

NOVA Entertainment Whistleblowing Policy

Policy administration

| Version | Description | Date | Approved By |
|---------|----------------|---------------|-----------------|
| 3 | Whistleblowing | December 2022 | NOVA Legal Team |

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1. Our Commitment

NOVA Entertainment (NOVA) is committed to a culture of respect and ethical conduct in the way we work and relate to each other.

In accordance with our company values, we are committed to conducting our business in a professional and ethical manner to the highest possible standard, and we will not tolerate corrupt, illegal, or other undesirable conduct or wrongdoing, nor condone detrimental acts of anyone who intends to disclose or has disclosed such conduct. We encourage everyone to report instances of suspected wrongdoing involving NOVA (and its Related Bodies Corporate) in accordance with this Policy.

Key takeaway

NOVA recognises that whistleblowers play an important role in identifying and calling out misconduct and harm to consumers and the community. Often, such wrongdoing only comes to light because people are prepared to disclose it; despite personal risk in doing so. This Policy has been developed to encourage such disclosures of wrongdoing and to foster a positive and open environment.

2. Purpose of this Policy

The purpose of NOVA's Whistleblowing Policy (Policy) includes the following:

- to encourage disclosures of wrongdoing;
- to help deter wrongdoing, in line with NOVA's risk management and governance framework;
- to ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported;
- to ensure disclosures are dealt with appropriately and on a timely basis;
- to provide transparency around NOVA's framework for receiving, handling and investigating disclosures;
- to support NOVA's company values and Code of Conduct;
- to support NOVA's long-term sustainability and reputation; and
- to meet NOVA's legal and regulatory obligations.

This Policy is a very important tool for helping NOVA to identify misconduct that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing.

Nothing in this Policy is intended to change or take away any other protections which may be available at law.

Key takeaway

Under the *Corporations Act 2001* and the *Taxation Administration Act 1953*, protections are provided to eligible whistleblowers in the making of disclosures involving misconduct. NOVA acknowledges and supports these protections.

3. Relationship to other policies

This Policy:

- forms a part of NOVA's risk management system and corporate governance framework;
- is one of the mechanisms in NOVA's risk management tool kit for identifying wrongdoing; and
- is available to all employees as part of their employment information.

4. Every person's responsibility

Every person to whom this Policy applies has a responsibility to:

- remain alert to misconduct;

- report known or suspected misconduct in accordance with this Policy;
- act in a way that reduces, prevents or stops misconduct;
- support (and not victimise) those who have made or intend to make a disclosure; and
- ensure the identity of the discloser and the person/s who is the subject of the disclosure are kept confidential.

Reporting misconduct takes moral courage and accordingly, and as a company we are here to listen, respond, support and protect you when you make a disclosure.

Key takeaway

Remain vigilant and if you see something wrong – report it.

5. Definitions

Certain terms are defined throughout this Policy, otherwise the following definitions apply:

- **Corporations Act** means the *Corporations Act 2001* (Cth).
- **Discloser** means a person who makes a disclosure under this Policy.
- **Protection Officer** means the person appointed by NOVA to support and protect a Discloser, if necessary, from detrimental action.
- **Related Body Corporate** has the meaning given under the Corporations Act.
- **TAA** means the *Taxation Administration Act 1953* (Cth).

6. Who does this Policy apply to?

This Policy applies to any current or former employee or contractor or any associate of NOVA, and includes current and former:

- officers and managers;
 - board members, including directors and officers;
 - employees;
 - volunteers;
 - individuals who supply goods and services to NOVA including contractors and/or agents, and their employees;
 - work experience students;
 - commissioned agents and consultants;
 - a relative of an individual referred to above; and/or
 - a dependent of an individual referred to above or of such an individual's spouse,
- (collectively referred to as **Disclosers**).

7. Who may make a disclosure?

Any person defined as a Discloser in paragraph 6 above may make a disclosure under this Policy.

