

MinEx CRC Limited

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MINEX CRC WHISTLEBLOWER POLICY V4.

Document details:

VERSION	DATE	REVISION DESCRIPTION	APPROVED
V1	11 February 2020	N/A first version	Andrew Bailey
V2	1 March 2022	Annual Policy Review- The following changes were made: <ul style="list-style-type: none">• Whistleblower Investigation Officer change of contact to Jenni Lightolwers, FAL Lawyers• Minor grammatical and formatting changes	Anna Porter
V3	28 March 2023	Annual Policy Review – no changes were made	Anna Porter
V4	12 March 2024	Annual Policy Review - no changes were made	Anna Porter

This Policy extends to all of MinEx CRCs current and former Staff, being employees, contractors, consultants, representative and Board members (collectively referred to as Staff for the purposes of this Policy).¹

Purpose

The Board and management of MinEx are committed to providing a healthy and safe working environment for all Staff.

The purpose of this Policy is to:

- provide an understanding of what can be reported under this Policy
- demonstrate the importance MinEx places on ensuring a safe and supportive environment where its Staff are confident to raise breaches of internal rules or Disclosable Conduct
- assist in creating a workplace culture that encourages Staff to speak up about Disclosable Conduct
- explain the processes for reporting Disclosable Conduct, including what happens when a report is made, and
- to provide an outline how the protections are provided if a report is made.

This Policy is *not* designed to circumvent or override other MinEx internal policies and procedures.

What is Whistleblowing?

In general terms, a definition of whistleblowing is the disclosure of illegal, immoral or illegitimate practices to persons that may be able to effect action.

Whistleblowing concerns protecting people who act in the public interest when disclosing serious wrongdoing relating to issues or information regarding corruption, misconduct and maladministration.

Disclosable Conduct

EXAMPLES OF DISCLOSABLE CONDUCT MAY INCLUDE:	
<ul style="list-style-type: none"> • a breach of financial management • improper conduct including dishonesty, fraud, theft • bribery and corruption • providing false or misleading information • misuse of MinEx resources • unauthorised payments • unethical behaviour 	<ul style="list-style-type: none"> • unsafe work practice • breach of MinEx Staff Policies and Procedures • victimisation, harassment or workplace bullying • discrimination (sex, age, gender, race, or religion) • contravention of Modern Slavery legislation

Disclosable Conduct is *not necessarily*:

- a difference of opinion about a Policy or Procedure adopted by MinEx
- a matter that relates to an employment dispute with MinEx

Reporting Disclosable Conduct

Each Staff member has a role and responsibility in ensuring MinEx CRC is run ethically and in accordance with MinEx policies and the law.

If you have any concern about known or suspected unacceptable practices, misconduct, anything improper or the appropriateness of conduct, you should make a disclosure about it.

¹ This extends to suppliers, associates, and the relatives, dependents or spouses of Staff.

Where an issue of Disclosable Conduct is identified, the matter should be raised as soon as possible with the people responsible for handling matters (refer below).

Confidentiality

If a person is concerned about making a report, the report may be made anonymously.

Who to report a matter to?

If reporting a suspicion of wrongdoing, first check with your designated manager or CEO.

If you do not wish to raise the matter with either your manager or the CEO, you should consider raising the matter with the Whistleblower Investigation Officer (**WIO**) as set out below.

Please note that in order to take advantage of the protections afforded to whistleblowers under the law, disclosures should be made to people who are “Eligible Recipients”.

Eligible Recipients are officers (e.g. directors) or senior managers of MinEx, and any other person authorised by MinEx to receive disclosures. These include the WIO and the Whistleblower Protection Officer (**WPO**) named below.

You are welcome to make a disclosure to any Eligible Recipient at any time.

The WIO is MinEx’s representative responsible for receiving whistleblower disclosures of wrongdoing and overseeing their investigation and resolution.

The WIO must (after reasonable assessment):

- appoint a Whistleblower Protection Officer (the WPO) to provide support to the Whistleblower;
- be satisfied that action taken in response to the inquiry/investigation is appropriate to the circumstances, and
- ensure that all investigations are carried out in line with the principle of procedural fairness.

The contact details for the WIO, WPO and CEO are:

CHANNEL	CONTACT DETAILS
Whistleblower Investigation Officer:	Jenni Lightolwers FAL Lawyers jl@fal-lawyers.com.au 0419 310 813
Whistleblower Protection Officer:	Chris Pigram chris_pigram@yahoo.com.au 0419 225 536
CEO:	Andrew Bailey andrew.bailey@minexcrc.com.au 0409 617 286

What happens if I make a disclosure?

If you report a Disclosable Conduct matter under this Policy, you should provide as much factual information as possible (i.e. dates, times, location, individuals involved, witnesses, evidence, documents) and any general information which may be helpful to assist MinEx in determining what action may be required.

MinEx will consider the quality of the information that is reported. Any information provided may be used in an investigation or other appropriate action. All investigations will be conducted in a manner that is procedurally fair, confidential, conducted without bias and in a timely manner.

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Examples of actions that MinEx may take in response to an investigation may include:

- a satisfactory explanation can be provided in relation to the matter
- the matter is resolved by speaking to one or more parties
- the matter is recorded and monitored going forward
- a decision is made to investigate (internally or via independent, external investigators);
- the matter is referred to an external agency, regulator or authority; or
- a combination of the above.

If appropriate, you will be contacted and advised of what action will be undertaken by MinEx. If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the person raising the misconduct concern.

Protection

In accordance with the Corporations Act, a Whistleblower who qualifies for protection is entitled to:

- protection of identity;
- protection from detrimental acts or omissions, such as dismissal or discrimination;
- compensation or other remedies if loss, damage, or injury is experienced and;
- protection from civil, criminal and administrative liability.

MinEx is committed to ensuring support and protection from reprisal if a matter is raised under this Whistleblowing Policy. MinEx will not tolerate any retaliation against a whistleblower.

MinEx expects all Staff to treat this Whistleblower Policy appropriately and with honesty. Please note that MinEx will not entertain allegations which are vexatious or frivolous and Staff are not exempt from the consequences of their own misconduct.

Anonymous reports of alleged Disclosable Conduct are accepted however this may place limitations on the ability for MinEx to undertake a proper investigation, such as an inability to provide feedback on the outcome and/or to gather additional particulars to assist an investigation.

Any deliberate breach of this Policy may result in disciplinary action, including dismissal from MinEx.

Availability of Policy

This policy is provided as part of the MinEx suite of internal policies. It is also freely available online. MinEx Staff are encouraged to make themselves familiar with the Policy.

Endorsement

MinEx's Board is committed to this Policy and its implementation and to ensuring an enjoyable, healthy and safe working environment.