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# Whistleblower Policy

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Changes to this Policy other than formatting, positions, and names, require Board approval.

## Policy statement

EWON does not tolerate unethical or corrupt conduct and is committed to providing an environment where employees and stakeholders feel safe to speak up. EWON's policies aim to encourage the highest standard of professionalism including the recognition and reporting of any inappropriate behaviour. All reports about unacceptable behaviour will be considered seriously.

## Background

In 2019 the *Corporations Act 2001* (Corporations Act) was amended to give certain people legal rights and protections as whistleblowers. *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019* (Cth) requires EWON to have a Whistleblower Policy that sets out how it will respond to reports of misconduct. This policy was developed using [regulatory guidance](#) from the Australian Securities & Investments Commission (ASIC).

## Definitions

**Behaviour to disclose:** Behaviour that a person covered by this policy suspects, on reasonable grounds, is misconduct, or is an improper state of affairs or circumstances. Examples are provided in this policy.

**Disclosure/Protected Disclosure:** When a person reports conduct that they believe meets the requirements of 'behaviour to disclose', it is called a Disclosure. If EWON reviews the information and determines that the conduct meets the threshold of a Disclosure under this Policy and/or law, it becomes a Protected Disclosure and the person gains Whistleblower protections. If the information does not meet requirements, it is considered a report of other behaviours and will be addressed under an alternative EWON policy.

**Disclosure Recipient:** People who this Policy sets out as appropriate people to receive reports of inappropriate behaviour.

**False Disclosure:** A report that is made that is known to be untrue.

**Personal work-related grievance:** A disclosure that relates to the discloser's current or former employment at EWON, which has implications for the discloser personally, but does not have any other significant implications for EWON, or does not constitute behaviour to disclose. Examples include a decision about engagement, transfer, promotion, contractual terms, disciplinary action, and/or termination of employment.

**Whistleblower:** The person(s) who tells an organisation about inappropriate behaviour (as listed under 'behaviour to disclose') within the organisation hoping to stop it. Whistleblowers have certain protections under the Corporations Act.

## Scope of the policy: who can be a whistleblower

The following people can make Disclosures about EWON:

- Current or former employees
- Current or former volunteers, students, interns or any other person undertaking unpaid work for EWON

- Current or former Board Directors
- Current or former service providers of EWON, including suppliers, vendors, contractors and consultants
- Other 'associates' of EWON – which likely would include current or former employees of an entity that is a member of EWON
- Family members of all of the above.

Anyone considering making a Disclosure is encouraged to review ASIC's [Whistleblowers rights and protections - ASIC Information Sheet 238](#) to determine if they would be eligible for Whistleblower protections. They may also wish to contact a lawyer for independent advice.

### Anonymity

Disclosures can be made anonymously.

### Confidentiality

Unless required otherwise by law, EWON will only reveal the identity of a Whistleblower with their consent, and subject to the need to conduct an appropriate investigation.

EWON will take all reasonable steps to ensure a Whistleblower's identity isn't revealed due to an investigation.

EWON cannot, and will not, force a Whistleblower to keep their Disclosure confidential. However, if a Whistleblower tells people about their Disclosure, we will make reasonable attempts but may not be able to provide them all of the protections cited in this policy.

### Behaviour to disclose

EWON encourages people covered by this policy to report any behaviours they feel are inappropriate.

Disclosures should be made when there is a suspicion, on reasonable grounds, of misconduct, or an improper state of affairs or circumstances. This includes corrupt conduct (ie deliberate or intentional wrongdoing) or unethical behaviour of an EWON employee, Board director, volunteer or contracted service provider in connection with a contract to provide goods and services to, or on behalf of, EWON.

Examples of wrongdoing that disclosures can be about:

- Conduct or practices which are illegal or in breach of:
  - any law, regulation or code of conduct applying to EWON, including the *Corporations Act*, or
  - a contract between EWON and an employee or Board Director – for example, deliberately passing sensitive or confidential EWON information to a third party without authorisation.
- Fraudulent or corrupt practices, or conduct engaged in for a fraudulent or corrupt purpose – for example misappropriation of funds, bribery, undue influence, false information, perversion of justice.
- Serious breaches of EWON's policies or rules of conduct, other than minor or personal work-related grievances.
- Conduct that constitutes maladministration (including conduct that involves acting on improper motives, is unreasonable, unjust, oppressive or is negligent) or amounts to an abuse of authority.
- Misleading or deceptive conduct of any kind.

- Conduct that results in a waste of EWON's money.
- Misconduct in relation to the tax affairs of EWON - note that the whistleblower protections relating to tax misconduct are slightly different to general whistleblowing protections so disclosures should refer to [Tax whistleblowers | Australian Taxation Office](#).
- Covering up and/or knowledge of the above without reporting it.
- Engaging in or threatening to engage in detrimental conduct against a person who has made a Disclosure or is believed or suspected to have made, or be planning to make, a Disclosure.

### Behaviour this is not disclosable

Reports made that do not meet requirements under the legislation do not qualify for Whistleblowing protection under the Corporations Act.

