

# Whistleblower Protection Process



# 1. Introduction

## 1.1 Purpose

ASC Pty Ltd (ASC) is committed to being a good corporate citizen, role model, service provider and employer. It is committed to creating and maintaining an open working environment in which all ASC personnel, and ASC contractors and their personnel, are able to disclose concerns about potential wrongdoing or maladministration.

ASC's Code of Conduct encourages ASC personnel to speak up to co-workers or ASC management if they become aware of breaches of laws or ASC policies, or unethical behaviour, with a view to championing the values of lawfulness, compliance, integrity and ethics.

The company encourages all its personnel to disclose issues and concerns – to speak up. ASC's Whistleblower Protection Process (the Process) is designed so that if a person discovers, or has reason to believe that there is within ASC, actual or suspected misconduct or any improper state of affairs (including tax affairs), then a disclosure can be made internally (or externally in certain circumstances) without fear of reprisal and with the knowledge that it will be treated fairly and confidentially.

## 1.2 Scope

ASC is subject to the *Public Interest Disclosure Act 2013* (Cth) (PID Act), the *Corporations Act 2001* (Cth), the *Taxation Administration Act 1953* (Cth) and the *National Anti-Corruption Commission Act 2022* (NACC Act) (Cth) (together, the Whistleblower Laws).

This Process applies to disclosures of Disclosable Conduct (as defined below):

- made by an Eligible Whistleblower (as defined below) based in Australia; and/or
- concerning or affecting ASC's Australian operations, whether or not the Eligible Whistleblower is based in Australia; and/or
- made by an Eligible Whistleblower who has a sufficient connection to Australia by:
  - being physically located in Australia at the time of making disclosure; or
  - where the entity to which the disclosure relates is an ASC Australian entity and the Eligible Whistleblower has a connection to that entity (such as being a director, employee, officer or agent of that entity).

## 2. Making a disclosure

### 2.1 Who can make a disclosure under this Process?

You are an Eligible Whistleblower and can make a disclosure under this Process if you are:

- a. an officer or employee of ASC (including current and former employees who are permanent, part-time, fixed-term or temporary, interns, secondees, managers or directors);
- b. a current or former public official (e.g. a Department or statutory authority or Commonwealth entity, agency or company);
- c. a supplier of ASC (whether paid or unpaid);
- d. an employee of a supplier to ASC (whether paid or unpaid);
- e. an associate of ASC (e.g. a related body corporate or a director or secretary of a related body corporate); or
- f. a relative, dependent or spouse of any of the above.

### 2.2 What is Disclosable Conduct?

ASC strongly encourages you to disclose any conduct or action that you know, or have reasonable grounds to suspect, constitutes misconduct, is illegal, unethical or otherwise an improper state of affairs or circumstances in relation to ASC (Disclosable Conduct). Disclosable Conduct includes conduct that:

- a. breaches a law that applies to ASC;
- b. is Corrupt Conduct (as defined below);
- c. amounts to 'maladministration' (for example, action taken for improper motives or that is unreasonable, unjust, oppressive or negligent);
- d. involves misconduct in relation to scientific research, analysis or advice (for example, fabricating data or results, or deception);
- e. results in waste of public money or public property;
- f. unreasonably endangers health and safety, or endangers the environment;
- g. could give grounds for disciplinary action under ASC policies;
- h. is bullying, discrimination or harassment;
- i. constitutes misconduct or an improper state of affairs in relation to one of ASC's contractors or subcontractors, or some other Commonwealth agency; or
- j. constitutes tax-related misconduct, or an improper tax situation, in relation to the tax affairs of ASC, one of ASC's contractors or subcontractors, or some other Commonwealth agency.

ASC also encourages you to report via our Speak Up Integrity Hotline (phone 1800 685 449) about any matters of concern, or any conduct which is contrary to ASC's Values (such as, physical or sexual assault, data security or privacy matters, workplace health and safety, modern slavery, workplace issues or breach of any ASC Policies), regardless of whether or not such conduct amounts to Disclosable Conduct.

