



Whistleblower Policy

WA Return Recycle Renew Ltd Limited (“WARRRL”)

Last approved date: 28 February 2022

Written by:	Head of Scheme Integrity	Date submitted:	17/01/2022
Authorised by:	Board	Date Authorised:	28/02/2022
Next Review Date:	28/02/2024		

Version Control		
Version	Responsible	Date
2.0	Reviewed by Audit and Risk Committee	24/01/2022
2.0	Board approval	28/02/2022



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1. Overview

- 1.1 The purpose of this policy is to encourage a culture of trust and transparency within the Scheme without fear of reprisal and/or detriment.
- 1.2 This policy is an important tool to help WA Return Recycle Renew Ltd (WARRRL) identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing any wrongdoing. This aligns with WARRRL's value of accountability, transparency and integrity.
- 1.3 The policy outlines the principles and approach of the Company regarding the individuals who are eligible to make disclosures.
- 1.4 This policy explains how the Company receives, manages and responds to disclosures of information about fraud, potential breach(s) of the law, related criminal activity, dangers to the public, manipulation of financial systems, work health and safety breaches endangering public safety, underpayment of Scheme participants, modern slavery or any other misconduct or other improper dealings involving the Scheme.
- 1.5 The Company will assess all disclosures and take appropriate action in all instances of substantiated fraud or other misconduct as defined within the Company's Code of Conduct Policy, employment contracts, and Agreements with third parties who provide services to the Scheme or the Company. Depending on the severity, disciplinary action may include a written warning, termination of employment, termination of Agreements and/or civil or criminal prosecution.

2. Definitions

- 2.1 General abbreviations used in this policy have the following meanings set out below.

Board	means the board of Directors of the Company.
CEO	means the Chief Executive Officer of the Company.
Chairperson	means the Chair of the Board.
Company	means WA Return Recycle Renew Ltd ACN 629 983 615.
Confidentiality	Access to the information is controlled and the information does not have to be of a personal nature.
Detriment	May include any of the following: <ul style="list-style-type: none">• Unfair dismissal of an employee• Injury of an employee in their place of employment• Alteration of an employee's position or duties to their disadvantage• Discrimination between an employee and other employees of the same employer• Harassment or intimidation of a person



- Harm or injury to a person, including psychological harm
- Damage to a person's property
- Damage to a person's reputation
- Damage to a person's business or financial position
- Any other damage to a person

Director	means a director of the Company.
Discloser	An individual who is an eligible whistleblower, as defined in clause 4, or customer of the Scheme who makes a disclosure to an eligible recipient.
Eligible recipient	An individual designated to receive a disclosure and includes a Director, executive team member, or auditor of the Company.
Employees	Includes directors, employees (full time, part time and casual), contractors, subcontractors, employees or labour hire companies, who are assigned jobs with the Company, consultants, apprentices, work experience students, volunteers, temporary employees and visitors (as the context may require).
Policies	Means all policies, procedures, guidelines and protocols of the Company.
Scheme participants	Scheme participants are entities that are a party to a Scheme agreement (other than the coordinator), including but not limited to: <ul style="list-style-type: none">a) first responsible supplier;b) an exporter;c) a refund point operator (RPO);d) a material recovery facility (MRF) operator;e) a logistics service provider;f) a processing services provider; or ag) recycler.
Whistleblower	A Discloser.
Whistleblower Disclosure Committee (WDC)	The WDC consists of a minimum of three representatives from the Company's executive team, with the Head of Scheme Integrity as committee chair.



Whistleblower Protection Officer (WPO) The Administration and Information Coordinator within the Scheme Integrity team is the designated WPO.

3. Policy statement

- 3.1 The Company maintains a culture of ethical conduct and takes disclosures very seriously. The Company:
- (a) Encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent or undesirable conduct involving the Scheme or the Company business partners.
 - (b) Provides protection to eligible whistleblowers and customers of the Scheme who make a disclosure in relation to such conduct without fear of detrimental conduct, reprisal or breach of identity without consent.
- 3.2 This policy will be made available on the Company website and in any other ways that will ensure that it is made available to persons to whom this policy applies. It will also be made available to officers and employees of Scheme participants and suppliers.

