



Speak-Up Policy

Euro Garages Australia



Speak-Up Policy

1 Purpose

EG Group (Australia) Pty Ltd and its subsidiaries (**EG Australia**) is committed to conducting its business with the highest standards of honesty, integrity and accountability. Our Code of Conduct and other guidelines and policies seek to ensure we operate in accordance with these standards.

EG Australia encourages a culture of openness and accountability. We expect all team members to maintain high standards, and to speak up and provide feedback when they see activity or behaviour that they feel is wrong or does not match our ways of working.

The purpose of this policy is to provide clear guidelines on how we approach and manage this feedback and establish a framework for EG Australia to comply with its legal obligations regarding whistleblower protection.

This policy sets out the procedure for you to speak up confidentially, and anonymously (if you choose), to raise genuine concerns you may have about misconduct in our business or operations without fear of reprisals and with the knowledge that all reports will be taken seriously and investigated appropriately.

Please note that this policy is not to be used for the purpose of raising a complaint specific to the employee's own personal circumstances. Personal issues of concern or complaint must be raised using EG Australia's grievance policies and procedures.

2 Reportable conduct – what can you report?

We want to hear from you if you witness or know about any actual or suspected Reportable Conduct. Reportable Conduct includes:

- A breach of law or regulation;
- Conduct which is unethical, dishonest, fraudulent, corrupt or involves a conflict of interest;
- Conduct which creates an unsafe environment or otherwise endangers health, safety or the environment;
- Any breach of our Code of Conduct or any of our company's policies;
- Inappropriate work behaviour (e.g. discrimination, harassment and bullying);
- An improper state of affairs or circumstances or misconduct in relation to EG Australia.

Any concerns reported should be legitimate and have a proper basis. Before making a report, you should have reasonable grounds to suspect that the information you will provide indicates that one of the above matters is occurring or has occurred. Making deliberately false or vexatious reports will be viewed seriously and will not qualify for any internal or legal protection.

3 Reporting Concerns

We encourage you to raise any concerns you have with your team leader or your People & Culture partner. However, we understand you may not always want to raise matters internally for reasons including:

- you feel that raising the issue internally could result in adverse consequences;
- you feel that, if you raised the matter internally, it may not be dealt with objectively; or
- the matter has already been raised internally, but you think it has not been addressed appropriately.

Our Speak Up service (Stopline) offers an independent avenue (external to EG Australia) where you can confidentially raise the matters listed above (see details below).

3.1 Reporting within EG Australia or via Stopline

If you would like to make a report, you can:

- Speak with any senior member of the People & Culture team, the General Counsel (**GC**), any senior manager or officer of EG Australia¹;
- Speak to our auditor or a member of an audit team conducting an audit;
- In case of a disclosure under the Tax Act, any other employee or officer of EG Australia who has functions or duties that relate to the tax affairs of EG Australia;
- Use our confidential 24/7 third party operated Speak-Up service (Stopline) by:
 - Making an online report: <https://egggroup.stoplينereport.com> ;
 - Sending a confidential anonymous email: egggroup@stipline.com.au ;
 - Making a confidential phone call on the team member hotline: **1300 304 550**;
 - Writing a letter addressed to: C/o Stopline, Locked Bag 8, Hawthorn, VIC 3122 ;
 - Sending a fax on 03 9882 4480.

When making a report, please provide as much information as possible to enable an investigation to be conducted. For example, please include the date, time and location of the relevant incident or matter, the names of persons involved, any possible witnesses and any available evidence to support the report.

Please note: A disclosure via Stopline is not a protected disclosure (see section 7 below).

4 Confidentiality and anonymity

Our Speak Up Platform is operated by an independent third-party provider.

Even if you provide your details like your name, these details will be kept confidential.

You can choose to remain anonymous or to reveal your identity at the time of (or after) making a Speak Up report or a protected disclosure.

¹ Note: 'officers' include an EG Australia director or company secretary; A 'senior manager' is a person whose decisions affect at least a substantial part of EG Australia, or have the capacity to significantly affect EG Australia's financial standing.