8. What misconduct should be disclosed?

If you have seen or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances concerning NOVA, you are strongly encouraged to report it.

Types of misconduct that should be disclosed includes (but are not limited to):

- illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
- fraud, money laundering or misappropriation of funds;

- offering or accepting a bribe;
- financial irregularities;
- failure to comply with, or breach of, legal or regulatory requirements;
- engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure;
- information that indicates a significant risk to public safety or the stability of, or confidence in, the financial system is also a disclosable matter, even if it does not involve a breach of a particular law;
- serious inappropriate or unethical conduct;
- serious misuse of information;
- bullying, discrimination, harassment or other serious unacceptable behaviour;
- serious breach of our policies and procedures or the law;
- substantial waste of company resources; and/or
- causing substantial financial or non-financial loss or detriment to our organisation, (collectively referred to as **Reportable Conduct**).

Key takeaway

Reportable Conduct is a broad concept and it can range from blatant financial crime to less easily identifiable unethical conduct.

9. Personal work-related grievances

Personal work-related grievances are not matters of misconduct that can be reported under this Policy and are not matters for which whistleblower protections apply to an individual under Australian law. Personal work-related grievances relate to current or former employees and have implications for an individual personally but do not have significant implications for NOVA and do not relate to misconduct disclosable under this Policy.

Examples of personal work-related grievances might include (but are not limited to):

- an interpersonal conflict between the individual and another employee;
- a decision that does not involve a breach of workplace laws;
- a decision relating to the engagement, transfer or promotion of the individual;
- a decision relating to the terms and conditions of engagement of the individual; and/or
- a decision to suspend or terminate the engagement of an individual, or otherwise to discipline an individual.

Personal work-related grievances should be internally raised with your manager or the People Experience Team. Sometimes, there are grievances that do qualify as Reportable Conduct, for example, if they are part of a problematic pattern or a systemic issue within the organisation, or if the grievance is bundled with illegal activity or another type of Reportable Conduct. Personal work-related grievances exclude allegations of bullying, sexual harassment, harassment, victimisation or unsafe work practices.

If you are unsure whether conduct or behaviour is covered by this Policy, you should speak with your manager or a member of the People Experience Team. These conversations will always be treated confidentially.

Key takeaway

This Policy is not intended for personal work-related grievances. Such matters should be raised through separate channels.

10. How do I make a disclosure?

A disclosure may be made:

1. internally to NOVA's designated Disclosure Officers;
2. to NOVA's external and independent whistleblower service provider – Your Call; or
3. to other external authorities and entities.

Reasonable grounds for the disclosure are required; that is, objective reasonableness for suspicion. Disclosers do not need to prove their allegations; however, they are encouraged to provide evidence if safely available. Fabricated disclosures are a form of Reportable Conduct.

There are no penalties to the Discloser if a reasonable grounds disclosure is not validated following an investigation. Protections of the Corporations Act and TAA do not grant immunity for any Reportable Conduct a Discloser has engaged in that is revealed in their disclosure.

1. Making a disclosure internally to NOVA

NOVA supports openness and teamwork. This Policy is not intended to replace our first obligation to resolve issues quickly and internally where appropriate. All reasonable attempts should be made to resolve an issue first. You are encouraged to raise Reportable Conduct as early as possible with your manager and to resolve Reportable Conduct informally and internally.

If you do not feel safe or able to raise Reportable Conduct with your manager, you may make a disclosure to NOVA's Disclosure Officers, their contact details are set out below.

| Name and position | Location | Contact details |
|---|---|--|
| Amanda Bollans, Chief People Officer | Level 5, 33 Saunders Street, Pymont NSW 2009 | Phone: 0447 252 242 Email: abollans@novaentertainment.com.au |
| Danielle Keyes, Group General Counsel | Level 5, 33 Saunders Street, Pymont NSW 2009 | Phone: 0478 486 792 Email: dkeyes@novaentertainment.com.au |

2. Making a disclosure to independent service provider - Your Call

If for any reason you do not feel comfortable or able to make a disclosure internally you may do so to NOVA's external and independent whistleblower service provider, Your Call.

