPF are important mechanisms in Kinetic IT’s risk management toolkit for identifying wrongdoing and conduct that is classified as Reportable Conduct (see below) should be reported. This WBPF describes how to make a disclosure of Reportable Conduct, how it will be investigated and actioned, and the protections and support available to a person making a disclosure.

The WBPP and WBPF are available on Kinetic IT’s intranet and on www.kineticit.com.au

Roles and Responsibilities ● ● ● ●

Role	Responsibilities
Board of Directors	The Board of Directors of Kinetic IT Pty Ltd governs and is ultimately responsible for any Disclosures and investigations under the WBPP.
Whistleblower Protections Officer (WPO)	The WPO is responsible for safeguarding the interests of the Discloser making Disclosures under the WBPP. The WPO will refer any reports that require investigation to the WIO. The WPO owns the WBPP and the WBPF and is responsible for ensuring that the WBPP and WBPF is reviewed and updated in accordance with this WBPF.
Whistleblower Investigations Officer (WIO)	The WIO will carry out or supervise the investigation of reports made under the WBPP. The WIO acts independently of the WPO.
Legal Counsel	The Legal Counsel provides legal support to Kinetic IT in relation to any investigation following a report made under the WBPP.
Third Party Service Providers	Kinetic IT may engage the services of a third party (for example a forensic accountant) to assist in any investigation following a report made under the WBPP.
All Kinetic IT employees	All Kinetic IT employees are expected to make disclosures should they become aware of any Reportable Conduct.

Disclosers ● ● ● ●

The WBPP and WBPF applies to “Disclosers”, which means any of the following (current and former) in relation to Kinetic IT Pty Ltd that report Reportable Conduct under this WBPF:

- Company Directors;
- Officers;
- Contractors (including employees of contractors);
- Employees;
- Suppliers (including employees of suppliers);
- Associates;
- Consultants; and
- Relatives, dependents, spouses, or dependents of a spouse of any of the above.

The persons and entities listed above are eligible for protection as a Discloser of Reportable Conduct under this WBPF.

Reportable Conduct ● ● ● ●

The WBPP only applies to conduct that is “Reportable Conduct”. Reportable Conduct is conduct that the Discloser has reasonable grounds to believe is misconduct or an improper state of affairs or circumstances, amounts to a breach of Kinetic IT’s policies or amounts to a breach of a law. Importantly, Reportable Conduct can include conduct that does not involve contravention of a particular law. Reportable Conduct may include:

- Dishonest behaviour
- Fraudulent activity
- Offering or accepting a bribe



- Unlawful, corrupt or irregular use of company funds
- Illegal activity
- Unethical behaviour including anything that would breach Kinetic IT's policies or code of professional ethics
- Improper or misleading accounting or financial reporting practices
- A breach of any legislation relating to Kinetic IT's operations including the *Corporations Act 2001 (Cth)*
- Behaviour that is grossly negligent or unsafe
- Any other conduct that may be detrimental to Kinetic IT's interests or cause reputational harm.

A Discloser can still qualify for protection under the WBPP if the disclosure turns out to be incorrect providing that the Discloser has reasonable grounds to believe the conduct was Reportable Conduct though a person who deliberately submits false reports will not be able to access the protections under the WBPP and may be subject to disciplinary action.

A disclosure of information that is not characterised as Reportable Conduct is not entitled to protection under the WBPP. Reportable Conduct does not include personal work-related grievances (for example interpersonal conflict and decisions around promotion). Personal work-related grievances should be reported to line managers or Kinetic IT's human resources representative in accordance with Kinetic IT's Issue Resolution procedure. Health and safety hazards should be managed by way of Kinetic IT's H-P01 Hazard Management procedure.

Making a Disclosure

Disclosures made under the WBPF should describe the grounds for the report and provide as much detail as possible of all relevant facts and supporting documentation. Disclosures can be made anonymously and still qualify for protection under the WBPP. There are several channels to make a report if you become aware of Reportable Conduct.