4. Eligible whistleblowers

- 4.1 This policy applies to all eligible whistleblowers as defined within the Corporations Act 2001 and customers of the Scheme.
- 4.2 An eligible whistleblower includes current and past:
- (a) company employee;
 - (b) Scheme participants, their employees, contractors and subcontractors (whether paid or unpaid);
 - (c) suppliers of goods and services, their employees and subcontractors (whether paid or unpaid) ; and
 - (d) any relatives, dependants or spouses of any of the above.
- 4.3 For the purpose of this policy:
- (a) Employees include all Directors of the Board, members of any associated committees, the Executive Team, employees and individual contractors.
 - (b) Scheme participants include beverage supplies, exporters, refund point operators, logistics providers, processors, material recovery facility operators, and recyclers.
- 4.4 Customers of the Scheme who disclose information will be treated with the same considerations as eligible whistleblowers noting that the protections offered through the *Corporations Act 2001* may not generally apply to customers of the Scheme.
- 4.5 The Company will receive, assess and manage disclosures from eligible whistleblowers and customers of the Scheme through the same process.



5. Reportable conduct

- 5.1 Individuals may make a disclosure under this policy if they have reasonable grounds to believe that a Company director, officer, employee, contractor, supplier, Scheme participant or other person who has business dealings the Company has engaged in conduct which is:
- (a) a breach of the *Corporations Act 2001 (Cth)*;
 - (b) a breach of any other applicable law (including any criminal offence such as theft, fraud, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property);
 - (c) any circumstance that represents a danger to the public or the financial system;
 - (d) attempted or actual manipulation of the Scheme infrastructure or systems;
 - (e) dishonest, fraudulent or corrupt;
 - (f) unethical, including any breach of the Company's policies such as the code of conduct policy;
 - (g) oppressive or grossly negligent;
 - (h) potentially damaging to the Company, its employees or a third party; and
 - (i) misconduct or an improper situation.
- 5.2 Some examples of matters that **are covered** under this policy include but not limited to:
- (a) insider trading or insolvent trading;
 - (b) offering or accepting a bribe;
 - (c) fraud, money laundering or terrorism funding;
 - (d) theft or misappropriation of cash, electronic funds or other property, either by employees or third parties;
 - (e) any public safety issue or incident that did, or may, cause injury, harm or death;
 - (f) any attempt to defraud the Scheme system, by intentionally trying to pass off ineligible or previously processed containers as eligible containers;
 - (g) breach or intentional misuse of confidential personal or commercially sensitive information;
 - (h) inappropriate favouritism or disadvantage towards a supplier or nepotism in the recruitment process, due to a conflict of interest or in exchange for a bribe/kickback or other personal benefit;
 - (i) breach of environmental conditions, or incident that may result in serious harm to the environment; and
 - (j) falsification, or unauthorised modification or deletion of records or documents.
- 5.3 For the avoidance of doubt, this policy does **not** cover personal work-related grievances. These grievances should be reported to a manager in accordance with the code of conduct policy and issue resolution process within the employment policy.



- 5.4 A personal work-related grievance is a grievance about any matter in relation to a staff member's current or former employment, having implications (or tending to have implications) for that person personally and that do not have broader implications for the Company.
- 5.5 Examples of personal work-related grievances are as follows:
- (a) An interpersonal conflict between the staff member and another employee;
 - (b) A decision relating to the engagement, transfer or promotion of a staff member,
 - (c) A decision relating to the terms and conditions of engagement of a staff member.
 - (d) A decision to suspend or terminate the engagement of a staff member, or otherwise to discipline a staff member.

6. Making a disclosure

- 6.1 The Company relies on its employees, suppliers and Scheme participants to maintain a culture of honest and ethical behaviour. Accordingly, if a person becomes aware of any reportable conduct, it is expected that a disclosure will be made under this policy.
- 6.2 A disclosure can be reported to the Whistleblower Protection Officer (WPO) in the following manner. Internal employees and eligible discloser's external to the Company, including customers of the Scheme, are encouraged to disclose information through the Company's external reporting service 'Whispli' via the website <https://containersforchangewa.whispli.com/whistleblower>, via the hotline +61 (08) 7625 2946 or via the QR code.