Your Call operates under a Service Agreement with NOVA and acts as the intermediary, providing the means for a Discloser to retain anonymity. Disclosures received by Your Call are reported to NOVA in accordance with this Policy.

Your Call also enables NOVA to obtain further information if required and enables the Discloser to receive updates from NOVA. This is done via the use of a secure online anonymous Message Board which the Discloser will have access to after making a disclosure. The Message Board allows you to:

- communicate with Your Call and/or NOVA without revealing your identity;
- securely upload any relevant documentation and/or material that you wish to provide;
- receive updates; and
- request support or report detrimental acts.

This disclosure option allows you to:

- remain completely anonymous if you wish;
- identify yourself to Your Call only; or

- identify yourself to both Your Call and NOVA.

Your Call enables disclosures to be made anonymously and confidentially. Whilst we prefer Disclosers to disclose their identity in order to facilitate an investigation, Disclosers are not required to identify themselves and will not be named in any report to NOVA from Your Call unless they have consented to their identity being disclosed.

Your Call reporting options include:

- Website: <https://www.yourcall.com.au/report>
Available 24/7
Reports can be made via the Your Call website, using NOVA's unique identifier code: **NOVAENT**.
- Telephone: 1300 790 228
Available between 9am and 12am on recognised Australian national business days (AEST)
- Email: novaent@yourcall.com.au

In the event a disclosure received by Your Call relates to one of NOVA's Disclosure Officers, Your Call will exclude that Disclosure Officer from all communications when providing the disclosure to NOVA. The Disclosure Officer who is not named in the disclosure will then receive and determine how the matter will be addressed or investigated as required.

Your Call remains an independent intermediary at all times and will only communicate with those persons authorised within NOVA.

After making a disclosure to Your Call you will be provided with a unique Disclosure Identification Number (DIN) and access to the secure online Message Board referred to above.

National Relay Service

If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at www.relayservice.gov.au and request Your Call's hotline 1300 790 228.

If you have difficulty speaking or understanding English, contact Your Call through the Translating and Interpreting Service (TIS) 131 450 and ask for Your Call on 1300 790 228.

3. Making a disclosure to external authorities and entities

Concerning Reportable Conduct

You may make a disclosure to:

- ASIC: <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/>
- APRA:
<https://www.apra.gov.au/become-a-whistleblower-and-make-a-public-interest-disclosure>
- ATO: <https://www.ato.gov.au/general/gen/whistleblowers/>
- a Commonwealth authority prescribed for the purposes of Section 1317AA (1) of the Corporations Act
- to the Commissioner of Taxation for the purposes of Section 14ZZT (1) of the TAA.

Concerning disclosures made to legal practitioner

If you make a disclosure to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions under the Corporations Act or the TAA (which includes the whistleblower protections and confidentiality of a whistleblower's identity) the disclosure will be protected under the Act or the TAA (as applicable).

Concerning public interest disclosures

You may make a disclosure in the public interest to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist, if:

1. you have previously made a disclosure of that Reportable Conduct; and
2. at least 90 days have passed since the previous disclosure was made; and
3. you do not have reasonable grounds to believe that action is being, or has been, taken to address the Reportable Conduct to which the previous disclosure related; and
4. you have reasonable grounds to believe that making a further disclosure of the Reportable Conduct would be in the public interest; and
5. after the end of the 90-day period you give the person to whom you made the previous disclosure a written notification that:
 - a) includes sufficient information to identify the previous disclosure; and
 - b) state that you intend to make a public interest disclosure; and
6. the public interest disclosure is made to:
 - a) a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
 - b) a journalist; and
7. the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the recipient of the Reportable Conduct or the improper state of affairs or circumstances.