A personal work-related grievance, or other concerns about other behaviours or activities that do not meet the requirements of 'behaviour to disclose', will be managed under appropriate EWON policies such as the Code of Conduct. Employees can take their concerns to their manager, an employee in People, Culture and Capability (PCC), or a member of the Executive.

If a person covered by this policy is unsure whether particular conduct meets the threshold of 'behaviour to disclose', they have the right to seek their own independent legal advice at any time.

## Support and protection from detriment for Whistleblowers

We acknowledge that blowing the whistle can be challenging. We are committed to:

- receiving anonymous Disclosures
- protecting the identity of a Whistleblower
- ensuring the Whistleblower is not victimised.

In addition, we are committed to the following for Whistleblowers who are employees:

- Ensuring the Whistleblower is not demoted or prevented from promotion, threatened, harassed, excluded or humiliated and/or there is no alteration to their position or duties to their disadvantage or without their explicit consent.
- Providing support services such as counselling through the Employee Assistance Program.
- Providing special leave or a change in duties while an investigation is completed.

### Legal protections available to a Whistleblower

Under the Corporations Act, Whistleblowers are protected from legal liability. People who make False Disclosures do not get these protections. However, people who make Disclosures that subsequently turn out to be incorrect can still qualify for protection.

## Format for a Disclosure

There is no required format for Disclosures - e.g. they can be by phone, email, mail, video call, or face to face. If a person wishes to make an anonymous Disclosure, options include posting a letter or sending an email from a non-identifying email address via [Proton Mail](#) or similar.

## Disclosure Recipients

Disclosures can be made to an officer who is a Board director, Executive member, or auditor. A list of preferred Disclosure Recipients is below, with their preferred contact methods. If someone wants to make a Disclosure through another contact method - eg in-person or via a video call - they can use the contact methods outlined below to make those arrangements.

Whistleblowers can also make Disclosures directly to [ASIC](#). They can also make Disclosures to a lawyer for the purposes of receiving legal advice.

Disclosures involving the Ombudsman should be made to the Board Chair or to EWON's auditor.

**Table 1: Preferred Disclosure Recipients with contact information**

Phone		Email
<b>Internal Disclosure Recipients:</b>		
<b>Ombudsman</b>	02 8218 5204	<a href="mailto:janiney@ewon.com.au">janiney@ewon.com.au</a>
<b>Deputy Ombudsman</b>	02 9078 6911	<a href="mailto:rosak@ewon.com.au">rosak@ewon.com.au</a>
<b>General Manager Corporate Services</b>	02 9078 6920	<a href="mailto:davidk@ewon.com.au">davidk@ewon.com.au</a>
<b>Head of Energy Transition</b>	02 8218 5257	<a href="mailto:stephanies@ewon.com.au">stephanies@ewon.com.au</a>
<b>Company Secretary</b>	02 8218 5225	<a href="mailto:companysecretary@ewon.com.au">companysecretary@ewon.com.au</a>
<b>EWON Board Chair</b>		<a href="mailto:chair@ewon.com.au">chair@ewon.com.au</a>
Letters can also be addressed to any of the above positions, marked 'Confidential', and posted to:		EWON PO Box A2436 South Sydney NSW 1235
<b>External Disclosure Recipient:</b>		
<b>EWON's auditor Pitcher Partners</b>	Level 16 Tower 2 Darling Park 201 Sussex Street Sydney NSW 2000	<a href="mailto:melissa.alexander@pitcher.com.au">melissa.alexander@pitcher.com.au</a>

## Review and investigation of Protected Disclosures

The pathway of a Disclosure is set out in [Appendix 1](#).

A **triage team** comprising three Disclosure Recipients who have no conflicts of interest in relation to the matter disclosed, will determine if the Disclosure meets the requirements of a Protected Disclosure (ie is consistent with 'Types of behaviour to disclose' in this policy). The Disclosure Recipient will keep the Whistleblower(s) informed of progress throughout the investigation.

If the Disclosure does not meet the requirements, it will be managed under appropriate EWON policies such as the Code of Conduct. The person who made the Disclosure will be advised of the approach taken and the reasons for that approach.

If the triage team determines that the Disclosure meets the requirements of a Protected Disclosure, it will arrange for it to be appropriately investigated and advise the Whistleblower.

Investigations will be fair, and free of judgement and may consist of:

- An in-house investigation by an appropriate officer such as Ombudsman, Deputy Ombudsman, a General Manager, Head of People Culture & Capability, Finance & Administration Manager, or Privacy Officer or
- An external investigation.

## Protection of people identified in Disclosures

EWON is committed to the fair treatment of anyone named in a Disclosure or to whom a Disclosure relates. EWON is required by law to:



- Protect the identity of employee(s) named in a Disclosure
- Ensure the named employee(s) are not victimised
- Ensure the named employee(s) have full right of reply including having a support person accompany them to any meetings about the Disclosure
- Provide support services such as counselling through EAP.