Disclosures to HR Department

Kinetic IT employees or contractors working within Kinetic IT can report Reportable Conduct to a HR Business Partner, HR Advisor or HR Manager. Where this is not appropriate (for example where the Discloser does not feel comfortable contacting the human resources department) the Kinetic IT employee can make a Disclosure to an "Eligible Recipient" or to Kinetic IT's external whistleblower service (see below).

Disclosures to Eligible Recipients

Reportable Conduct can be disclosed to an "Eligible Recipient" within Kinetic IT. Kinetic IT's eligible recipients are:

- Company Directors;
- Chief Executive Officer;
- Chief Operating Officer;
- Chief Financial Officer;
- Chief Marketing Officer;
- Chief People Officer;
- Company Secretary;
- Group Executives;
- An external or internal financial auditor or actuary of Kinetic IT; and
- the WPO.

Disclosures to an Eligible Recipient must inform the Eligible Recipient that they are making a Disclosure under the WBPP. An Eligible Recipient may direct the Discloser to make the Disclosure to the external whistleblowing services (see below) or to the WPO if they consider it appropriate.

Disclosures to External Whistleblower Service “Halo”

A Disclosure can be made to Kinetic IT’s external whistleblowing service, “Halo” using any of the following methods:

- Email to: kineticintegrity@deloitte.com.au
- Calling the hotline number: 1800 980 685
- Visiting online: www.KineticIntegrity.deloitte.com.au
- Sending a fax to: +61 3 9691 8182
- Post:
Kinetic IT Integrity
Reply paid 12628 A’Beckett Street
VICTORIA 8006

Disclosures may be made anonymously using any of the methods above however this may impact Kinetic IT’s ability to investigate the matter.

Disclosures to Regulatory Bodies, legal practitioners, parliamentarians and journalists

A Disclosure may be made to:

- ASIC, APRA or another Commonwealth body prescribed by the regulations (ASIC’s Information Sheet 239, available at asic.gov.au) provides further details about Disclosures to regulatory bodies).
- a legal practitioner for the purpose of obtaining legal advice in relation to whistleblowing protection laws.
- a parliamentarian or journalist in circumstances where the disclosure is made in the “public interest” or in an “emergency” (Tables 2 and 3 of ASIC’s Information Sheet 238, available at asic.gov.au, provides further details about public interest and emergency disclosures).

Investigating Reportable Conduct ● ● ● ●

Where a Disclosure is made under the WBPP, Kinetic IT’s WPO will perform a preliminary assessment and determine whether the Disclosure requires further investigation. The WPO, at his or her discretion, may utilise the WIO or an external investigator to conduct an investigation. All investigations will be conducted in a fair and independent manner and all reasonable efforts will be taken to preserve the confidentiality of an investigation.

A Discloser who has made a report under the WBPP must keep confidential the fact that a report has been made (subject to any legal requirements).

Where a Discloser wishes to remain anonymous, the Discloser’s identity will not be disclosed to the investigator or to any other person. Information that is likely to lead to the identification of the Discloser can be disclosed without the Discloser’s consent provided that it is disclosed for the purpose of either reasonably investigating the matter or to comply with legal requirements and all reasonable steps are taken to reduce the risk that the Discloser will be identified.

Wherever possible, and assuming that the identity of the Discloser is known, the Discloser will be kept informed of the progress and outcomes of the investigation (subject to privacy and confidentiality considerations).

Following the investigation, a final report will record findings and other action taken. The final report will be provided to the Kinetic IT Board of Directors or to the Chair as appropriate.

Protections and support for Disclosers ● ● ● ●

A Discloser will not be subject to any civil, criminal or disciplinary actions for making a Disclosure that is covered by the WBPP or for participating in any subsequent investigation. No employee, officer or contractor of Kinetic IT may engage in detrimental conduct (such as dismissal, injury of an employee’s employment, discrimination, harassment, intimidation, harm or other injury) against a Discloser who has made a Disclosure in accordance with the WBPP because of such Disclosure.