Concerning emergency disclosures

You may also make an emergency disclosure to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist, if:

1. you previously made a disclosure of that Reportable Conduct; and
2. you have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
3. you give the body to which the previous disclosure was made a written notification that:
 - a) includes sufficient information to identify the previous disclosure; and
 - b) state that you intend to make an emergency disclosure; and
4. the emergency disclosure is made to:
 - a) a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
 - b) a journalist; and
5. the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient of the substantial and imminent danger.

11. Where can I get information and advice?

If you need information and/or advice about making a disclosure or the support and protection available, you may discuss the matter in confidence with your manager or NOVA's People Experience Team. Note: In the event you do not formally make a disclosure NOVA may nevertheless be compelled to act on the information provided during the discussion if the information reasonably suggests Reportable Conduct has or may occur.

12. Protections under the law

To qualify for protection as a whistleblower under the Act or TAA and to receive specific legal rights you must meet all three of the following requirements:

- you must be an eligible Discloser (as defined in paragraph 6 above);
- you must have disclosed Reportable Conduct;
- you must have made the disclosure through an appropriate reporting channel and to an eligible recipient (as referenced in paragraph 10 above).

13. Do I have to disclose my identity?

There is no requirement for a Discloser to identify themselves in order for a disclosure to qualify for protection under the Act or TAA. A Discloser can:

- choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised; and
- refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.

NOVA encourages Disclosers who wish to remain anonymous to maintain ongoing two-way communication with NOVA, so NOVA can ask follow-up questions or provide feedback.

14. Will my identity be treated confidentially?

Your identity will not be disclosed by Your Call or NOVA unless:

- you consent to disclosing your identity;
- the disclosure is required by law;
- it is necessary to prevent a serious threat to a person's health or safety; or
- it is reasonably necessary for NOVA to investigate the issues raised in the disclosure (the **Investigation Defence**).

Key takeaway

You do not need to disclose your identity; you may remain anonymous. However, if you do disclose your identity then it will be protected in accordance with this Policy. Please note that there are instances where we may be required to disclose your identity.

NOVA has in place the following measures and mechanisms for protection the confidentiality of a Discloser's identity:

Reducing the risk that the discloser will be identified from the information contained in a disclosure

- all personal information or reference to the Discloser witnessing an event will be redacted;
- the Discloser will be referred to in a gender-neutral context;
- where possible, the Discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
- disclosures will be handled and investigated by NOVA's Disclosure Officers.

Secure record-keeping and information-sharing processes

- all paper and electronic documents and other materials relating to disclosures will be stored securely;
- access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure;
- only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a Discloser's identity (subject to the Discloser's consent) or information that is likely to lead to the identification of the Discloser;
- communications and documents relating to the investigation of a disclosure will not be sent to an email address or to a printer that can be accessed by other NOVA staff; and
- each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a Discloser's identity may be a criminal offence.

The Investigation Defence

In some circumstances, NOVA or Your Call may be authorised to disclose details of the matter without consent if it is an authorised disclosure to a regulator or law enforcement or

it is necessary for the investigation. The Investigation Defence can only be relied on if the information shared does not include the Discloser's identity and all reasonable steps have been taken to reduce the risk that the Discloser will be identified from the information and the matters alleged should be reviewed. Reasonable steps could include, removing the Discloser's name, position title, team and other identifying details from their disclosure.

An unauthorised disclosure of the identity of a Discloser, or information that is likely to lead to the identification of the Discloser where the information was obtained because of the disclosure, will be regarded as a disciplinary matter and will be dealt with in accordance with NOVA's disciplinary procedures. It is also an offence/contravention under the Act or TAA which carries serious penalties for individuals and companies. If you are a Discloser of Reportable Conduct and your identity is revealed without your consent, you may also be eligible to claim compensation and remedies under the Act or TAA.