In either case, an anonymous email address, or a pseudonym you may choose will assist EG Australia in seeking further information and clarity from you. During such conversations, you can choose not to answer any follow-up questions, if you feel it could reveal your identity. In some cases, anonymity may limit the ability to investigate and deal with the matter.

The information you provide (including your identity) will be stored securely in access-controlled systems, and will not be shared without your consent unless it is reasonably necessary for managing and investigating the issues raised in your report, we are required by law to disclose the information or the disclosure is necessary to protect a person's health, safety or welfare.

5 How we will investigate and handle reports?

Stopline will assess each report and provide appropriate details to the Chief People Officer (**CPO**) or their delegate. Each report will be handled confidentially, where it is practicable and appropriate in the circumstances.

The CPO or their delegate will:

- acknowledge receipt of the report; and
- assess the report to determine applicable protections, triage, review, and allocation for investigation as appropriate. The CPO will consult with the GC where required.

EG Australia will appoint a case manager to investigate a report or a protected disclosure where sufficient information is provided to warrant an investigation.

The objective of an investigation is to determine whether there is enough evidence to substantiate the matters reported. Investigations will be carried out objectively, fairly and independently following due process without bias. They will typically be conducted by an investigator independent of the relevant function or division involved, and allow any persons against whom allegations are made or whom is the subject of a disclosure an opportunity to respond. In some cases, an investigator external to EG Australia will be engaged (for example, due to a potential conflict of interest or the seniority of those involved). If required, a suitable person will be appointed to manage the case and carry out the investigation.

The case manager will provide relevant management and the informant with regular progress updates. The nature of the updates will depend on the circumstances. For example, we will not provide information that may compromise the investigation or the disclosure of confidential information. You will be informed when the investigation has been completed, but will not routinely receive details on findings into each of your allegations.

Once the investigator has finalised their investigation and report, management and the informant will be updated. Management will consider, and if appropriate, implement any recommendations made by the investigator.

The duration of a formal investigation will depend on the circumstances including the number of allegations, witnesses and other factors. However, EG Australia's intent is to complete an investigation as soon as practicable.

Anyone involved in an investigation, whether as an investigator, witness or decision maker, must treat information related to the investigation as confidential.

If, after receiving the summarised report of the investigation, the person making the report is not satisfied with the result, they can escalate this to the CPO and/or the GC. The informant can provide this escalation in writing so that a formal review can take place. While the CPO and GC commit to review the request, EG Australia is under no obligation to reopen the investigation. If the CPO or GC concludes that the investigation was conducted properly and no new information exists that would change the results of the investigation, the investigation will be concluded.

In cases of a protected disclosure (see section 7), EG Australia will report findings of an investigation to the GC. The method for documenting and reporting the findings of an investigation will depend on the nature of the disclosure and the circumstances. Reporting of findings will have regard to applicable confidentiality requirements.

6 What support and protection is provided?

EG Australia is committed to protecting you, including against adverse consequences or victimisation as a result of raising a matter, and by protecting your identity and maintaining confidentiality.

6.1 Protection of your identity (confidentiality and anonymity)

EG Australia will protect your confidentiality whether you choose to reveal your identity or remain anonymous. Reports received via the Speak Up service are handled by an independent third party.

EG Australia seeks to protect the confidentiality of an informant's identity, including by:

- storing information about a disclosure securely;
- redacting the informant's identity from relevant documents; and
- only sharing the informant's identity with those who have a legitimate need to know, subject to the consent provided by the whistleblower.

6.2 Protection from detrimental acts or omissions

EG Australia strictly prohibits and will take reasonable steps to protect an informant from retaliation and victimisation. Where a report is made in good faith, even where it is ultimately unable to be substantiated, EG Australia will protect them from the following in relation to the report:

- Being terminated or having their employment ceased;
- Performance management;
- Harassment on the job or workplace bullying;
- Warnings or disciplinary actions;
- Discrimination; or
- Any other action that can be perceived as retaliation for making a report;

Any team member who discloses your identity inappropriately, or causes detriment to you, may face disciplinary action, including potential termination.