Kinetic IT will take all reasonable steps to ensure that the Discloser will not be subject to any form of victimisation or detrimental conduct. If the Discloser feels that they have suffered detriment, the Discloser should lodge a complaint to the WPO. For the avoidance of doubt:

- reasonable administrative action taken by Kinetic IT to protect a Discloser from detriment will not be considered detrimental conduct; and
- the WBPP will not protect the Discloser if they are also involved in or connected to the conduct that is subject to the Disclosure.

A Discloser may seek independent legal advice if they feel they have suffered loss, damage or injury as a result of a Disclosure or if they feel that Kinetic IT failed to take reasonable steps to prevent detriment being suffered as the Discloser may be entitled to compensation and other remedies.

A Disclosure can be made anonymously however it may be difficult for Kinetic IT to investigate or take action to address the matters disclosed in anonymous reports. Information about a Discloser's identity and information that is likely to lead to identification of the Discloser may be disclosed where the information is disclosed to ASIC, APRA or policing agencies or where the information is disclosed to a legal practitioner for the purpose of obtaining advice in relation to the operation of applicable whistleblowing protection laws. A Discloser may also consent to the disclosure of information that is likely to lead to the identification of the Discloser.

Support available for Disclosers includes:

- Access to Kinetic IT's Employee Assistance Program.
- Appointing a support person.

Any retaliatory action or victimisation in reprisal for a Disclosure made under this WBPF or the WBPP will be treated as serious misconduct and will result in disciplinary action, which may include dismissal.

Other parties that are required to give information to aid the investigation will also be protected from retaliation.

Kinetic IT will not disclose a Discloser's identity unless:

- it is required in order to progress an investigation, and the Discloser consents to the disclosure, and/or
- the disclosure is required or authorised by law.

It may also be necessary to disclose the facts and substance of a report to a person who may be the subject of the report. The release of the report to other parties will be on a strictly confidential basis and all reasonable steps will be taken to ensure that the Discloser's identity is not disclosed however in certain circumstances the identity of the Discloser may be obvious or can be determined based on the subject matter of the Disclosure.

All documentation in relation to a Disclosure is stored securely and can only be accessed by persons directly involved in managing and investigating the Disclosure. Documentation will only be printed in circumstances where it is absolutely necessary or required by law.

Fair treatment of individuals the subject of or mentioned in Disclosures ● ● ● ●

Individuals that are mentioned in Disclosures, including those that are subject to the Disclosure, are entitled to be treated fairly during the course of any subsequent investigation. In this regard:

- Disclosures will be handled confidentially unless there is a legal requirement to disclose information or the individual consents to such disclosure.
- Disclosures will be assessed and a determination made as to whether the Disclosure should be subject to an investigation to determine whether there is sufficient evidence to substantiate or refute the allegations in the Disclosure.

- Providing it is appropriate to do so, an employee who is subject of a Disclosure will be advised of the subject matter of the Disclosure and will be informed of the outcome of an investigation (but they will not be provided with a copy of any investigation report).
- An employee who is subject of or mentioned in a Disclosure is entitled to a support person if requested and may access Kinetic IT's Employee Assistance Program.

Breach ● ● ● ●

Any breach of the WBPP will be taken seriously and may result in disciplinary action including dismissal.

Reporting Procedures ● ● ● ●

Reports or investigations carrying an undue amount of risk will be reported to the Board of Directors outside of regular Board meetings. The Board of Directors can, at any time, ask about anonymous reports and investigations, as well as the state of the whistleblowing protection program.

Review of the WBPP ● ● ● ●

The WBPP and WBPF will be reviewed every two years to ensure they remain consistent with all relevant legislative requirements. Kinetic IT may, at any time, amend, withdraw or replace the WBPP and WBPF.

Owned By	Company Secretary
Approved by	Board of Directors of Kinetic IT Pty Ltd
Last Update	22 November 2019