In this Process, 'Corrupt Conduct' is:

- a. any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly:
  - i. the honest or impartial exercise of any public official's powers as a public official; or
  - ii. the honest or impartial performance of any public official's functions or duties as a public official;
- b. any conduct of a public official that constitutes or involves a breach of public trust;
- c. any conduct of a public official that constitutes, involves or is engaged in for the purpose of abuse of the person's office as a public official; and
- d. any conduct of a public official, or former public official, that constitutes or involves the misuse of information or documents acquired in the person's capacity as a public official.

**Note:** ASC's staff members are considered public officials for the purpose of the NACC Act and employees of ASC's subcontractors may be considered public officials while they are providing goods or services (either directly or indirectly) to ASC. This means any corrupt conduct engaged in by ASC's staff, or the staff of ASC's contractors in the course of those contractors providing goods or services to ASC, may also be investigated separately to this Process by the National Anti-Corruption Commission. If you know of, or have reasonable grounds to suspect, ASC staff or the staff of ASC's contractors have been involved (directly or indirectly) in Corrupt Conduct, consult the ASC Legal team.

Please note that you may still qualify for protection even if your disclosure turns out to be incorrect.

You may also qualify for protection if you make a public interest or emergency disclosure to a journalist or member of Parliament under the *Corporations Act 2001* (Cth). These disclosures must satisfy the following requirements:

To qualify as a public interest disclosure:	To qualify as an emergency disclosure:
<b>You have made a previous disclosure of Disclosable Conduct to the Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA) or another Commonwealth body prescribed by regulation</b>	
90 days must have passed since making that disclosure.	No time limit required.
<b>You have reasonable grounds to believe that:</b>	
Making a further disclosure of the information would be in the public interest.	The information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment.
You give the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that you intend to make an emergency or public interest disclosure.	
You then make a disclosure to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a professional journalist.	
<b>The extent of the information disclosed is no greater than is necessary to inform the recipient of:</b>	
The misconduct or improper state of affairs or circumstances.	The substantial and imminent danger.

If you wish to make either a public interest or emergency disclosure, we recommend that you seek independent legal advice.

## 2.3 What is *not* Disclosable Conduct?

### 2.3.1 Personal work-related grievances

Disclosures that relate solely to a personal work-related grievance do not qualify for protection under this Process, or under the Whistleblower Laws. A personal work-related grievance is a grievance that relates to your current or former employment with ASC that has, or tends to have, personal implications only.

Examples of personal work-related grievances include:

- interpersonal conflicts with another employee of ASC;
- decisions that do not involve a breach of workplace laws;
- decisions about your engagement, transfer, promotion, suspension or termination; or
- decisions about your terms and conditions of employment.

A personal work-related grievance may, in some circumstances, qualify for protection under this Process and the Whistleblower Laws if:

- it includes information about Disclosable Conduct, or information about Disclosable Conduct includes, or is accompanied by, a personal work-related grievance;
- ASC has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond your personal circumstances;
- the conduct is of such a significant nature that it would undermine public confidence in ASC, or has other significant implications for ASC;
- you are suffering from or are being threatened with Detrimental Conduct (as defined below) for making a disclosure; or
- you are seeking legal advice or legal representation about the operation of the whistleblower protections under the Whistleblower Laws.

### ***2.3.2 Other disclosures not protected***

Certain other disclosures also do not qualify for protection under this Process or the PID Act. These include disclosures relating to:

- government policies and or proposed policies;
- actions and proposed action by federal Ministers, the Speaker of the House of Representatives or the President of the Senate; and
- expenditure or proposed expenditure related to those policies or actions, merely because an Eligible Whistleblower disagrees with them.

Other disclosures that are not protected include disclosures relating to:

- conduct engaged in by an intelligence agency in the proper performance of its functions or the proper exercise of its powers;
- conduct engaged in by a public official who belongs to an intelligence agency for the purposes of the proper performance of the agency's functions or the proper exercise of its powers; and
- conduct of a public official that is wholly private and has no bearing on the person's position as a public official.

Disclosures to foreign public officials are also not protected.

