



## 1. INTRODUCTION

- 1.1. Aveo's *Code of Conduct; Anti-Fraud, Bribery and Corruption Programme* and supporting board policies and charters have been developed to ensure high standards of conduct and ethical behaviour in all of our business activities.
- 1.2. This *Whistleblower Policy (Policy)* has been adopted to promote a safe and confidential environment where people can raise genuine concerns regarding actual or suspected contraventions of our ethical and legal standards without fear of reprisal or discriminatory treatment.
- 1.3. The purpose of this Policy is to outline Aveo's whistleblowing procedures, clarify the persons to whom disclosures may be made and how they can be made, including what protections a Whistleblower will receive, and how disclosures will be responded to.

## 2. SCOPE OF POLICY

- 2.1. Anyone with information about Potential Misconduct is encouraged to speak up. This Policy applies to all of Aveo's current and former directors, officers, employees (including casual and temporary workers), contractors and consultants, volunteers, suppliers, associates regardless of seniority and relatives, spouses and dependants of the aforementioned individuals.
- 2.2. The following terms are used throughout this Policy:

### **Potential Misconduct**

Refers to any suspected or actual misconduct; or improper state of affairs or circumstances in relation to Aveo or its people.

This may include behaviour that you believe contravenes Aveo's *Code of Conduct*, other company policies or the law.

Other examples of Potential Misconduct are set out in section 2.3 of this Policy.

Potential Misconduct does not generally include Personal Work-Related Grievances.

### **Personal Work-Related Grievances**

Grievances relating to your current or former employment or engagement that have implications for you personally (such as a disagreement between you and another employee or a decision about your promotion).

Generally, these grievances should be raised via ordinary Human Resources and performance management channels.

In some cases, these grievances may qualify for legal protection (see **Attachment 1**).

### **Recipients**

Recipients are listed below in Section 3.1 of this Policy.

- 2.3. Potential Misconduct under this Policy includes, but is not limited to:
  - conduct or practices which are illegal or breach any law;
  - dishonest, unethical or corrupt behaviour;
  - payment or receipt of a bribe/inducement;
  - theft, fraud or misappropriation;
  - unsafe work practices, environmental or health risks;
  - information that represents a danger to the public or to the financial system;
  - any suspected breach of aged care legislation or allegations of misconduct associated with the delivery of commonwealth funded aged care;
  - abuse of authority;
  - conflicts of interest;
  - anti-competitive behaviour;





- breach of trade sanctions or other trade controls;
- modern slavery practices;
- tax-related misconduct;
- unauthorised use of the Aveo’s confidential information;
- conduct likely to damage Aveo’s financial position or reputation;
- breach of Aveo’s policies and/or *Code of Conduct*; or
- deliberate concealment of any of the above.

2.4. This Policy should be read in conjunction with Aveo’s *Code of Conduct* and *Anti-Fraud, Bribery and Corruption Programme*. These documents are available on the company Intranet.

2.5. This Policy does not in any way limit the responsibilities or protections afforded to individuals making a protected disclosure under the *Corporations Act 2001*, or other relevant statute. These protections are summarised in **Attachment 1** to this Policy.

### 3. HOW TO MAKE A REPORT AND WHO TO SPEAK TO (RECIPIENT)

3.1. Potential Misconduct can be reported to the following Recipients:

- EthicsPoint (externally administered telephone and online whistleblowing channel);
- Chief Risk Officer;
- General Counsel and Company Secretary; and/or
- Chair of the Hydra RL TopCo Board (Board), or in their absence, the Senior Vice President Internal Audit, Brookfield.

In addition, under law there are certain other people, who are known as “eligible recipients”, to whom you can make a report and still receive legal protections under this Policy. See **Attachment 1** for more details.

The contact details for the abovementioned Recipients are provided in Section 3.2 of this

Policy, as well as in the Whistleblowing User Guide available on the Aveo intranet.

3.2. If submitting a report via EthicsPoint, the following channels are available:

**(a) Aveo EthicsPoint Hotline (telephone)**

1800 450 739 (toll free)

**(b) Aveo EthicsPoint Portal (online)**

<https://aveo.ethicspoint.com>

3.3. The Aveo EthicsPoint telephone hotline and online portal are administered by an external third-party service provider (Navex Global). The service is available 24 hours a day, 365 days a year, and affords employees and other individuals the opportunity to anonymously report Potential Misconduct.

3.4. Where an individual elects to provide an anonymous report through the EthicsPoint telephone hotline or online portal, any follow-up communication between Aveo and said individual can occur through the online portal (using a unique report key and password) and will preserve the individual’s anonymity.