- 6.3 Disclosures can be received by the external service provider 24 hours a day, 7 days a week. A disclosure through 'Whispli' will be processed as follows:
- (a) The discloser is required to provide information about the disclosure by answering a set of questions.
 - (b) The discloser will have the opportunity to review the information provided prior to submitting the report.
 - (c) 'Whispli' is not linked to the Company and ensures that anonymity is maintained.
 - (d) The WPO is supplied with a report of the disclosure, and in the case of a disclosure made through the hotline, a voice recording that is frequency modified to ensure the disclosers voice is not able to be recognised.
 - (e) Any information contained in the report will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors to the Company.
- 6.4 Prior to making a disclosure directly to the WPO, internal employees must state:
- (a) their intention to make a disclosure under this policy;
 - (b) the way in which the discloser wants their identity to be managed being:



- (i) consenting to their identity and other potentially identifying information being disclosed to the extent necessary for the purpose of investigation and handling of the disclosure; and/or
- (ii) not consenting to their identity being disclosed, as such this information will be kept strictly confidential.

6.5 The WPO is responsible for ensuring ongoing engagement with the discloser whilst their disclosure is being dealt with, as follows:

- (a) At least monthly, or more frequently depending on the nature of the disclosure, the WPO shall provide verbal or written updates to the discloser about the status of the investigation, as determined by the WDC.
- (b) Should a circumstance arise where the discloser wishes to remain anonymous to the Company, then a separate process will be followed:
 - (i) If the discloser has provided contact details to the Company's external service provider (Whispli), then the WPO will provide any updates to the discloser through this service.
 - (ii) If the discloser has not provided any contact details, the discloser will be given the identification number of their disclosure and may contact the WPO, no more than monthly, to receive a pre-prepared update.

6.6 The WPO is also responsible for assessing the level of risk to the discloser whilst the disclosure is being dealt with. Consideration should be given to ensure appropriate support is offered and protections are upheld.

6.7 All communication between the WPO and the discloser should be recorded and kept in a secure repository.

6.8 All may disclose information at any time through the Company's external reporting service 'Whispli'.

7. Other eligible recipients

7.1 If for any reason the discloser is unable to make a disclosure to the WPO or the external whistleblower service provider, a disclosure can be made to an eligible recipient including:

- (a) a Director of the Company;
- (b) an executive team member of the Company; and/or
- (c) an auditor of the Company.

7.2 Disclosures to an eligible recipient can be made during business hours by telephone 13 42 42 or if a face to face meeting is requested this is to be arranged with the eligible recipient. Prior to making a disclosure, the discloser must inform the eligible recipient of their intention to make a whistleblowing disclosure under this policy. An eligible recipient may direct the discloser to make the disclosure to the WPO or the external whistleblower service provider if they consider it appropriate in the circumstances.

8. Disclosure to Regulators

8.1 An individual may also make a disclosure to a regulator including the:



- (a) Australian Securities and Investments Commission (ASIC); or
- (b) Australian Prudential Regulation Authority (APRA); or
- (c) Federal or WA Police.

8.2 Individuals will be encouraged to contact the regulator directly to confirm the available reporting channels.

9. Protection for disclosers

9.1 Protection of confidentiality

- (a) When making a disclosure, an individual may do so anonymously.
- (b) It may be difficult for the Company to properly investigate the matters disclosed if a report is submitted anonymously and therefore the Company will encourage disclosers to share their identity when making a disclosure, however they will not be required to do so.
- (c) Where a discloser provides consent to the disclosure of their identity, this information may be provided to the WPO to facilitate investigation and handling of the matter. The information will only be disclosed to third parties that have a need to know the information for the proper performance of their functions under this policy, or for the proper investigation of the disclosure. All reasonable steps will be taken to preserve confidentiality, this includes ensuring that written records of any disclosures are stored securely with restricted access.
- (d) The Company is committed to ensuring that any person who makes a disclosure is treated fairly and does not suffer detriment and that confidentiality is preserved in respect of all matters raised under this policy.