## 2.4 To whom can disclosures of Disclosable Conduct be made?

### 2.4.1 Eligible Recipients and Authorised Officers

For a disclosure to qualify for protection under this Process and the Whistleblower Laws, the disclosure must be made to particular people. Disclosable Conduct can be raised in person, by mail or by email to any of the following persons (Eligible Recipients):

- a. an officer or senior manager of ASC;
- b. an auditor conducting an audit of ASC;
- c. a person authorised by ASC to receive disclosures concerning Disclosable Conduct listed in the table below (Authorised Officers);
- d. a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of this Process or the Whistleblower Laws;
- e. ASIC, APRA or another Commonwealth body prescribed by regulation;
- f. if the disclosure relates to the tax affairs of ASC, a registered tax agent or BAS (Business Activity Statement) agent of ASC or the Commissioner of Taxation; or
- g. ASC's Speak Up Integrity Hotline, run by Core Integrity (see section 3 below).

Position	Current Incumbent	Contact #	Location
<b>Authorised Officers</b>			
General Counsel and Company Secretary, Principal Officer and the CEO's (Chief Executive Officer) Delegate	Ivan WITT	08 8348 7022	ASC North Building 5
Chair of the Business Assurance and Security Committee	Geoff ROHRSHEIM	See paragraph 2.4.3 of the Process	
Chief Strategy Officer	Christian HAMILTON	08 8348 7660	ASC North Building 3
Group Internal Audit Manager	Andrew HENRY	08 8348 7522	ASC North Building 11
Senior Internal Auditor	Louis HUI	08 8348 7935	ASC North Building 11
Senior WHSE Systems and Governance Specialist	Bridget JOHNSON	0461 270 232	ASC North Building 5
Business Manager	Simon RUSITI	08 9410 4356	ASC West
People and Culture Manager	Ben STOCKS	08 9410 4319	ASC West

### 2.4.2 Disclosures to Supervisors

If an employee of ASC who supervises or manages personnel (Supervisor) receives a disclosure of Disclosable Conduct from an ASC employee which qualifies as a public interest disclosure under the PID Act, the Supervisor must refer the information to an Authorised Officer and inform the discloser of the PID process.

### 2.4.3 Executive Disclosures


In some circumstances, a disclosure of Disclosable Conduct may relate to ASC's CEO, or a member of ASC's senior management team or Board (Executive Disclosure).

If you need to make an Executive Disclosure in respect of Disclosable Conduct, you should make that disclosure to the Chair of ASC's Business and Security Committee, to the following email address: [disclosure@asc.com.au](mailto:disclosure@asc.com.au)

## 3. How to make a disclosure

You can make a disclosure via the following mechanisms:

- Phone – in accordance with the contact numbers in section 2.4.1 above.
- Email – to an Authorised Officer listed in the table in section 2.4.1 above.
- In writing – to ASC's Principal Authorised Officer, 694 Mersey Road North, Osborne, SA, 5017.
- Submitting the form at Annexure A to this Process to ASC's Principal Authorised Officer.
- Contacting an Eligible Recipient listed at section 2.4.
- ASC's Speak Up Integrity Hotline (ASC's externally-managed hotline provided by our integrity partners, Core Integrity) via any of the below avenues:

ASC's Speak Up Integrity Hotline	
Email	<a href="mailto:ASCspeakup@coreintegrity.com.au">ASCspeakup@coreintegrity.com.au</a>
Hotline Number	1800 685 449
Post Mail:	PO Box 730 Milsons Point NSW 1565
URL	<a href="https://speakup.coreintegrity.com.au/asc">https://speakup.coreintegrity.com.au/asc</a>
QR	



Reports can be made anonymously. However, anonymous reporting may limit ASC's ability to fully investigate a matter and protect the discloser from Detrimental Conduct. It is therefore recommended that anonymous disclosures be made in a way that allows for a line of communication between yourself and ASC, so that you can be informed of the investigation outcome and ASC can request any further information, where appropriate.

In making a disclosure, please provide as much information about the matter as you have available to you. The more information ASC has, the more thoroughly it can investigate the matter, and take corrective action.

