



Whistleblowing Policy

amaysim Australia Limited

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1 Our Commitment

amaysim is committed to a culture of respect and ethical conduct in the way we work and relate to each other.

We recognise the value of keeping the laws and standards that apply to us in our work and encourage everyone to report misconduct.

We will not tolerate corrupt, illegal or other undesirable conduct nor condone victimisation of anyone who intends to disclose or has disclosed misconduct.

2 Objectives of this policy

Our objectives are to:

- encourage and allow persons to disclose misconduct
- ensure disclosures are properly and lawfully dealt with
- support and protect everyone involved in the disclosure from victimisation and detrimental action
- ensure the identity of those making a disclosure ("**Whistleblower**") and the content of the disclosure are kept confidential

Nothing in this policy is intended to change or take away any other protections which may be available at law.

3 Definitions

Act means Corporations Act 2001 (Commonwealth).

4 Who does this Policy apply to?

This policy applies to anyone who has or is working for us or doing something in connection with their work for us.

It includes past and current:

- officers and managers
- board members
- employees
- volunteers
- individuals who supply goods and services to us, and, their employees

- work experience students
- commissioned agents and consultants
- a relative of an individual referred to above
- a dependent of an individual referred to above or of such an individual's spouse

(collectively referred to as '**Disclosers**').

5 Who may make a disclosure?

Any person defined as a discloser in the paragraph above may make a disclosure under this policy.

6 What misconduct should be disclosed?

If you have seen or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances, concerning amaysim report it ("**Disclosure**").

Misconduct includes but is not limited to:

- dishonest, corrupt or illegal conduct
- theft, fraud or misappropriation
- damage/sabotage, violence, drug and alcohol sale/use
- significant risks to health and safety
- serious inappropriate or unethical conduct
- serious misuse of information
- bullying, discrimination, harassment or other serious unacceptable behaviour
- serious breach of our policies and procedures or the law
- substantial waste of company resources
- victimising someone for making or involved in a disclosure
- causing substantial financial or non-financial loss or detriment to amaysim
- other serious improper conduct

(collectively referred to as "**Misconduct**")

Misconduct under Section 1317AA (5) of the Act should also be disclosed. It includes conduct that constitutes an offence against, or a contravention of, a provision of any of the following:

- (a) the Act;
- (b) the ASIC Act;
- (c) the Banking Act 1959;
- (d) the Financial Sector (Collection of Data) Act 2001;
- (e) the Insurance Act 1973;
- (f) the Life Insurance Act 1995;
- (g) the National Consumer Credit Protection Act 2009;
- (h) the Superannuation Industry (Supervision) Act 1993;
- (i) an instrument made under an Act referred to in any of subparagraphs (a) to (h); or
 - (i) constitutes an offence against any other law of the Commonwealth that is punishable
 - (ii) by imprisonment for a period of 12 months or more; or
 - (iii) represents a danger to the public or the financial system; or
 - (iv) is prescribed by the regulations for the purposes of this paragraph.

7 Personal work related grievances

May I make a disclosure about a personal work-related grievance?

Section 1317AADA of the Act states that the protections under the Act do not apply to a disclosure to the extent that the disclosure:

- concerns a personal work-related grievance of the Whistleblower; and
- does not concern a contravention, or an alleged contravention, of section 1317AC that involves detriment caused to the Whistleblower or a threat made to the Whistleblower.

The Act gives these examples of grievances that may be personal work-related grievances:

- an interpersonal conflict between the Whistleblower and another employee;

- a decision relating to the engagement, transfer or promotion of the Whistleblower;
- a decision relating to the terms and conditions of engagement of the Whistleblower; and
- a decision to suspend or terminate the engagement of the Whistleblower, or otherwise to discipline the Whistleblower.

8 How do I make a disclosure?

A disclosure may be made:

- (a) internally to amaysim;
- (b) to amaysim's independent Whistleblower service provider – Your Call; or
- (c) to external authorities and entities.

8.2 Making a disclosure internally to amaysim

We support openness and teamwork. This policy is not intended to replace our first obligation to resolve issues quickly and internally where appropriate. All reasonable attempts to resolve an issue should first be tried. You are encouraged to raise misconduct at any time with your supervisors and managers and to resolve misconduct internally.

If you do not feel safe or able to raise misconduct with your supervisor or manager you may make a disclosure to:

- an officer or senior manager of our company or related company;
- an auditor, or a member of an audit team conducting an audit of our company or related company;
- an actuary of our company or related company; and
- a person authorised by our company to receive disclosures.

amaysim's Disclosure Officers to whom you may make a disclosure and their contact details are set out below:

Name and position	Location	Contact details
Alex Feldman Company Secretary	Level 6, 17-19 Bridge Street, Sydney NSW	Email: alex.feldman@amaysim.com.au
Isaac Ward Chief Operating Officer	Level 6, 17-19 Bridge Street, Sydney NSW	Email: isaac.ward@amaysim.com.au

Tracey Murphy Director, People & Culture	Level 6, 17-19 Bridge Street, Sydney NSW	Email: tracey.murphy@amaysim.com.au
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8.3 Making a disclosure to independent service provider - Your Call

If for any reason you do not feel safe or able to make a disclosure internally you may do so to independent Whistleblower service provider, Your Call. Your Call's role is further defined in paragraph 15.

