

WHISTLEBLOWING POLICY

Adopted: 27 June 2019
Last reviewed: 27 June 2019

Introduction

A reputation for and commitment to honesty, integrity and trust is an essential element of success and longevity in the investment industry. This policy should be read in conjunction with the Abacus Code of Conduct which is our guide to upholding this commitment. Abacus relies on everyone behaving in accordance with the Values of Abacus and the spirit of the Code, always acting honestly and with integrity.

This policy is applicable to Abacus Property Group and its controlled entities (**Abacus**).

This policies objective 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 retaliation
- 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.

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').

Who may make a disclosure?

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

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 our organisation report it. (Disclosure)



Misconduct includes but is not limited to:

- dishonest, corrupt or illegal conduct
- theft, fraud or misappropriation
- damage/sabotage, violence, drug & 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 our organisation
- other serious improper conduct

(collectively referred to as “Misconduct”)

Personal work related grievances

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

Protections under the *Corporations Act 2001* (“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
- a decision to suspend or terminate the engagement of the whistleblower, or otherwise to discipline the whistleblower

How do I make a disclosure?

A disclosure may be made:

1. internally to our organisation via whistleblower@abacusproperty.com.au
2. to independent whistleblower service provider – Your Call (refer 2 below)
3. to external authorities and entities

1. Making a disclosure internally to our organisation

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 informally and 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
- a person authorised by our company to receive disclosures

The Organisation's Disclosure Officer to whom you may make a disclosure and their contact details are set out below.

Name and position	Contact details
Lesley Stradling Head of Compliance and Risk	Office Tel: 02 9253 8609 Email: whistleblower@abacusproperty.com.au
Rob Baulderstone CFO/ Company Secretary	Office Tel: 02 9253 8670 Email: company_secretary@abacusproperty.com.au
Paula Bauchinger People and Culture	Office Tel: 02 9253 8682 Email: peopleandculture@abacusproperty.com.au

2. 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 operates under a Service Agreement with our organisation 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 (Organisation) without revealing your identity
- securely upload any relevant documentation and/or material that you wish to provide
- receive updates
- 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 (Organisation)

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 our organisation 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 (organisation ID: ABACUS)

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



Online reports can be made via the website address listed above. Our organisation's unique identifier code is: " Abacus".

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 our organisation. 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 our organisation.

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 (organisation ID: ABACUS)

3. Making a disclosure to external authorities and entities

Concerning misconduct under the Act

If the misconduct relates to section 1317AA (1) of the Act you may make a disclosure to ASIC, APRA or a Commonwealth authority..

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, Head of Compliance and Risk or People and Culture.

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.

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.

Confidentiality and Privacy

Abacus 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.

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.

Will my identity be treated confidentially?

Your identity will not be disclosed by Your Call or Abacus 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 the (Organisation's) disciplinary procedures.

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

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.

Assistance is available pursuant to the (Employee Assistance/Staff Counselling Program/other) 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.

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.

What happens after I make a disclosure to Your Call?

Your Call is the external go-between you and (Organisation).

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 (organisation) if you wish
- allow you to access the Your Call Message Board to enable you to communicate with (Organisation). You may post questions and information on line for the attention of the (Organisation). 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 (Insert name/s of designated person/s of Organisation) 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 (Organisation).

What will (Organisation) do with the disclosure?

The Disclosure Officer has been appointed by (Organisation) to receive the disclosure directly from you (if you make an internal disclosure to our organisation) 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

Support

If necessary (Organisation) will appoint a Welfare Officer to arrange or coordinate 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 Paula Bauchinger, People and Culture.

Role of Welfare Officer

The Welfare Officer is appointed by Abacus 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

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

What happens if the misconduct is proven?

If the misconduct is proven Abacus 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.

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

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.

Investigation of the disclosure

The Disclosure Officer/Other 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 our organisation
- 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)

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. (This may involve taking steps to protect or preserve documents, materials and equipment.)
- take a statement or record of interview and or tape formal interviews with witnesses as required (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)
- complete the investigation and provide a report of their findings as soon as is reasonably practical

Investigator's Report

At the conclusion of the investigation, the investigator will provide a written report 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

Abacus 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.

Reporting the matter to external authorities

Abacus 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.

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: Abacus 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.

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.

How will this policy be made available to officers and employees of our organisation

This policy is available to employees and officers of our organisation on the Abacus website <https://www.abacusproperty.com.au/about-us/corporate-governance>.



Any amendments to this policy shall be made known to employees and officers of our organisation by posting an updated version of the policy on the Abacus website.

Related Policies

- Code of Conduct
- Privacy Policy