EG Australia may, on a case by case basis, in order to protect an informant from the risk of retaliation, take certain protective action to allow you to perform your duties from another location or in another role at the same level, or make other modifications to your workplace or the way you

perform your work duties, or allow you to take leave or reassign or relocate other staff involved in the disclosable matter.

If you feel your report of retaliation was not resolved adequately, you can escalate this in writing to the Chief Executive Officer who will investigate the matter and process for how the retaliation was dealt with.

You may also wish to seek independent legal advice in connection with the disclosure.

6.3 Support for others involved in the investigation

Other parties that might have to bear witness or are involved in the investigation will be protected from retaliation in the same manner as the informant.

6.4 Coaching and counselling

EG Australia also understands that speaking up and being involved in any subsequent investigation can be stressful. Therefore, our Employee Assistance Program, Benestar, is available to all employees. It is a free and confidential counselling service which can provide strategies on how to minimise and manage stress, or other challenges resulting from your report or its investigation. Benestar can be reached by calling **1300 360 364**.

6.5 Separation of issues

EG Australia will be able to still raise any issues related to work or performance related issues. While EG Australia will protect the informant from any retaliation, it is also important that they are still effective in their job. EG Australia can still raise any performance or contract issues with the informant as long as they are kept separate and not influenced at all from any reports that have been made.

6.6 Court orders – compensation and other remedies

Courts are also given broad scope to make orders remedying a detriment or threatened detriment. These include injunctions, compensation orders (including against individual employees and their employer), reinstatement, exemplary damages and the making of apologies. Civil and criminal sanctions also apply to breaches of the Corporations Act, the Tax Act and other applicable legislation.

7 Disclosable matters and ‘whistleblower’ protections

Some of the matters listed above may also be a "disclosable matter" under the Corporations Act 2001 (Cth) (Corporations Act) or Taxation Administration Act 1953 (Cth) (Tax Act). If so, and you meet specific requirements, you may receive additional protections under those laws, and your report is known as a "protected disclosure".

7.1 What is a “disclosable matter”?

In order to qualify for protection under the whistleblower laws, your disclosure must be about a "disclosable matter".

Information is a "disclosable matter" under the Corporations Act if the eligible whistleblower has reasonable grounds to suspect that the information disclosed:

- concerns misconduct or an improper state of affairs or circumstances in relation to EG Australia. Misconduct may include:
 - illegal conduct by EG Australia or its employees/officers, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
 - fraud, money laundering or misappropriation of funds;
 - offering or accepting a bribe;
 - financial misstatement or irregularities;
 - failure to comply with, or breach of, legal or regulatory requirements; and
 - 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;
 - negligence; and
 - breach of trust and breach of duty (not just the personal conduct of an individual)
- indicates that EG Australia or any employee or officer has engaged in conduct that:
 - constitutes an offence against, or a contravention of, a provision of any of the following:
 - the Corporations Act;
 - the Australian Securities and Investments Commission Act 2001;
 - the Banking Act 1959;
 - the Financial Sector (Collection of Data) Act 2001;
 - the Insurance Act 1973;
 - the Life Insurance Act 1995;
 - the National Consumer Credit Protection Act 2009;
 - the Superannuation Industry (Supervision) Act 1993;
 - constitutes an offence against any other law of the Commonwealth that is punishable by at least 12 months' imprisonment;
 - represents a danger to the public or the financial system; or
 - is prescribed by any regulations made under the Corporations Act.

Information is a "disclosable matter" under the Tax Act if:

- the eligible whistleblower has reasonable grounds to suspect that the information concerns misconduct or an improper state of affairs or circumstances in relation to tax affairs of EG Australia or an associate of EG Australia; or
- the eligible whistleblower considers that the information may assist the eligible recipient to perform functions or duties in relation to the tax affairs of EG Australia or an associate of EG Australia.

7.2 What is not a protected disclosure?

Except in certain circumstances, personal work-related grievances will not be protected under the Corporations Act. A disclosure is a 'personal work-related grievance' if:

- it concerns the whistleblower's employment and has implications for them personally; and
- the information:

- does not have significant implications for EG Group, or another regulated entity, that do not relate to the eligible whistleblower; and
- does not concern conduct, or alleged conduct, referred to above.