As a Discloser you should be aware that in practice, people may be able to guess your identity if: you have previously mentioned to other people that you are considering making a disclosure; you are one of a very small number of people with access to the information; or your disclosure relates to information that you have previously been told privately or in confidence.

You can lodge a complaint with NOVA if you believe a breach of your confidentiality as a Discloser has occurred by contacting NOVA's Disclosure Officers. You can also lodge a complaint with a regulator including ASIC, APRA or the ATO if you believe a breach of your confidentiality as a Discloser has occurred.

15. Protection against detrimental conduct

We will do everything reasonably possible to support and protect anyone who:

- intends to or actually makes a disclosure;
 - is mentioned in the disclosure;
 - acts as a witness in relation to a disclosure;
 - otherwise assists with the investigation and resolution of the disclosure,
- from detrimental conduct, acts and omissions.

Examples of detrimental conduct, acts and omissions include (but are not limited to):

- dismissal of an employee;
- alteration of an employee's position or duties to his or her disadvantage;
- harassment or intimidation of a person;
- harm or injury to a person, including psychological harm; or
- damage to a person's reputation.

Examples of actions that are not detrimental conduct and omissions include (but are not limited to):

- administrative action that is reasonable for the purpose of protecting a Discloser from detriment (e.g. moving a Discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment); and
- managing a Discloser's unsatisfactory work performance, if the action is in line with NOVA's performance management framework.

NOVA has in place the following measures and mechanisms to protect Disclosers from detriment:

- processes for assessing the risk of detriment against a Discloser and other persons (e.g. other staff who might be suspected to have made a disclosure), which will commence as soon as possible after receiving a disclosure;
- support services (including counselling or other professional or legal services) that are available to Disclosers;
- strategies to help a Discloser minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation;

- actions for protecting a Discloser from risk of detriment—for example, we may allow the Discloser to perform their duties from another location, reassign the Discloser to another role, make other modifications to the Discloser’s workplace or the way they perform their work duties, or reassign or relocate other staff involved in the disclosable matter;
- processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of a disclosure, address the risks of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to, a Discloser;
- procedures on how a Discloser can lodge a complaint if they have suffered detriment, and the actions NOVA may take in response to such complaints (e.g. the complaint may be investigated as a separate matter by an officer who is not involved in dealing with disclosures and the investigation findings will be provided to NOVA’s Board); and
- interventions for protecting a Discloser if detriment has already occurred—for example, we may investigate and address the detrimental conduct, such as by taking disciplinary action, or we may allow the Discloser to take extended leave, develop a career development plan for the Discloser that includes new training and career opportunities, or offer compensation or other remedies.

NOVA will thoroughly investigate reports of detrimental acts. If proven, those who have victimised another will be subject to management action including disciplinary action up to dismissal. It is also an offence/contravention under the Act which carries serious penalties for individuals and companies. If you are a Discloser of Reportable Conduct and you suffer detrimental acts, you may be eligible to claim compensation and remedies under the Act. Nothing in this Policy is intended to change or take away any other protections which may be available at law.

A Discloser may seek independent legal advice or contact regulatory bodies, such as ASIC, APRA, ATO, or Your Call if they believe they have suffered detriment (actual or threats).

16. Assessing and Controlling the risk of detriment

NOVA has established processes for assessing and controlling the risk of detriment to Disclosers and keeps records of its risk assessments and risk control plans.