9.2 Exceptions to confidentiality

- (a) Information about a discloser's identity and information that is likely to lead to the identification of the discloser may be disclosed in the following circumstances:
 - (i) Where the information is required by law to be disclosed to ASIC, APRA, the Australian Federal Police.
 - (ii) Where the information is necessary to be disclosed to a legal practitioner under legal professional privilege for the purpose of obtaining legal advice in relation to the operation of applicable whistleblower protection laws.
 - (iii) Where a court or tribunal deems it necessary in the interests of justice or for the purpose of legal action to do so.
 - (iv) Where the discloser consents.
- (b) Whilst the discloser's identity will be protected, as agreed with the discloser, there are limited circumstances where information that is likely to lead to the identification of the discloser can be disclosed without the discloser's consent, provided that:
 - (i) it is necessary for the investigation of the matter under circumstances whereby the nature of the disclosure is such that the Company has safety or legal obligations requiring the matter to be addressed; and/or



- (ii) all reasonable steps are taken prior to providing any details, to reduce the risk that the discloser will be identified.

9.3 Protection from legal action

- (a) A discloser will not be subject to any civil, criminal or disciplinary action for making a disclosure under this policy, or for participating in any subsequent investigation by the Company. Further, a discloser must not be subject to any detrimental conduct due to having made a disclosure under this policy.
- (b) The disclosure protections are not an indemnity and do not prevent civil, criminal or administrative liability for conduct of any person that is revealed by the disclosure and for which sufficient proof is identified via a thorough investigation.
- (c) Any information a discloser provides will not be admissible in any criminal or civil proceedings other than for proceedings in respect of the falsity of the information.

9.4 Protection against detrimental conduct

- (a) The Company (or any person engaged by the Company) will not engage in 'detrimental conduct' against a discloser when a disclosure is made under this policy.
- (b) Detrimental conduct includes causing, or threatening to cause, detriment to a person because they have made, or are intending to make, a whistleblower disclosure.
- (c) Detrimental conduct includes the following (without limitation):
 - (i) Termination of employment.
 - (ii) Injury to employment including demotion, disciplinary action.
 - (iii) Alternation of position or duties.
 - (iv) Discrimination.
 - (v) Harassment, bullying or intimidation.
 - (vi) Victimisation.
 - (vii) Harm or injury including psychological harm.
 - (viii) Damage to person's property.
 - (ix) Damage to a person's reputation.
 - (x) Damage to a person's business or financial position.
 - (xi) Any other damage to a person.
- (d) If a discloser believes that they have been subject to detrimental conduct because they have made a disclosure under this policy, or because they have participated in an investigation, they should immediately report this to the WPO or an eligible recipient.
- (e) For the avoidance of doubt:
 - (i) a disclosure relating to detrimental conduct of a discloser under this policy is not a personal work-related grievance and shall be managed under the terms of this policy; and
 - (ii) detrimental conduct will be considered a threat if the person intends, or is reckless, to cause the discloser to feel that the threat will be implemented.



- (f) The Company will take all reasonable steps to protect a discloser from detrimental conduct and will take necessary action where such conduct is identified.
- (g) The Company also strictly prohibits all forms of detrimental conduct against any person who is involved in an investigation of a matter disclosed under the policy in response to their involvement in that investigation.
- (h) A discloser may also seek remedies including compensation, civil penalties or reinstatement where they have been subject to any detrimental conduct under the *Corporations Act 2001 (Cwth)*.
- (i) A discloser may also seek compensation if the Company failed to take reasonable precautions and exercise due diligence to prevent detrimental conduct under the *Corporations Act 2001 (Cwth)*.

10. Fair treatment of persons implicated

- 10.1 Any investigation and/or disciplinary action regarding Company employees will be conducted in line with the disciplinary and performance management processes outlined in the Employment Policy.
- 10.2 Any disclosures that implicate an employee must be kept confidential, even if the discloser has consented to the disclosure of their identity and should only be disclosed to those persons who have a need to know the information for the proper performance of their functions under this policy, or for the proper investigation of the disclosure.
- 10.3 A person who is implicated in a disclosure has a right to be informed of the allegations against them and must be given an opportunity to respond to those allegations and provide additional information, if relevant, in the course of an investigation into those allegations (subject to the discloser's right to anonymity as set out in this policy and applicable laws).
- 10.4 While details of disclosures will remain confidential, employees of contractors and suppliers will be governed by the policies of their employer, which will take precedence over this policy.