Examples of personal work-related grievances that do not qualify for protection may include:

- the eligible whistleblower having an interpersonal conflict within the workplace;
- the eligible whistleblower being inadvertently underpaid once;
- the eligible whistleblower being subjected to discipline or not receiving a promotion; or
- any matters that don't have significant implications for EG Australia as a whole, unless they relate to the eligible whistleblower being victimised for making a previous protected disclosure.

A personal work-related grievance may still qualify for protection if it relates to a disclosable matter and a personal work related grievance (i.e. it is a mixed disclosure); or the eligible whistleblower seeks legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.

EG Australia takes personal work-related grievances seriously. They should generally be raised with your manager or People & Culture partner.

7.3 Eligible whistleblowers

While we encourage anyone to report any legitimate concerns of misconduct, only certain “eligible whistleblowers” reporting “disclosable matters” under this policy may receive protections under law.

An “eligible whistleblower” reporting under this policy and therefore entitled to legal protections, includes any current or former:

- Employees (including, any contractors) or directors;
- Business partners, suppliers or any employees of our business partners or suppliers; or
- Any associate of the above, including, any relative, spouse or dependant.

7.4 Protection from legal action

Eligible whistleblowers who make a protected disclosure under the Australian whistleblower laws are protected from certain legal action in relation to having made the disclosure, including:

- any civil, criminal, and administrative (including disciplinary) action against the whistleblower; and
- contractual action, including termination of a contract on the basis that making a disclosure is a breach of that contract.

Any information that is disclosed as part of a protected disclosure to either:

- ASIC, APRA or a prescribed Commonwealth authority, under the Corporations Act; or
- The Commissioner of Taxation, under the Tax Administration Act,

will not be admissible in evidence against the whistleblower in criminal proceedings or in proceedings for the imposition of a penalty, except for proceedings in respect of the falsity of the information.

7.5 Public interest disclosures

There is an additional category of disclosures called 'public interest disclosures' that qualify for protection under the Corporations Act only. These can be made to journalists and members of Parliament, but only if the eligible whistleblower complies with the following strict requirements:

- the eligible whistleblower must have first made a qualifying disclosure under the Corporations Act to ASIC, APRA, or a prescribed Commonwealth authority;
- at least 90 days has passed since the qualifying disclosure was made;
- the eligible whistleblower does not have reasonable grounds to believe that action is being, or has been, taken to address the matters to which the qualifying disclosure related;
- the eligible whistleblower has reasonable grounds to believe that making a public interest disclosure would be in the public interest;
- after 90 days has passed, the eligible whistleblower must give the body to which the qualifying disclosure was originally made, a written notification that:
 - includes sufficient information to identify the qualifying disclosure; and
 - states that the eligible whistleblower intends to make a public interest disclosure; and
- the extent of the information disclosed in the public interest disclosure is no greater than to inform the journalist or member of Parliament of the misconduct or improper state of affairs or circumstances, or other conduct falling within the scope of the Whistleblower Protection Scheme.

7.6 Emergency disclosures

There is an additional category of disclosures called 'emergency disclosures' that qualify for protection under the Corporations Act only. These can be made to journalists and members of Parliament, but only if the eligible whistleblower complies with the following strict requirements:

- the eligible whistleblower must have first made a protected disclosure under the Corporations Act to ASIC, APRA or a prescribed Commonwealth authority;
- the eligible whistleblower has reasonable grounds to believe that information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- the eligible whistleblower gave notice to the body to which the qualifying disclosure was made that states:
 - that they intend to make an emergency disclosure; and
 - includes sufficient information to identify the qualifying disclosure; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or member of Parliament of the substantial and imminent danger.

Before making a public interest or emergency disclosure, it is important that an eligible whistleblower understands the criteria for protection under the relevant legislation.

7.7 Reporting outside EG Australia

While EG Australia encourages eligible whistleblowers to make disclosures internally, an eligible whistleblower may also make a protected disclosure:

- under the Corporations Act to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA) or a prescribed Commonwealth authority; and
- under the Tax Administration Act to the Commissioner of Taxation.

