

	Whistle-blower Policy		
	Doc No: 1.28	Version No:2.0	
	Issue Date: 15 May 2020	Next Review: 31 December 2021	
	Owner: National Human Resources Manager		
	Approved By: Managing Director		

1. Purpose and scope

Alspec is committed to fostering a culture of good corporate governance and ethical behaviour. This Policy sets out Alspec’s approach to managing disclosures by whistle-blowers. It is a key part of Alspec’s risk management and corporate governance framework and supports Alspec’s Core Values and Code of Conduct.

This Policy aims to:

- ensure that individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected; and
- ensure that there is a transparent process around receiving, handling and investigating disclosures; and
- encourage a culture of compliance with our legal and ethical obligations.

2. Application

This Policy applies to everyone who performs work for or with Alspec, including:

- all Alspec employees (whether ongoing, temporary, full time, part time or casual) and including apprentices and trainees where employed by Alspec.
- directors and officers of Alspec.
- relatives, dependents and spouses of current employees and officers of Alspec.
- any person who works for Alspec under a contract, including a consultant, contractor, subcontractor, employee of a contractor or subcontractor or employee of a labour hire company who has been assigned to work at Alspec.
- former employees or officers of Alspec; and
- any organisation (and its employees) that has a relationship or is associated with Alspec as a customer, supplier, adviser, agent or otherwise.

In this Policy “Alspec” means Aluminium Specialties Group Pty Ltd. This Policy also applies to disclosures made to Alspec, [in relation to matters within Part 9.4AAA (protection for whistle-blower’s) of the Australian Corporations Act 2001.

3. Overview

It is critically important that people who become aware of possible illegal or unethical conduct are able to disclose their suspicions to an appropriate person with the knowledge that their disclosures will be investigated properly and that they will not suffer negative consequences as a result of making a disclosure. It is equally important that potential wrongdoers know that others are encouraged to report their wrongdoing.

The Australian Corporations Act 2001 requires that companies such as Alspec (and its related entities) have appropriate whistle-blower policies and systems in place for receiving, investigating and acting on certain disclosures made by an “eligible whistle-blower” to a relevant person. The Taxation administration Act 1953 also contains whistle-blower protections. This Policy covers the types of disclosures protected by these Acts.

For “personal work-related grievances”, see the EEO, Bullying and Harassment Policy.

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4. Protections for Whistle-blowers

For the purposes of this Policy a whistle blower is a person who has reasonable grounds to suspect there has been misconduct or an improper state of affairs or circumstances in relation to Alspec and discloses that suspicion using one of the methods described in section 6.

5. What should be reported under this Policy?

Any matter that a person reasonably believes breaches Alspec's policies, or the law should be reported in accordance with this Policy.

Examples of misconduct or an improper state of affairs (Disclosable Conduct) can include:

- breaches of laws or regulations;
- unlawful, corrupt or irregular activities or practices or use of Alspec's funds or property;
- illegal activities (including theft, drug sales/use, violence or threatened violence and criminal conduct);
- breaches of Alspec's policies and procedures (including but not limited to the Code of Conduct ;
- conduct that causes a substantial risk to public health, public safety or the environment;
- dishonest or unethical behavior;
- financial fraud or mismanagement;
- other conduct likely to damage Alspec's financial position or reputation;
- conduct that endangers the public or financial system;
- behavior that is oppressive, discriminatory or grossly negligent;
- conduct or proposed conduct suspected to be in breach of the Competition and Consumer Act 2010, Corporations Act 2001 or the Australian Securities and Investments Commission Act 2001;
- concealing misconduct or an improper state of affairs.

Disclosable Conduct must be distinguished from personal work-related grievances. A personal work-related grievance is a grievance about any matter in relation to the discloser's current or past employment that impacts the discloser personally but does not have significant implications for Alspec more broadly. Conflicts between employees, decisions regarding transfers and promotions and disciplinary actions will generally be personal work-related grievances. If you are not sure if an issue falls within this Policy, please contact the National Human Resources Manager

Alspec is committed to the protection of whistleblowers who report Disclosable Conduct in accordance with this Policy. Other than as required by law and set out in this Policy, Alspec will not disclose the identity of whistleblowers without the whistleblower's consent to that disclosure. Australian law prohibits the disclosure of a whistleblower's identity other than as required to investigate the allegation or with the free consent of the whistleblower. All protected disclosure reports from whistleblowers will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors.

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The Australian Corporations Act 2001 also provides specific protections for whistleblowers relating to:

- identity protection (confidentiality);
- protection from detrimental acts or omissions.
- compensation and remedies; and
- civil, criminal, and administrative liability protection.

See section 14 for links to guidance material from the Australian Securities and Investments Commission (ASIC) and more information about these protections.

Specific protections are also provided under Australian tax laws (section 14 also has a link to information provided by the Australian Taxation Office).