3.5. Reports are entered directly on the EthicsPoint secure server to prevent any possible breach in security. EthicsPoint makes these reports available only to specific individuals within the company who are charged with evaluating the report, and based on the type of violation and location of the incident/complaint (usually the abovementioned Recipients, unless an exception applies, such as where the Recipient is implicated in the report or would have a conflict of interest).

3.6. Aveo is committed to safeguarding the interests of the Whistleblower in accordance with this Policy and any applicable legislation. Aveo is also committed to keeping the Whistleblower informed of the progress of the report where practicable. The protections available to people who speak up and the way in which their report will be handled are described below.





#### 4. INFORMATION YOU SHOULD PROVIDE

4.1. You should provide as much information as possible, including details of the Potential Misconduct, people involved, dates, locations and if any more evidence may exist. Information that may be helpful is set out below; however, you can still provide a report even if you do not have all of this information:

- your name and contact details (unless you choose to remain anonymous);
- the date and time of the Potential Misconduct;
- the date and time the Potential Misconduct was detected/observed;
- how the Potential Misconduct came to your attention;
- the nature of the Potential Misconduct;
- those involved in the Potential Misconduct;
- the names of all parties privy to/aware of the Potential Misconduct;
- the value of the loss (if any) to Aveo as a result of the Potential Misconduct; and
- details of any evidence to support/substantiate the Potential Misconduct.

4.2. You can make an anonymous report if you do not want to reveal your identity. However, we encourage you to provide your name because it will make it easier to investigate and address your report.

4.3. If you do not provide your name, any investigation will be conducted as far as is practicable given the circumstances. It is also possible that an investigation may not be feasible where insufficient information is provided. Moreover, it may be difficult to offer you the same level of practical support if we do not know your identity.

4.4. If you do provide your name, it will only be disclosed where you provide your consent, or in exceptional circumstances, where the disclosure is allowed or required by law (e.g. in dealings with a regulator). If you have concerns about this, you can discuss this with a Recipient.

#### 5. AVEO'S RESPONSE TO REPORTS

5.1. All reports of Potential Misconduct are taken seriously and will be dealt with in a confidential, prompt and discreet manner. Aveo's response to a report will vary depending on the nature of the report (including the amount of information provided). Your report may be addressed and resolved informally or through formal investigation.

5.2. Whistleblowing does not guarantee that the report will be formally investigated, but all reports will be properly assessed and considered by Aveo as to whether they should be investigated.

5.3. If an investigation is conducted, the investigations process will adhere to the principles of independence, objectivity, confidentiality, and natural justice. The investigation will be independent from any persons to whom the disclosure relates. When appropriate, a person being investigated will be provided with details of the disclosure that involves them and be given an opportunity to respond.

5.4. Investigations will generally be overseen by the Chief Risk Officer or the General Counsel and Company Secretary, subject to any potential conflicts of interest or other concerns. Other people, including employees or external advisers, may also be asked to assist or run the investigation.

5.5. You must cooperate fully with any investigations.

5.6. If appropriate, Whistleblowers will be told how Aveo has decided to respond to their disclosure, including whether an investigation will be conducted. This may not occur until after an investigation has been concluded. It may not be possible to update you unless contact details are provided when making a report.

5.7. Where an investigation substantiates a breach of Aveo's *Code of Conduct* or internal policies or procedures, appropriate disciplinary action will be taken. This may



include but is not limited to terminating or suspending the employment or engagement of the person(s) involved in the misconduct.

- 5.8. Unless there are confidentiality or other reasons not to do so, persons to whom a disclosure relates will be provided with details of the report that involves them at an appropriate time (to the extent permitted by law) and be given an opportunity to respond.
- 5.9. The results of any investigation will be recorded in writing in a form of Aveo's choosing, which will be confidential and is the property of Aveo. Any report or other document produced will not be provided to you or any other person subject to or implicated in an investigation. The outcome of any investigation will also be reported to a Board sub-committee in accordance with Section Error! Reference source not found. of this Policy.

## 6. CONFIDENTIALITY AND PROTECTING YOUR IDENTITY

- 6.1. Information coming into the possession of a person from a Whistleblower, the identity of the Whistleblower, or information which may lead to their identity will not be disclosed to anyone, unless you give your consent to disclose that information or in exceptional circumstances where the disclosure is allowed or required by law or in the case of information likely to identify you, it is reasonably necessary to disclose the information for the purposes of an investigation, but all reasonable steps are taken to prevent someone from working out your identity.
- 6.2. No details of reports made under this Policy will be included in an employee's personnel file or performance review.