Ideally, you would:

- include your name and contact details (although this is not necessary and you may remain anonymous if you wish);
- include a description of the conduct or situation, including the time(s) and place(s);
- identify who you think was involved, and how;
- identify who you think was, or is, aware of the matter;
- identify anything you know was done in response to the conduct or situation;
- set out anything else you think is, or may be, relevant or helpful to investigating the matter; and
- identify whether you are concerned about possible reprisals as a result of making the disclosure, and from whom.

If possible, please also provide any supporting correspondence or other documents, such as file notes, emails or diary entries.

In your disclosure you should be clear and factual, avoid speculation, personal attacks and emotive language as these divert from the real issues and can make it more difficult to determine whether the disclosure is a disclosure qualifying for protection under the Whistleblower Laws, and how it should be investigated.

## 4. Protections under the Whistleblower Laws

Disclosures by Eligible Whistleblowers, which concern Disclosable Conduct and are made to an Eligible Recipient, may qualify for statutory protection under the Whistleblower Laws. Additionally, any individuals who provide assistance in relation to a public interest disclosure (witnesses) may also qualify for statutory protection under the Whistleblower Laws. These protections are outlined in this section.

You will not be eligible for statutory protection as an Eligible Whistleblower or witness if:

- you knowingly make a false or misleading disclosure; or
- in respect of public interest disclosures under the PID Act:
  - you breach a designated publication restriction (a statutory prohibition or a court order prohibiting the publication of specific information) in making the disclosure, and in the case of an Eligible Discloser, you did not have a reasonable excuse; or
  - the disclosure consists of, or includes, intelligence information or sensitive law enforcement information.

Intentional false disclosures may result in disciplinary action.

In the case of Eligible Whistleblowers, the statutory protections below are available to you even if you make a disclosure anonymously.

Finally, ASC recommends you seek independent legal advice in relation to enforcing the statutory protections outlined in this section.

#### **4.1 Confidentiality**

If you are an Eligible Whistleblower, it is illegal for ASC to disclose your identity, or the fact that you have made a disclosure.

However, ASC may disclose your identity or information likely to lead to your identification:

- a. with your consent;
- b. if the disclosure of information that is likely to lead to your identification is reasonably necessary for the effective investigation of the matter and all reasonable steps are taken to reduce the risk of your identification;
- c. to ASIC, APRA or the Australian Federal Police or to a person or body prescribed by regulations;
- d. to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the whistleblower provisions in the Whistleblower Laws; or
- e. if the disclosure relates to ASC's tax affairs.

If you are an Eligible Whistleblower and you make an anonymous disclosure, ASC will protect your anonymity (and confidentiality generally) in the following ways:

- All personal information or reference to you in the disclosure will be redacted (unless you have provided consent).
- Documents will be stored in a secure location with limited access.
- Where possible, you will be contacted to help identify certain aspects of your disclosure that could inadvertently identify you.

If your identity has been disclosed, or information that is likely to lead to your identification is disclosed, you can lodge a complaint with ASC about a breach of confidentiality. You may also lodge a complaint with ASIC, APRA or the Australian Taxation Office (ATO) for investigation.

## 4.2 Protection from Detrimental Conduct

If you are an Eligible Whistleblower or a witness, ASC prohibits and will not tolerate any form of retaliation against you (or any other person) in respect of a disclosure that has, may have been, is proposed to be, or could be made (Detrimental Conduct). Detrimental Conduct includes:

- dismissal;
- physical or psychological harm;
- demotion;
- victimisation;
- alteration of employment position or duties to your disadvantage;
- discrimination, harassment or intimidation;
- damage to property, reputation, business or financial position; and
- any other damage.

Any individual engaging in Detrimental Conduct may be subject to disciplinary action (up to and including termination).

Actions that are *not* Detrimental Conduct include:

- administrative action that is reasonable for the purpose of protecting you from Detrimental Conduct; and
- managing unsatisfactory work performance in line with ASC's performance management framework.

If you are subject to Detrimental Conduct, please contact or lodge a complaint with ASC's General Counsel and Company Secretary. It is important that reports of Detrimental Conduct are made immediately, as this will assist ASC to protect you to the fullest extent possible. Reports of Detrimental Conduct will be treated confidentially.