6. Who do I disclose to?

For personal grievances see the EEO, Bullying and Harassment Policy

You can make a whistleblower disclosure to any of the following (by phone, email, mail or in person):

Name	Title	Contact details:
Abu Amani	Financial Controller	E: aamani@alspec.com.au P: 02 9834 9521
Stephen Bertram	National HR Manager	E: sbertram@alspec.com.au P: 02 9834 9508

Or to one of our dedicated whistleblower email address whistleblower@alspec.com.au

Or for accounting concerns by email to Alspec Audit Committee auditcommittee@alspec.com.au

7. What will Alspec do to support me?

Alspec is committed to doing what it reasonably can to protect whistleblowers making a protected disclosure report in accordance with this Policy from reprisal or victimisation.

Depending on the nature of the allegation and the people involved, in order to protect a whistleblower Alspec may:

- monitor or manage the behaviour of employees;
- relocate employees;
- offer the whistleblower a leave of absence or flexible work during the investigation;
- rectify any detriment that the whistleblower may have suffered.

Alspec will look for ways to support all whistleblowers but will not be able to provide non-employees with the same type and level of support it provides to employees. Alspec will take all reasonably practicable steps to protect non-employee whistleblowers.

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A whistleblower who believes they, or any other person, have been subject to victimisation or harassment as a result of having made a disclosure under this Policy, should immediately report the matter to the National Human Resources Manager. Where such an incident occurs, the EEO, Bullying and Harassment Policy will apply.

8. How does Alspec investigate disclosures?

An investigation will be undertaken by an independent investigator. Depending on the nature of the allegation, the investigator may be someone internal to Alspec or an external party such as an external lawyer or accountant or other investigator as appropriate.

The investigator will usually follow the procedure set out in the EEO, Bullying and Harassment Policy which provides for fact finding undertaken in a timely, confidential, fair and objective manner resulting in a report to the appropriate decision maker. The decision maker will then consider the report and decide what, if any, action is required.

Either the recipient of the disclosure or another appropriate person will keep the whistleblower informed of the progress of the investigation and outcome. The detail provided to the whistleblower will reflect the nature of the allegations and the rights of others involved and therefore may be limited.

9. How will Alspec make sure I'm not victimised?

A whistleblower making a protected disclosure report will be protected from reprisal or victimisation in response to making a complaint under this Policy.

Alspec will not tolerate victimisation of whistleblowers or others who raise complaints; the EEO, Bullying and Harassment Policy relevantly provides:

- Victimisation involves punishing or retaliating against someone because they have made a complaint or are involved in a complaint process.
- No one is to retaliate or treat anyone detrimentally who raises genuine complaints of unacceptable behaviour under this Policy or another policy.
- Alspec does not retaliate or treat employees detrimentally who raise genuine complaints of unacceptable behaviour.

Victimisation of a whistleblower by another employee (however senior) will be investigated as a breach of the EEO, Bullying and Harassment Policy and may result in disciplinary action up to and including termination.

10. Breaches of this Policy

Breaches of this Policy will be taken seriously by Alspec. The Company reserves the right to take appropriate disciplinary action up to and including termination for employee non-compliance with this Policy.

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11. False reports

Whistleblowing is about reporting incidences of real or perceived improper conduct and is not about settling a grievance.

A report under this Policy may damage the reputation or career prospects of people who are the subject of the allegations. Therefore, it is important that those who report Disclosable Conduct do so in good faith and with reasonable grounds for believing the information is correct or likely to be correct. Alspec takes all reports seriously but will look unfavorably on any false reports or claims. Disciplinary action may be taken against any employee who knowingly makes a false report.

12. How will Alspec make this Policy available?

This Policy will be made available to employees on the intranet and as part of new employee induction and refresher training for existing employees.

The Policy will be made available publicly on the Alspec website.

13. How will Alspec monitor this Policy?

In all instances, the recipient of the disclosure will report the disclosure to the Executive Director.

The National Human Resources Manager will maintain a register of disclosures, the outcome of investigations and any required remediation. This register is strictly confidential and the information in it will not be disclosed to anyone outside of the Human Resources without the express approval of the National Human Resources Manager.

The National Human Resources Manager may provide high level, anonymised reports to both the Board and Audit Committee.

This Policy will be reviewed and updated by the National Human Resources Manager as required and at a minimum at least once in every 2 calendar years.

At all times in recording and reporting on disclosures under this Policy Alspec will do everything reasonably practicable to protect the whistleblower and their identity.

14. Other resources

ASIC whistleblower resources

ASIC has information regarding whistleblowing available from its website at:

<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>

In relation to rights and protections for whistleblowers, see Information Sheet 238 Whistleblower rights and protections: <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections/>

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For information for recipients of disclosures, see Obligations on company officers:

<https://asic.gov.au/for-business/running-a-company/company-officerholder-duties/whistleblowers-company-officerholder-obligations/>

ATO whistleblower resources

The Australian Taxation Office (ATO) introduced new arrangements to protect whistleblowers in July 2019, information is available from: <https://www.ato.gov.au/general/gen/whistleblowers/>.

15. Related policies and procedures

- Alspec Core Values
- Alspec Code of Conduct
- Equal Employment Opportunity and Bullying and Harassment Policy.