Steps taken by NOVA to assess and control the risk of detriment

- Risk identification: NOVA’s Disclosure Officers will assess whether anyone may have a motive to cause detriment—information may be gathered from a Discloser about:
 - the risk of their identity becoming known;
 - who they fear might cause detriment to them;
 - whether there are any existing conflicts or problems in the workplace; and
 - whether there have already been threats to cause detriment.
- Risk analysis and evaluation: NOVA’s Disclosure Officers will analyse and evaluate the likelihood of each risk and evaluate the severity of the consequences.
- Risk control: NOVA’s Disclosure Officers will develop and implement strategies to prevent or contain the risks – for anonymous disclosures, this might include assessment of whether the Discloser’s identity can be readily identified or may become apparent during an investigation.
- Risk monitoring: NOVA’s Disclosure Officers will monitor and reassess the risk of detriment where required - the risk of detriment may increase or change as an investigation progresses, and even after an investigation is finalised

17. Support and Protection

If necessary, NOVA will appoint a Protection Officer to arrange or coordinate support and protection for anyone who has or is in the process of making a disclosure.

The Discloser can contact the People Experience Team or NOVA’s Disclosure Officers to discuss how a Protection Officer may be able to provide support and protection.

The Protection Officer is appointed by NOVA to:

- assess the immediate welfare and protection needs of a Discloser;
- safeguard the interests of a Discloser in accordance with this Policy and the law; and
- address any issues or concerns of detrimental acts/detrimental treatment.

NOVA may appoint a person from within the organisation or a third party to be the Protection Officer.

18. What will NOVA do with the disclosure?

NOVA's Disclosure Officers have been appointed by NOVA to receive disclosures directly from you (if you make an internal disclosure to our organisation) or from Your Call (if you make an external disclosure to Your Call).

The Disclosure Officers will:

- carefully assess the information provided to decide the best action to take, including whether an investigation is required, to determine whether the Reportable Conduct is proven or not proven;
- keep the information provided in a confidential and secure system;
- coordinate and oversee the investigation where an investigator has been appointed;
- appoint a Protection Officer to support and protect the Discloser, if necessary, from detrimental acts;
- advise the Discloser (through Your Call where anonymity is requested) of the progress of the matter to the extent it is legally permissible and appropriate to do so;
- take all reasonable steps to ensure fair treatment for and to ensure the identity of the Discloser and the person/s who is the subject of the disclosure are kept confidential. An employee who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken.

A Discloser, or an employee who is the subject of a disclosure, may contact NOVA's Employee Assistance Program (EAP). The EAP provides a confidential counselling service at no cost.

19. Investigation of the disclosure

NOVA's Disclosure Officers will carefully assess and use the information provided in the disclosure to decide the best action to take, including whether an investigation is required and, if so, determine the appropriate investigation process, including (but not limited to):

- the nature and scope of the investigation;
- who will conduct the investigation and whether that person should be external to NOVA (Investigator);
- the nature of any technical, financial or legal advice that may be required; and
- a timeframe for the investigation (having regard to the level of risk).

Key takeaway

We take all disclosures seriously and will always carefully assess any disclosure to determine the appropriate investigation process.

20. How will the investigation be conducted

The investigation will be conducted in a constructive, impartial and lawful way according to the principles of natural justice and procedural fairness and all efforts will be made to meet investigation best practices.

The Investigator will:

- gather information, material and documentation concerning the disclosure as quickly as possible (this may involve taking steps to protect or preserve documents, materials and equipment);
- focus on the substance of the disclosure, and will not focus on the motives of the Discloser;
- not assume that disclosures about conduct or behaviour that appear to have had a personal impact on a Discloser are somehow less serious. The Discloser's experience may indicate a larger or systemic issue;
- take a statement or record of interview and or tape formal interviews with witnesses as required (where the Discloser wishes to remain anonymous and does not wish to make a statement, they will not be required to do so);
- keep information gathered in the investigation confidential, and stored securely;
- take all reasonable steps to protect the identity of the Discloser. Where disclosure of the identity of the Discloser cannot be avoided due to the nature of the allegations, the investigator will first gain the consent (preferably written) of the Discloser before disclosing their identity; and
- complete the investigation and provide a report of their findings as soon as reasonably practical.