If you have suffered Detrimental Conduct, you may also contact ASIC, APRA or the ATO.

## 4.3 Compensation and Remedies

You may seek compensation or other legal remedies from the courts as an Eligible Whistleblower or witness if:

- you suffer loss, damage or injury because of a disclosure; and
- ASC failed to take reasonable precautions and exercise due diligence to prevent the relevant Detrimental Conduct.

## 4.4 No Liability

No civil, criminal, administrative or disciplinary action will be taken against an Eligible Whistleblower for making a disclosure, or any witness who provides assistance in relation to a public interest disclosure.

This includes ASC not enforcing any contract remedy, or other legal remedy, or exercising a contract right against you for making a disclosure. For example, ASC will not:

- treat a disclosure as a breach of a contract between you and ASC; or
- terminate a contract between you and ASC on the basis that you made a disclosure.

The statutory protections do not apply in respect of any misconduct you have engaged in that is revealed in your disclosure.

# 5. Handling and investigating disclosures

## 5.1 Initial assessment

ASC takes disclosures of Disclosable Conduct seriously.

Authorised Officers are responsible for conducting the initial assessment and any preliminary investigations into disclosures they receive. The relevant Authorised Officer will consider the disclosure you have made, whether it qualifies for protection under this Process and the Whistleblower Laws, whether it must be referred to another agency, and if so, how to investigate it.

If the Authorised Officer considers that a disclosure qualifies for statutory protection, the Authorised Officer must also identify what kind of protected disclosure it is (and which of the Whistleblower Laws applies to it). If the disclosure is both a public interest disclosure (under the PIO Act) and another kind of protected disclosure (e.g. under the *Corporations Act 2001* (Cth)), the Authorised Officer will treat it as a public interest disclosure under the PIO Act.

If the disclosure contains or refers to Corrupt Conduct by a person that is, or was, an ASC employee at the time of the reported conduct, and such conduct is serious or systemic in nature, the Authorised Officer must:

- a. refer the disclosure to the National Anti-Corruption Commissioner (the Commissioner) as soon as reasonably practicable;
- b. include with the referral all information relevant to the disclosure in their possession or control at the time of the referral or subsequently (including an explanation as to why they suspect the disclosure is serious or systemic); and
- c. notify the discloser of the referral as soon as reasonably practicable.

Unless the Commissioner directs ASC to stop taking action in respect of the disclosure, ASC must continue investigating the disclosure.

If a disclosure qualifies as a public interest disclosure under the PID Act:

- a. The Authorised Officer must decide who should investigate the disclosure. This decision should be made within 14 days after the disclosure is made to ASC.
- b. If the Authorised Officer is not satisfied that there are reasonable grounds to suspect that your disclosure concerns Disclosable Conduct, you will be notified (with reasons and suggestions for other action that might be available to you, such as complaints under the Grievance Process in ASC's People and Culture Manual or to the Commonwealth Ombudsman, or action under the *Fair Work Act 2009*).
- c. The Authorised Officer must consider whether the conduct disclosed relates to an ASC Group company or ASC personnel, or to another Commonwealth body.
- d. ASC will normally be the appropriate body to investigate public interest disclosures that relate to an ASC Group company or ASC personnel.
- e. The investigations can be allocated to another Commonwealth body (including the Ombudsman), but only with that body's consent.
- f. If the investigation is allocated to another Commonwealth body (under sub-paragraph (e) above), the Authorised Officer must give notice of the allocation to the principal officer of the agency and the discloser pursuant to section 44 of the PID Act.

## 5.2 Investigations

ASC will adopt much the same procedure for the investigation of all disclosures, with slight modifications to meet the detailed requirements of the separate Whistleblower Laws.

If the disclosure is to be investigated, ASC will assess whether the investigation should be conducted internally or externally. If conducted internally, an Authorised Officer will be allocated to oversee the investigation. You will be told who it is. If your disclosure relates to another Commonwealth body, generally, the investigation will be conducted by its authorised officers.