Your Call operates under a Service Agreement with amaysim and acts as the intermediary, providing the means for a Whistleblower to retain anonymity. Disclosures received by Your Call are reported to us in accordance with this policy. Your Call also enables us to obtain further information if required and enables the Whistleblower to receive updates from us.

This is done via the use of an online anonymous Message Board which the Whistleblower will have access to after making a disclosure.

The Message Board allows you to:

- communicate with Your Call and/or amaysim without revealing your identity;
- securely upload any relevant documentation and/or material that you wish to provide;
- receive updates; and
- request support or report victimisation.

This option allows you to:

- remain completely anonymous if you wish;
- identify yourself to Your Call only;
- identify yourself to both Your Call and amaysim;

Your Call enables disclosures to be made anonymously and confidentially. Whilst we prefer Whistleblowers to disclose their identity in order to facilitate an investigation Whistleblowers are not required to identify themselves and will not be named in any report to amaysim unless they have consented to their identity being disclosed.

Your Call reporting options include:

- Website: <https://www.yourcall.com.au/report>
Available 24/7
- Telephone: 1300 790 228

Available 9am and 12am on recognised Australian national business days (AEST)

Online reports can be made via the website address listed above. amaysim's unique identifier code is: **AMAY**

In the event a disclosure received by Your Call relates to a Disclosure Officer, Your Call will exclude that Disclosure Officer from all communications when providing the disclosure to amaysim. The Disclosure Officers who are not named in the disclosure will then receive and determine how the matter will be addressed or investigated as required.

Your Call remains an independent intermediary at all times and will only communicate with those authorised within amaysim.

National Relay Service

If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at www.relayservice.gov.au and request Your Call's hotline 1300 790 228.

8.4 Making a disclosure to external authorities and entities

Concerning misconduct under the Act

If the misconduct relates to the Corporations Act 2001 Section 1317AA (1) you may make a disclosure to:

- ASIC
- APRA
- a Commonwealth authority prescribed for the purposes of Section 1317AA (1)

Concerning disclosures relating to superannuation entities

If the misconduct concerns a regulated entity that is a superannuation entity you may make a disclosure to:

- an officer of the superannuation entity
- an auditor, or a member of an audit team conducting an audit, of the superannuation entity
- an actuary of the superannuation entity
- an individual who is a trustee (within the meaning of the Superannuation Industry (Supervision) Act 1993) of the superannuation entity

- a director of a company that is the trustee (within the meaning of the Superannuation Industry (Supervision) Act 1993) of the superannuation entity
- a person authorised by the trustee or trustees (within the meaning of the Superannuation Industry (Supervision) Act 1993) of the superannuation entity to receive disclosures

Concerning disclosures made to legal practitioner

If you make a disclosure to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of Part 9.4 under subsection 1317AA(1) of the Act (which includes the Whistleblower protections and confidentiality of a Whistleblower's identity) the disclosure will be protected under the Act.

Concerning public interest disclosures

You may make a disclosure in the public interest to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist if:

- (a) you have previously made a disclosure of that misconduct, and
- (b) at least 90 days have passed since the previous disclosure was made; and
- (c) you do not have reasonable grounds to believe that action is being, or has been, taken
- (d) to address the misconduct to which the previous disclosure related; and
- (e) you have reasonable grounds to believe that making a further disclosure of the misconduct would be in the public interest; and
- (f) after the end of the 90 day period you give the person to whom you made the previous disclosure a written notification that:
 - (i) includes sufficient information to identify the previous disclosure; and
 - (ii) state that you intend to make a public interest disclosure; and
- (g) the public interest disclosure is made to:
 - (i) a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
 - (ii) a journalist; and
- (h) the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the recipient referred to in paragraph (g) of the misconduct or the improper

state of affairs or circumstances referred to in subsection 1317AA(4) or the conduct referred to in subsection 1317AA(5), as the case may be.

Concerning emergency disclosures

You may also make an emergency disclosure to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist if:

- (a) you previously made a disclosure that qualifies for protection under the Act (Part 9.4 under subsection 1317AA(1)); and
- (b) you have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
- (c) you give the body to which the previous disclosure was made a written notification that:
 - (i) includes sufficient information to identify the previous disclosure; and
 - (ii) state that you intend to make an emergency disclosure; and
- (d) the emergency disclosure is made to:
 - (i) a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
 - (ii) a journalist; and
- (e) the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient referred to in paragraph (d) of the substantial and imminent danger.