## 7. PROTECTION FROM DETRIMENTAL CONDUCT

- 7.1. No person may cause detriment to someone else (or threaten to do so) because of a belief that person has or will make a report under this Policy. Examples of detriment include

discrimination, harassment, causing physical or psychological harm, damaging property, demotion, dismissal and varying an employee's role or duties.

- 7.2. Employees must not be discriminated against or disadvantaged in their employment with Aveo as a result of making a report in accordance with this Policy. You should tell a Recipient if you or someone else is being, or has been, subject to detrimental conduct (or if you are concerned that you may be victimised).
- 7.3. Any person involved in detrimental conduct will be subject to disciplinary action, including but not limited to termination of employment or engagement. In some circumstances, this may also be a criminal offence punishable by imprisonment. Aveo may refer any person that has engaged in victimising conduct to law enforcement authorities for further investigation.
- 7.4. Aveo will take all reasonable steps to ensure that adequate and appropriate protection is provided for those who make a report. This protection applies if the matter is proven or not. The protections offered will depend on things such as the Potential Misconduct and people involved. Protections may include the following:
  - monitoring and managing the behaviour of other employees;
  - relocating employees (which may include the people alleged to have been involved in the Potential Misconduct) to a different business unit, department or office;
  - offering you a leave of absence or flexible workplace arrangements while a matter is investigated;
  - a person making a report who is a current or former employee may access Aveo's Employee Assistance Program and the support services provided therein; and/or
  - rectifying any detriment that you have suffered.





- 7.5. In addition, Aveo may appoint a Whistleblower Protection Officer to support and help protect you. If appointed, the Whistleblower Protection Officer will be your point of contact. They can arrange additional support for you where needed and can escalate any concerns you have with how your report is being dealt with. Aveo can only appoint a Whistleblower Protection Officer where you have agreed to share your identity with the Whistleblower Protection Officer.
- 7.6. Aveo will look for ways to support all people who speak up and make a report under this Policy, but it will of course not be able to provide non-employees with the same type and level of support that it provides to employees. In all cases, Aveo will seek to offer as much support as practicable.
- 7.7. Further information regarding the protections afforded under Australian law to persons who make a report under this Policy is available at **Attachment 1**.
- 7.8. Disclosures that do not relate to Potential Misconduct may not qualify for protections under the Corporations Act.

## 8. MAKING KNOWINGLY FALSE OR MISLEADING REPORTS

- 8.1. When making a report of Potential Misconduct, you will be expected to have reasonable grounds to believe the information you are disclosing is true. You will not be penalised where the information turns out to be incorrect and the report was made on reasonable grounds.
- 8.2. However, where employees are found to have knowingly made a report that is deliberately untrue or misleading, the making of the report will be regarded as misconduct and will be subject to disciplinary action, which may include dismissal.

## 9. FURTHER INFORMATION

- 9.1. Any questions about this Policy or Whistleblowing can be referred to the Chief Risk Officer or General Counsel and

Company Secretary.

- 9.2. This Policy will be available on Aveo's public website and on the Company's intranet.
- 9.3. This Policy does not form part of terms of employment and may be amended from time to time.

## 10. REPORTING

- 10.1. The Hydra RL TopCo Audit & Risk Committee (Audit & Risk Committee), as a sub-committee of the Board, will receive a summary of disclosures made under this Policy on at least a semi-annual basis. The Audit & Risk Committee will be provided with additional information on any material incidents reported under this Policy as and when appropriate.

**This policy was reviewed and updates approved by the Board on 25 June 2024.**







## ATTACHMENT 1: PROTECTIONS PROVIDED BY LAW

### Additional legislative protections

You are encouraged to speak up and make a report under this Policy.

However, the law offers protections in other cases – for example, you can report potential misconduct to people other than Recipients. If you make a “protected disclosure” under the law that does not comply with Aveo’s Whistleblower Policy, you will still be entitled to legal protections. A protected disclosure can qualify for protection under the *Corporations Act 2001 (Cth) (Act)* even if it is made anonymously or turns out to be incorrect.

Please contact a Recipient if you would like more information about legal protections.

### Protected disclosures

To be a protected disclosure qualifying for protection under the Act, the disclosure must relate to a disclosable matter and be made to an eligible recipient under the Act. A matter that is disclosed under the Policy but which does not meet these criteria will not qualify for protection under the Act. Examples of this information and eligible recipients are outlined in the following table.