The Authorised Officer must develop an investigation plan. The plan will usually identify:

- a. the disclosure and any particular requirements of the applicable Whistleblower Law;
- b. the most appropriate person to conduct the investigation (the investigator);
- c. the anticipated resourcing, size and length of the investigation;
- d. the ASC personnel who might be required to participate in the investigation;
- e. the documents, records and other materials which will need to be accessed during the course of the investigation (including those which ASC will require from you and other ASC personnel);
- f. whether interviews or other information gathering procedures will be required; and
- g. whether ASC should seek independent legal, tax or financial advice with respect to the disclosure and the investigation.

The investigation will be conducted in accordance with the investigation plan.

Where possible, ASC will ensure the fair treatment of individuals mentioned in disclosures. This includes giving those individuals an opportunity to respond to any allegations made before any adverse finding of fact in any investigation is made and before any disciplinary action (where appropriate) is taken.

Where practicable, the Authorised Officer will provide you with timely updates on the progress and outcome of the investigation (subject to any confidentiality constraints). These updates may be written or verbal, depending on what is appropriate in the circumstances. If you have not provided your consent to be contacted, or if you decline or cannot provide further information, this may limit ASC's ability to investigate the matter fully and/or provide updates.

If a disclosure qualifies as a public interest disclosure under the PID Act:

- As soon as practicable after a disclosure is received, an assessment will be undertaken of the risks that Detrimental Conduct may be taken against you or others (e.g. any witnesses or ASC employees the subject of a disclosure) because of the public interest disclosure.
- The risk assessment will be conducted by the Authorised Officer who received the disclosure, or another ASC employee who has the requisite skills and experience to conduct such a risk assessment. Where a disclosure is made anonymously, a risk assessment will still be conducted to determine whether your identity can be readily ascertained or may become apparent during an investigation.

### **5.3 Reports of investigations**

The investigator must prepare a report of their findings and conclusions and provide it to the ASC CEO (or CEO's delegate). The report must remain confidential and only be disclosed with the CEO's (or their delegate's) authority, or as otherwise required by law. The CEO (or delegate) may, in appropriate cases, refer the report to the ASC Board.

The report must include any recommendation that the investigator thinks appropriate to deal with the disclosure.

If a disclosure qualifies as a public interest disclosure under the PID Act:

- The investigation report must be finished in 90 days (but the Ombudsman can extend this period in some cases). The report will describe the disclosure and the investigation undertaken, what findings were made, any action recommended or taken, any claims or evidence of detrimental action to you, and ASC's response to those matters.
- The investigator will give a copy of the report to the Ombudsman.
- ASC will give you a copy of the report (if reasonably practicable), under a duty of confidentiality. This may happen after management or the Board has had an opportunity to consider the report. In other cases, the ASC CEO (or delegate) may determine that you be given a redacted copy of the report to preserve confidentiality or the integrity of criminal or other processes.

## 5.4 Outcomes from investigation

The outcomes from an investigation depend on the circumstances. They may include:

- a. referral of the matter to the police or another body that can take further action;
- b. mediation or conciliation of a workplace conflict;
- c. disciplinary action under ASC's policies and procedures;
- d. an internal audit or other review of an issue or the operations of a particular unit;
- e. changing policies, procedures or practices;
- f. improved training for staff; or
- g. no action.

## 6. ASC support

ASC is committed to treating disclosures appropriately and to ensuring that Eligible Whistleblowers who make disclosures receive the protections they are legally entitled to. It is also committed to treating fairly and appropriately any individuals about whom disclosures are made.

This Process is a key element of ASC's approach.

### 6.1 Supporting Eligible Whistleblowers and witnesses

ASC will support Eligible Whistleblowers and witnesses by:

- a. preserving the confidentiality of the disclosure, in accordance with the Whistleblower Laws and this Process; and
- b. taking disclosures seriously, and ensuring that any investigations are carried out in a timely and appropriate manner.

# ANNEXURE A

## DISCLOSURE FORM

You may use this form to make a disclosure of Disclosable Conduct (as defined in section 2.2 of ASC's Whistleblower Protection Process (the Process)) or under the *Public Interest Disclosure Act 2013* (Cth), the *Corporations Act 2001* (Cth) and the *Taxation Administration Act 1953* (Cth) (together, the Whistleblower Laws).