Note: Journalist means a person who is working in a professional capacity as a journalist for any of the following:

- (a) a newspaper or magazine;
- (b) *a radio or television broadcasting service;*
- (c) an electronic service (including a service provided through the internet) that:
 - (i) is operated on a commercial basis, or operated by a body that provides a national broadcasting service (within the meaning of the Broadcasting Services Act 1992); and
 - (ii) is similar to a newspaper, magazine or radio or television broadcast.

9 Where can I get information and advice?

If you need information and advice about making a disclosure or the support and protection available you may discuss the matter in confidence with your immediate supervisor, manager or a member of our legal team.

Note: In the event you do not formally make a disclosure we may nevertheless be compelled to act on the information provided during the discussion if the information reasonably suggests misconduct has or may occur.

10 Supporting evidence of misconduct

We do not expect a disclosure to include absolute proof of misconduct. Where possible it should include:

- the name, job title and workplace address of the person the subject of the disclosure
- details of the misconduct including dates and places
- names of anyone who may substantiate the disclosure
- any other evidence that supports the disclosure such as email, documents, CCTV

These details will assist us in deciding how best to deal with and resolve the disclosure.

11 Confidentiality and Privacy

amaysim and Your Call will treat disclosures in the strictest confidence. All reports and records relating to a disclosure will be stored securely and able to be accessed only by authorised staff.

The confidentiality provisions do not preclude anyone involved in the disclosure from sharing the information with their representative or support person.

12 Do I have to disclose my identity?

There is no requirement for a Whistleblower to identify themselves in order for a disclosure to qualify for protection under the Act or under this policy.

Will my identity be treated confidentially?

Your identity will not be disclosed by Your Call or amaysim unless:

- you consent to disclosing your identity

- the disclosure is required by law
- it is necessary to prevent a serious threat to a person's health or safety

An unauthorised disclosure of:

- the identity of a Whistleblower
- information that is likely to lead to the identification of the Whistleblower where the information was obtained because of the disclosure

will be regarded as a disciplinary matter and will be dealt with in accordance with amaysim's disciplinary procedures.

Note: It is also an offence/contravention under the Act which carries serious penalties for individuals and companies.

13 Protection against victimisation

We will do everything reasonably possible to support and protect anyone who:

- intends to or actually makes a disclosure
- is mentioned in the disclosure
- acts as a witness
- otherwise assists with the investigation and resolution of the disclosure

from victimisation and detrimental action.

Assistance is available pursuant to the amaysim's EAP services, available to employees and persons mentioned or involved in a disclosure.

We will thoroughly investigate reports of victimisation. If proven, those who have victimised another will be subject to management action including disciplinary action up to dismissal.

Nothing in this policy is intended to change or take away any other protections which may be available at law.

Note: Victimisation is also an offence under the Act which carries serious penalties for individuals and companies.

14 What immunities are available to a Whistleblower?

If you make a disclosure that qualifies for protection under the Act:

- you are not subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure; and
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against you on the basis of the disclosure; and
- the information is not admissible in evidence against the Whistleblower in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information.

Note: Except as provided for by the Act it does not prevent a Whistleblower being subject to any civil, criminal or administrative liability for conduct of the Whistleblower that is revealed by the disclosure.

15 What happens after I make a disclosure to Your Call?

Your Call is the external go-between you and amaysim.

Your Call will:

- receive the disclosure you make to Your Call
- make a record of the information you provide
- ensure your identity is kept confidential from amaysim if you wish
- allow you to access the Your Call Message Board to enable you to communicate amaysim. You may post questions and information on line for the attention of amaysim. If you wish you can remain anonymous throughout the communications
- Your Call will refer the disclosure, including the information and documents provided by you, to Alex Feldman, Isaac Ward and/or Peter O'Connell within one business day

Please Note: Your Call is not the decision maker. All decisions relating to dealing with the disclosure including the investigation and resolution of the disclosure are entirely the responsibility of amaysim.

16 What will amaysim do with the disclosure?

The Disclosure Officer has been appointed by amaysim to receive the disclosure directly from you (if you make an internal disclosure to amaysim) or from Your Call (if you make an external disclosure to Your Call).

The Disclosure Officer will:

- carefully assess the information provided to decide the best action to take, including whether an investigation is required, to determine whether the misconduct is proven or not proven

- keep the information provided in a confidential and secure system
- coordinate and oversee the investigation where an investigator has been appointed
- appoint a Welfare Officer to support and protect the Whistleblower, if necessary, from victimisation
- advise the Whistleblower (through Your Call where anonymity is requested) of the progress of the matter to the extent it is legally permissible and appropriate to do so
- take all reasonable steps to ensure the identity of the Whistleblower and the person/s who is the subject of the disclosure are kept confidential

17 Protection and Support

If necessary amaysim will appoint a Welfare Officer to arrange or coordinate protection and support for anyone who has or is in the process of making a disclosure. The support may include a support person and or other support services as may be appropriate based on the circumstances.