Under the Corporations Act and Tax Act disclosures of information to legal practitioners in order to obtain legal advice or legal representation in relation to the whistleblower provisions in that legislation also are protected disclosures.

7.8 Whistleblower Protection Officer

EG Australia will appoint a Whistleblower Protection Officer (**WPO**) to provide certain protections and supporting persons reporting under this policy. This will include:

- maintaining regular contact with the whistleblower;
- maintaining the confidentiality of the whistleblower; and
- reviewing any complaints of retaliation or victimisation against the whistleblower and escalating matters as appropriate to relevant members of the EG Australia leadership team.

7.9 Protecting whistleblower's identity

If you make a protected disclosure, and in doing so, reveal your identity (or information by which you can likely be identified), a person must not disclose your identity or identifying information without your consent (subject to the exceptions set out below).

If an eligible whistleblower makes a protected disclosure, it is likely that the eligible whistleblower will be asked to provide consent to the disclosure of their identity. This would be to facilitate any investigation and/or resolution of the matter. If consent is withheld, it may not be possible to adequately investigate and respond (if at all) to the disclosure.

If an eligible whistleblower does not consent to their identity being disclosed, it will still be lawful to disclose their identity to:

- ASIC, APRA, the AFP or the Commissioner of Taxation (in relation to protected disclosures under the Tax Act);
- a legal practitioner for the purposes of obtaining legal advice or legal representation about the disclosure; or
- a body prescribed by the Corporations Regulations.

It will also be lawful to disclose information (other than your identity) which you share that may lead to your identity becoming known if it is reasonably necessary in order to investigate the issues raised, in which case we will take all reasonable steps to protect your identity.

ASIC, APRA or the AFP can disclose the identity of an eligible whistleblower, or information that is likely to lead to the identification of the eligible whistleblower, to a Commonwealth, State or Territory authority to help the authority in the performance of its functions or duties.

As set out in the body of the Policy disclosures can be made anonymously. Such disclosures are still capable of being protected under the Corporations Act and Tax Act.

7.10 No immunity

The protections mentioned above do not grant immunity for any misconduct a whistleblower may have engaged in that is revealed in their disclosure.

8 Our Roles & Responsibilities

The roles within EG Australia's Speak-Up program are summarised in the table below.

Role	Person	Responsibilities
Program owner	GC and CPO	The GC and CPO jointly oversee the Speak Up program.
Whistleblower Protection Officer	EG Australia will appoint a senior manager as the Whistleblower Protection Officer	The Whistleblower Protection Officer is a senior member of management and will be independent of the investigation process and equipped to review or escalate the whistleblower's concerns.
Day-to-day manager	CPO	The day-to-day manager views incoming anonymous reports, assigns these reports to case managers, and manages them as they conduct investigations. This person is the first line of escalation and works collaboratively with case managers to ensure anonymous reports are heard and acted upon.
Case manager	The GC will assign an independence case manager to investigate a whistleblower report.	Case managers are assigned anonymous reports and their role is to investigate these reports. This includes interacting and asking questions of informants, as well as using the information provided to investigate the report submitted. Their investigation can be internal or external to the organisation depending on what was documented in the report. Their goal is to gather the facts and put forth a final report to management on what happened and what action they feel needs to take place.
People & Culture team		Colleagues from People & Culture assist in the management of the external Speak Up provider and may be called upon to provide advice and guidance during any investigation. The Speak Up program leverages their expertise and acumen to ensure EG Australia are using HR best practices during investigations and we are treating all team members fairly.

9 Governance

The GC will convene a Speak Up Committee every 6 months (or on an as-needs basis) to review a sample of allegations, to ensure consistency of resolution and make recommendations as to improvement opportunities relating to the operation of the Speak Up program more broadly. The committee will comprise of the GC, CPO and other senior leaders.

The Board of EG Australia will receive an update on six monthly intervals on EG Australia's Speak Up program. The Board at any time can ask about anonymous reports, investigations, as well as the state of the program.

This policy will be reviewed regularly and will be made available to EG Australia officers and employees on the intranet and website.

10 What training does EG provide?

General training on how to make reports is available for all employees in our Code of Conduct learning module. Specialist training will be made available for employees who are involved in the process of handling reports.