

Protected Disclosures (Whistleblower) Policy

Argosy

1

PURPOSE

The purpose of this Policy is to set out the processes by which suspected serious wrongdoing can be reported as a protected disclosure under the Protected Disclosures Act 2000 (the Act).

2

RELATED POLICIES

Code of conduct and ethics.

3

SERIOUS WRONGDOING

Serious wrongdoing includes serious occurrences of any of the following types:

- an unlawful, corrupt, or irregular use of funds or resources; or
- an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- an act, omission, or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial; or
- an act, omission, or course of conduct that constitutes an offence; or
- an act, omission, or course of conduct that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement.

If you are concerned about suspected serious wrongdoing, Argosy recommends that you seek guidance from the Ombudsman about how to make a protected disclosure.

4

REPORTING PROCESS

For a report of suspected serious wrongdoing to qualify as a protected disclosure under the Act and this Policy:

- the discloser must believe on reasonable grounds that the information is about serious wrongdoing which occurs in or is done by Argosy, and wish to disclose the information so that the serious wrongdoing can be investigated; and
- the report must be made in writing and state that it is a protected disclosure under the Protected Disclosures Act 2000.

In most cases you should report suspected serious wrongdoing to your manager or the EAP Services whistleblower hotline (0800 327 669). If for any reason you do not feel comfortable

reporting the serious wrongdoing to your manager or the hotline, you may report it to the Chief Executive Officer (CEO), Chief Financial Officer (CFO) or General Counsel.

If no action is taken within 20 working days of a report of serious wrongdoing, or if the discloser believes that the CEO, CFO or General Counsel may be involved in the suspected serious wrongdoing, the discloser may raise their concern directly with the Chair of the Audit & Risk Committee or Chairman of the Board.

5

INVESTIGATION PROCESS

Argosy will promptly investigate any protected disclosure. This will usually include reporting of the serious wrongdoing and the identity of the discloser to one or more of the General Counsel, CFO, CEO, and Chair of the Audit and Risk Committee. Information about any protected disclosure may also be reported to the Board where this is considered appropriate. If you have specific reasons why any of these people should not know that you have made a protected disclosure they must be included in your written report.

Any investigation carried out must reflect the principles of natural justice, which include:

- remaining unbiased and impartial; and
- making a decision only when all parties involved (or alleged to be involved) in the serious wrongdoing have been given the opportunity to be heard; and
- giving all parties involved (or alleged to be involved) in the serious wrongdoing reasonable notice of any interview; and
- advising all parties involved (or alleged to be involved) in the serious wrongdoing that they may be represented at any interview; and
- giving all parties involved (or alleged to be involved) in the serious wrongdoing a reasonable opportunity and period of time to respond to the allegation.

As part of the investigation the discloser will be consulted about the serious wrongdoing and, if the discloser requests in writing, Argosy will provide a written response to the discloser at the conclusion of its investigation (which will be confidential information).

Protected Disclosures (Whistleblower) Policy

continued

6

PROTECTIONS AVAILABLE UNDER THE ACT AND THIS POLICY

If you report serious wrongdoing that you believe in good faith to exist based on reasonable grounds, this will qualify as a protected disclosure under the Act and this Policy, and you will be expressly protected from retaliatory employment action by Argosy. You will also be immune to disciplinary action, civil proceedings and criminal proceedings by reason of having made the disclosure.

Making a false disclosure in bad faith or without reasonable grounds, or making a disclosure which does not comply with this Policy without justification under the Act, is a serious matter that may result in disciplinary, civil and/or criminal consequences.

To receive the protections provided under the Act and this Policy, the discloser must make disclosures only using the channels described above. Protection is lost if the concern is disclosed publicly or through the media.

The protections under the Act and this Policy do not apply where the discloser makes a disclosure they know to be false or otherwise acts in bad faith. Allegations made in bad faith may result in disciplinary action.

7

CONFIDENTIALITY

Any person who receives a protected disclosure (or information about a protected disclosure) under this Policy must use their best endeavours not to disclose the identity of the discloser, unless:

- the discloser consents in writing to the disclosure of their identity; or
- disclosure is necessary to the effective investigation of the allegations in the protected disclosure; or
- disclosure is necessary to prevent serious risk to public health or public safety or the environment; or
- disclosure is necessary having regard to the principles of natural justice.