Information reported or disclosed	Eligible recipient(s) of disclosed information
<p><b>General disclosable matters</b></p> <p>Information about actual or suspected misconduct, or an improper state of affairs or circumstances in relation to the Company or a related body corporate.</p> <p>This includes information that the Company, or a related body corporate or any officer or employee of the Company has engaged in conduct that:</p> <ul style="list-style-type: none"> <li>contravenes or constitutes an offence against certain legislation;</li> <li>represents a danger to the public or the financial system; or</li> <li>constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more</li> </ul> <p>Note that “personal work-related grievances” are not protected disclosures under the law, except as noted below.</p>	<ul style="list-style-type: none"> <li>A person authorised by the Company to receive protected disclosures – i.e. Recipients under this Policy.</li> <li>An officer or senior manager of the Company or a related body corporate.</li> <li>An auditor, or a member of an audit team conducting an audit, of the Company or a related body corporate.</li> <li>An actuary of the Company or a related body corporate.</li> <li>ASIC or APRA.</li> <li>A legal practitioner for the purpose of obtaining legal advice or legal representation (even in the event that the legal practitioner concludes that a disclosure does not relate to a ‘disclosable matter’).</li> <li>Any prescribed Commonwealth authority or other relevant regulator or agency.</li> </ul>
<p><b>Tax-related disclosable matters</b></p> <p>Information that may assist the Commissioner of Taxation to perform his or her functions or duties under a taxation law in relation to the Company.</p>	<ul style="list-style-type: none"> <li>Commissioner of Taxation.</li> <li>A legal practitioner for the purpose of obtaining legal advice or legal representation.</li> </ul>
<p><b>Further tax-related information</b></p> <p>Information about misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of the Company or an associate, which the employee considers may assist the recipient to perform functions or duties in relation to the tax affairs of the Company or an associate.</p>	<ul style="list-style-type: none"> <li>A person authorised by the company to receive reports of tax-related disclosable matters.</li> <li>An auditor, or a member of an audit team conducting an audit, of the Company or an associate.</li> <li>A registered tax agent or BAS agent who provides tax services or BAS services to the Company.</li> </ul>





Information reported or disclosed	Eligible recipient(s) of disclosed information
	<ul style="list-style-type: none"> <li>• A director, secretary or senior manager of the Company.</li> <li>• An employee or officer of the Company who has functions or duties that relate to the tax affairs of the Company.</li> <li>• A legal practitioner for the purpose of obtaining legal advice or legal representation</li> </ul>
<p><b><i>Aged care qualifying disclosures</i></b></p>	<ul style="list-style-type: none"> <li>• The Aged Care Quality and Safety Commissioner or a member of the staff of the Aged Care Quality and Safety Commission.</li> <li>• The System Governor, or an official of the Department.</li> <li>• A registered provider (in this case Aveo Home Care Services), a responsible person of the registered provider, or an aged care worker of the registered provider.</li> <li>• A police officer.</li> </ul>

The law also protects certain disclosures made in “emergency” and “public interest” situations, in which case disclosures can be made to additional recipients (such as journalists or parliamentarians). It is important for you to understand the criteria for making a public interest or emergency disclosure before doing so.

Please contact Aveo’s General Counsel and Company Secretary if you would like more information about emergency and public interest disclosures.

### Personal work-related grievances

Legal protection for disclosures about solely personal employment related matters are only available under the law in limited circumstances. A disclosure of a personal work-related grievance will remain protected if, in summary:

- it concerns detriment to you because you have or may be considering speaking up and making a report as a Whistleblower; or
- it is made to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the law about Whistleblowers.

Under the law, a grievance is **not** a ‘personal work-related grievance’ if it:

- has significant implications for an entity regulated under the law that do not relate to the discloser;
- concerns conduct, or alleged conduct, in contravention of specified corporate and financial services laws, or that constitutes an offence punishable by 12 months or more imprisonment under any other Commonwealth laws;
- concerns conduct or alleged conduct that represents a danger to the public or financial system; or
- concerns conduct or alleged conduct prescribed by the regulations.

### Specific protections and remedies

Additional legislative protections may also be available, including but not limited to:

- compensation for loss, damage or injury suffered as a result of detrimental conduct;
- an injunction to prevent, stop or remedy the effects of the detrimental conduct;
- an order requiring an apology for engaging in the detrimental conduct;



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- if the detrimental conduct wholly or partly resulted in the termination of an employee's employment, reinstatement of their position;
- exemplary damages; and/or
- any other order the Court thinks appropriate.

The law also states that if you make a protected disclosure:

- in some circumstances (e.g. if the disclosure has been made to a regulator) the information you provide is not admissible in evidence against you in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information;
- you are not subject to any civil, criminal or administrative liability for making the disclosure; and
- no contractual or other remedy may be enforced or exercised against you on the basis of the disclosure.

However, you will not have immunity for any misconduct you have engaged in that is revealed in a disclosure.