As a first step, employees can contact AccessEAP:

- Website: <https://www.accesseap.com.au>
- Telephone: 1800 818 728

Available 24/7

18 Role of Welfare Officer

The Welfare Officer is appointed by amaysim to:

- assess the immediate welfare and protection needs of a Whistleblower
- safeguard the interests of a Whistleblower in accordance with this policy and the law
- address any issues or concerns of victimisation/detrimental treatment

amaysim may appoint a person from within the organisation or a third party to be the Whistleblower Officer.

19 What happens if the misconduct is proven?

If the misconduct is proven amaysim will decide what action to take including disciplinary action up to dismissal.

The disciplinary action will depend on the severity, nature and circumstance of the misconduct.

20 Every person's responsibility

Every person to whom this policy applies has a responsibility to:

- remain alert to misconduct
- report known or suspected misconduct in accordance with this policy
- act in a way that reduces, prevents or stops misconduct
- support (and not victimise) those who have made or intend to make a disclosure
- ensure the identity of the Whistleblower and the person/s who is the subject of the disclosure are kept confidential

21 Will the Whistleblower be kept informed?

Subject to privacy and confidentiality requirements the Whistleblower will be kept informed of:

- relevant progress of the disclosure
- the outcome of the disclosure

to the extent that it is legally permissible and appropriate to do so.

22 Investigation of the disclosure

The Disclosure Officer will carefully assess and use the information provided in the disclosure to decide the best action to take, including whether an investigation is required and, if so, determine the appropriate investigation process, including:

- the nature and scope of the investigation
- who will conduct the investigation and whether that person should be external to amaysim
- the nature of any technical, financial or legal advice that may be required
- a timeframe for the investigation (having regard to the level of risk)

23 How will the investigation be conducted?

The investigation must be conducted in a constructive, impartial and lawful way according to the principles of natural justice and procedural fairness.

The Investigator will:

- gather information, material and documentation concerning the disclosure as quickly as possible;
- take a statement or record of interview and or tape formal interviews with witnesses as required (for example, where the Whistleblower wishes to remain anonymous and does not wish to make a statement they will not be asked to do so);
- keep information gathered in the investigation securely;
- take all reasonable steps to protect the identity of the Whistleblower. Where disclosure of the identity of the Whistleblower cannot be avoided due to the nature of the allegations, the investigator will warn the Whistleblower of this probability; and
- complete the investigation and provide a report of their findings as soon as is reasonably practical.

24 Investigator's Report

At the conclusion of the investigation, the investigator will provide a written report to the Chief Executive Officer including:

- a finding of all relevant facts
- whether the disclosure is proven, not proven or otherwise
- recommendation/s, when requested to do so, as to any action that may be taken in respect of the findings

amaysim will use the report to determine the action (if any) to be taken including disciplinary action.

The findings will be communicated to the relevant parties involved to the extent that it is legally permissible and appropriate to do so.

25 Reporting the matter to external authorities

amaysim will refer:

- the information in the disclosure
- the findings of an investigation

which revealed conduct that may constitute a legal or criminal offence or when required to do so by law

to the relevant external agency, such as the police, ASIC or APRA.

26 Immunity from disciplinary action

We want you to speak up against misconduct.

Anyone who makes a disclosure:

- with reasonable grounds for suspecting misconduct has or may occur, and
- has not engaged in serious misconduct or illegal conduct relating to the disclosure

will be provided with immunity from disciplinary action.

NOTE: amaysim has no power to offer any person immunity against prosecution in the criminal jurisdiction. Immunity against prosecution can only be granted, in most jurisdictions, by the Director of Public Prosecutions.

27 What are the consequences of making a false disclosure?

Anyone who makes a disclosure knowing it to be false or misleading may be subject to disciplinary action, including dismissal.

The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.

28 How will this policy be made available to officers and employees of amaysim

This policy is available to employees and officers of amaysim on our intranet and website.

29 Report to the Board

The Chief Executive Officer will arrange for the compilation of a report to the Board at least once a year on the effectiveness of this policy.

Subject to privacy and confidentiality the report will include:

- a brief description of the disclosure
- the action taken in response to the disclosure

- the outcome
- the timeframe in resolving/finalising the disclosure

30 Review of this Policy

amaysim's legal team will monitor and review this policy annually to ensure it meets its objectives.

Any amendments to this policy shall be made known to employees and officers of amaysim by posting an updated version of the policy on amaysim's intranet and website.