It is important that you are aware that not all disclosures of wrongdoing will qualify for protection under this Process and the Whistleblower Laws. If you wish to make a complaint regarding a Human Resources-related matter, or if you do not think your complaint relates to Disclosable Conduct, you should instead raise your grievance in accordance with the Grievance Process set out in the [People and Culture Manual](#). Before completing this form and making a disclosure, please carefully read the Process.

Please note that if you make a disclosure that qualifies for protection:

- ASC will be required to handle your disclosure in accordance with the Process and the Whistleblower Laws.
- You will be afforded certain protections under the Process and the Whistleblower Laws, which are summarised at section 4 of the Process.
- You may make a disclosure anonymously (though this may make it more difficult for ASC to investigate your disclosure, provide you with updates and to protect you against Detrimental Conduct).
- You should not discuss the details of your disclosure with anyone who does not need to know.
- **Do NOT investigate any matter yourself.** Doing so may hinder or compromise a potential investigation.

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### 1. Contact Details

I would like to remain anonymous in relation to this disclosure.

Yes

No

If 'No', I consent for my identity, or information likely to lead to my identification, being known by the relevant Eligible Recipient, Authorised Officer and/or third parties for the purposes of considering or investigating this disclosure (e.g. an internal or external investigator or legal advisor).

Yes

No



The following details are optional. Please note that even if you would like to remain anonymous in relation to a disclosure, it would be helpful for ASC to have a way to contact you (e.g. an anonymous email address) to request further information and/or provide updates.

Prefix:  Mr  Mrs  Ms  Miss  Other  Prefer not to say

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact number: \_\_\_\_\_

Email: \_\_\_\_\_

Status with respect to ASC (i.e. current employee, former employee, etc.): \_\_\_\_\_

\_\_\_\_\_

## 2. Disclosure Details

I confirm that I have reviewed the criteria for Disclosable Conduct and have reasonable grounds to suspect this disclosure meets those criteria.

Nature of wrongdoing	
Which Whistleblower Law or Other category do you think the conduct relates to?	<input type="checkbox"/> Unsure <input type="checkbox"/> <i>Public Interest Disclosure Act 2013 (Cth)</i> <input type="checkbox"/> <i>Corporations Act 2001 (Cth)</i> <input type="checkbox"/> <i>Taxation Administration Act 1953 (Cth)</i> <input type="checkbox"/> <i>National Anti-Corruption Commission Act 2022 (Cth)</i> Other: _____
Is this an Executive Disclosure [as defined at section 2.4.3 of the Process]?	
When and where did the relevant conduct, event or incident occur?	
Other surrounding events.	
Additional details. Did you do anything in response to the conduct, event or incident? Does anyone else know about it and has allowed it to continue?	
Are you afraid that by making this disclosure you will be subject to Detrimental Conduct? If yes, by who? Why?	

### 3. Additional Documentation

If possible, please also provide any supporting correspondence or other documents, such as file notes or diary entries, and the names of any people who witnessed the conduct or who may be able to verify what you are saying in your disclosure.

### 4. Collection of Your Personal Information

ASC is committed to protecting your privacy. We have asked you to provide us with personal information including your name, address and contact details, so that we can assist with your disclosure. You may make an anonymous disclosure and may choose not to provide us with your name and contact details. However, if you do not provide your personal information, we may not be able to:

- update you on the progress of your disclosure;
- contact you for further information to assist the investigation of your disclosure;
- investigate your disclosure; and/or
- ensure your protection from Detrimental Conduct.

The information you provide will be collected by, and on behalf of, ASC and may be disclosed to other ASC Group companies, the Commonwealth Ombudsman and the principal officer of an agency other than ASC, or as required or authorised under law. [ASC's Privacy Policy](#) explains how you can request access to and correct the personal information that we hold about you. It also tells you how you may contact us to complain about a breach of the *Privacy Act 1988* (Cth), and how we will deal with such a complaint.

**ASC Pty Ltd**

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