21. Investigator's Report

At the conclusion of the investigation, the Investigator will provide a written report to NOVA's Disclosure Officers which shall include:

- a finding of all relevant facts;
- whether the disclosure is proven, not proven or otherwise;
- recommendation/s, where requested, as to any action that may be taken in respect of the findings.

NOVA will use the report to determine the action (if any) to be taken including disciplinary action.

The findings will be communicated to the relevant parties involved to the extent that it is legally permissible and appropriate to do so.

22. Will the Discloser be kept informed?

Subject to privacy and confidentiality requirements, the Discloser will be kept informed of:

- when the investigation process has begun;
- relevant progress of the investigation; and
- the outcome of the investigation,

to the extent that it is legally permissible and appropriate to do so.

Key takeaway

You may be kept informed of the investigation and its outcome. However, this will be determined on a case-by-case basis and subject to any overarching legal obligations NOVA has.

23. What happens if the Reportable Conduct is proven?

If the Reportable Conduct is proven NOVA will decide what action to take including any disciplinary action. The disciplinary action will depend on the severity, nature and circumstance of the Reportable Conduct.

24. Avenues for Review

A Discloser may request a review of the investigation findings if the Discloser is not satisfied with the outcome. The review will be conducted by a person who was not involved in

handling and investigating the disclosure, and the review findings will be shared with the NOVA Board.

NOVA is not obliged to reopen an investigation if it finds that the investigation was conducted properly, or new information is either not available or would not change the findings of the investigation.

25. What immunities are available to a Discloser?

We want you to speak up against Reportable Conduct. Anyone who makes a disclosure:

- with reasonable grounds for suspecting Reportable Conduct has or may occur, and
- who has not engaged in serious Reportable Conduct or other illegal conduct relating to the disclosure will be provided with immunity from disciplinary action.

If you make a disclosure that qualifies for protection under the Act or TAA:

- you are not subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure; and
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against you on the basis of the disclosure; and
- the information is not admissible in evidence against the Discloser in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information.

Note: Except as provided for by the Act or TAA, this Policy does not prevent a Discloser being subject to any civil, criminal or administrative liability for conduct of the Discloser that is revealed by the disclosure.

26. What are the consequences of making a false disclosure?

Anyone who makes a disclosure knowing it to be false or misleading may be subject to disciplinary action, including dismissal. The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.

NOVA however does not wish to deter staff from making disclosures. In cases where Disclosers have some information leading to a suspicion, but not all the details, staff are encouraged to speak up and report the Reportable Conduct.

Key takeaway

NOVA encourages disclosures but you should not make false or misleading disclosures and doing so may result in disciplinary action.

27. How will this Policy be made available to officers and employees of NOVA?

NOVA makes the Policy available to employees and officers by:

- posting the Policy on NOVA's intranet; and
- incorporating the Policy in employee induction information packs and training for new starters.

28. Training & Education

The NOVA People Experience Team will be responsible for conducting upfront and ongoing education and training on this Policy, processes and procedures to all staff, Managers, Executives and the NOVA Board.

29. Review of this Policy

NOVA's Board is ultimately responsible for this Policy, as part of NOVA's broader risk management and corporate governance framework. Furthermore, broader trends, themes and/or emerging risks highlighted by the disclosures made under its Policy will be reported to the NOVA Board and addressed and mitigated as part of its risk management and corporate governance work plans.

NOVA will monitor and review this Policy and associated processes and procedures regularly to ensure it meets its objectives. NOVA reserves the right to vary, replace or terminate this Policy from time to time.

Any amendments to this Policy shall be made known to employees and officers of our organisation by posting an updated version of the Policy on the NOVA intranet and providing training when necessary.

30. Related Documents

- Code of Conduct
- Equal Employment Opportunity Policy
- Workplace Sexual Harassment Policy

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|-----------------------------|-----------------|
| Policy Owner | NOVA Legal Team |
| Date First Approved | 20 May 2021 |
| Effective Start Date | 20 May 2021 |
| Next Review Date | 8 December 2023 |