### Reporting to the Board

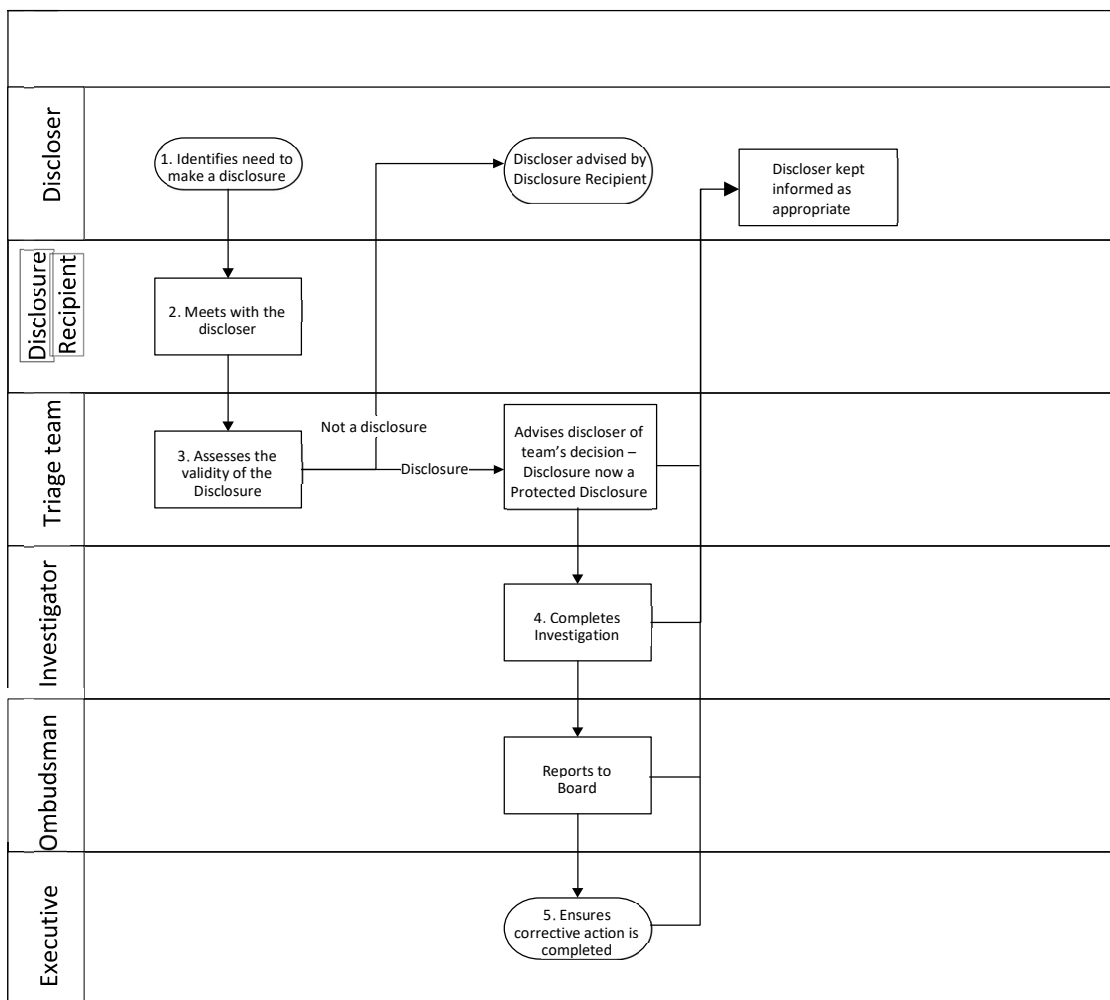
Once a Disclosure investigation is complete, the Ombudsman should report the investigation to the Board, and the advice or recommendations as to any corrective action. The Executive has responsibility for ensuring any corrective action is undertaken – see [Appendix 1](#).

### Publication and awareness of this policy

This policy is published on the EWON website and intranet, and is reviewed no less than every three years. It is included as part of EWON's staff induction process and is part of the First Principles revision training requirements for all staff. It will be provided to service providers who enter into ongoing contractual arrangements with EWON.

Effective Date	Next Review no later than	Owner
December 2025	August 2028	EWON Board

## Appendix: Whistleblower Disclosure procedure



Step	Responsibility	Action
1	Person who discloses (discloser)	1.1. Identification of reportable behaviour or activity. 1.2. Document the time, date, and details of the behaviour or activity.
2	Disclosure recipient	2.1. Take the details of the report, advise discloser of protections under the policy and refer them to EAP. 2.2 Call together a triage team.
3	Triage team working with Disclosure recipient (see Policy to determine who can be in triage team)	3.1. Determine if the report is a 'Protected Disclosure'. <ul style="list-style-type: none"> <li>If <b>yes</b>: appoint an investigator (either external or internal) - Disclosure Recipient to then advise the discloser of next steps.</li> <li>If <b>no</b>: Disclosure Recipient to advise the discloser and advise what steps will be undertaken in response to their report.</li> </ul>
4	Investigator	Complete the Disclosure investigation and provide report to the Executive, keeping discloser informed as appropriate.
5	Ombudsman	Report results of Disclosure investigation to the Board, and keep discloser informed as appropriate.
6	Executive	Ensures all corrective (including disciplinary) action is completed and updates, if required, to policies and procedures are made and published; keeps discloser informed as appropriate.