11. Support available

- 11.1 The Company has a range of support available for both disclosers and employees implicated in disclosures, which include:
 - (a) appointing an independent support person, the Company's People & Culture Consultant, to discuss any ongoing concerns they may have (for Company employees only);
 - (b) access to the Company's Employee Assistance Program (EAP) which is a free and confidential counselling service (for Company employees only); and
 - (c) connecting the person with third party support providers such as Lifeline (13 11 14, www.lifeline.org.au) and Beyond Blue (1300 22 4636, www.beyondblue.org.au).
- 11.2 Use of these support services by a discloser may require the discloser to consent to disclosure of their identity or information that is likely to lead to the discovery of their identity to the support party providing the service.



12. Investigation of disclosures

- 12.1 After a disclosure has been received, the information is provided to the Whistleblower Protection Officer (WPO) for logging and initial assessment.
- 12.2 If the WPO, or their delegate, is allegedly involved or implicated in the disclosure, or any other circumstance exists that may give rise to an actual or potential conflict of interest, the matter is instead reported to the Head of Scheme Integrity, the CEO or Whispli.
- 12.3 After the matter has been logged and assessed, the information is provided to the Whistleblower Disclosure Committee (WDC), on the following basis.:
- (a) Where consent is provided, all the information relating to the disclosure may be reported to the WDC to help them decide how best to deal with it and to maintain communication with the discloser.
 - (b) If the discloser does not consent to their identity being disclosed, the recipient of the disclosure will disclose only information that is reasonably necessary for the purposes of investigating the matter and will maintain the confidentiality of the discloser's identity. All reasonable steps must be taken to reduce the risk of the discloser being identified from this information.
- 12.4 An initial case assessment will be made by the WDC, and a decision will be made on whether to investigate the disclosure or to take no further action. The discloser may be requested to provide further information or clarify details in order to assist this decision-making process.
- 12.5 A high-level summary of each disclosure (with no identifying details) will also be provided to the Board as part of the Company's compliance reporting process.
- 12.6 For any disclosures which are assessed, and deemed as requiring an investigation, the WDC is responsible for allocating the matter to an appropriately qualified and suitable investigator (externally) and being the point of contact for the investigation. All investigations are required to comply with the principles of natural justice and procedural fairness as captured in the terms of agreement with the external investigative service provider.
- 12.7 On a case-by-case basis, depending on the matter and the level of anonymity requested, the identity of the discloser and those implicated in the matter may be withheld. This request may include refraining from providing their identity to senior management or Board of the Company or the investigator. If the discloser has not consented to disclose their identity, the investigator will be required to take reasonable steps to reduce the risk of the discloser being identified as a consequence of the investigation.
- 12.8 Awareness and training.
- (a) Persons covered in the scope of this policy will be made aware of the policy through various means including inductions, notices at Scheme participant facilities and periodic communications.
 - (b) Training will be provided to eligible recipients on how to receive disclosures and the guidelines on how to manage disclosures.
 - (c) This policy will be accessible via a link on the Company's website to ensure that it can be accessed by disclosers.



13. Basis of policy (Company employees)

- 13.1 This policy is not contractual and does not constitute any term or condition of employment. To the extent that this policy requires an employee to do or refrain from doing any act it constitutes a direction from the Company with which its employees must comply.
- 13.2 Any breach of this policy will be taken seriously and may result in disciplinary action, up to and including termination of employment.
- 13.3 In so far as this policy imposes any obligations on the Company, those obligations are not contractual and do not give rise to any contractual rights. To the extent that this policy describes benefits and entitlements for employees, they are discretionary in nature and are also not intended to be contractual. The terms and conditions of employment that are intended to be contractual are set out in an employee's written employment contract.
- 13.4 The Company may unilaterally introduce, vary, remove or replace this policy at any time recognising that any change to the policy needs to meet its regulatory obligations.
- 13.5 Employees are encouraged to read this policy in conjunction with other relevant Company policies, including:
- (a) Code of Conduct Policy.
 - (b) Fraud and Corruption Control Policy.
 - (c) Board Charter.

14. Review of policy

- 14.1 This policy will be reviewed after 12 months and thereafter every two (2) years.
- 14.2 This policy is owned by Scheme Integrity. For further information contact audit@warrri.com.au.