

Business Procedure

Protected Disclosure Procedure

Document Number – GOV-PROC-36

This document applies to the following site(s):

All Sites <input checked="" type="checkbox"/>	
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1.0 Purpose/Scope

Stanwell is committed to creating and supporting a workplace culture that promotes fair and just ethical standards by:

- encouraging the disclosure of Reportable Conduct;
- providing transparent and accessible reporting processes; and
- supporting and protecting our people who make a disclosure which qualifies as a Protected Disclosure.

This Procedure has been specifically developed to facilitate the effective management of Protected Disclosures **within** Stanwell in accordance with the *Public Interest Disclosure Act 2010* (Qld) and the *Corporations Act 2001* (Cth) (Part 9.4AAA – Protection for Whistleblowers).

Terms used in this Procedure are defined in Section 10.

This Procedure applies to Stanwell's directors and employees, and to all contractors working for or at Stanwell (**our people**).

2.0 Actions

2.1 Protected Disclosures

2.1.1 What is a Protected Disclosure

A Protected Disclosure is a qualifying disclosure of information made by our people in relation to Reportable Conduct. A disclosure will qualify as a Protected Disclosure if it meets any of the following criteria:

- (a) it relates to conduct of our people that, if proven, could be Corrupt Conduct; or
- (b) it relates to the conduct of our people that, if proven, could be a reprisal that relates to a previous disclosure made by our people to Stanwell or the Crime and Corruption Commission; or
- (c) it relates to conduct that, if proven, could breach the *Corporations Act 2001 (Cth)* or the *Australian Securities and Investment Commission Act 2001 (Cth)*.

The assessment of whether a disclosure qualifies as a Protected Disclosure will be made between the Whistleblower Protection Officer and the Whistleblower Investigation Officer.

2.1.2 Making a Protected Disclosure

You must:

- (a) make disclosures in "good faith". This means you must make the disclosure with a genuine belief in its truth; and
- (b) provide as complete details as you are able. Although it is not mandatory, Stanwell encourages Disclosers to provide their personal details as this will assist Stanwell to efficiently and effectively assess and investigate the subject matter of the Protected Disclosure and to protect the Discloser from reprisal.

2.1.3 How a Protected Disclosure may be made

A Protected Disclosure may be made to the Company Secretary (Whistleblower Protection Officer) via the following methods:

Phone: 1800 671 902
Email: company.secretary@stanwell.com
Mail: Reportable Conduct
C/- Company Secretary
GPO Box 800
Brisbane QLD 4000

2.1.4 Receiving a Protected Disclosure

On receipt of a disclosure, Stanwell will assess whether the disclosure qualifies as a Protected Disclosure.

If the assessment establishes that the disclosure is a Protected Disclosure Stanwell will:

- (a) where required by law, report the Protected Disclosure or elements of it to the appropriate external authority;
- (b) where appropriate, undertake an investigation;
- (c) except as required or permitted by law, keep confidential information identifying the Discloser or Subject Officer and information disclosed by the Protected Disclosure; and
- (d) ensure proper records are kept and that appropriate reporting occurs.

2.1.5 Support of Discloser and Management of Reprisals

The level and nature of support provided to a Discloser will depend on the particular circumstances of the Protected Disclosure.

Amongst other things, support may include:

- (a) an assessment of the risk of reprisal against the Discloser;
- (b) an offer of professional support and assistance (Equity Referral Officer, Employee Assistance Program); and
- (c) giving the Discloser reasonable information about the assessment and any investigation as appropriate, including as to the progress and the outcome of any investigation.

2.1.6 Rights of Subject Officer

The Subject Officer will:

- (a) be treated in accordance with the principles of natural justice;
- (b) be able to access support and assistance (Equity Referral Officer, Employee Assistance Program); and
- (c) be given information about the disclosure and any investigation as appropriate.

2.2 False or Misleading Information

Consistent with the requirement that you must make disclosures in “good faith”, you must not intentionally provide false or misleading information when making a Protected Disclosure or otherwise in connection with any assessment or investigation of a Protected Disclosure.

If you are found to have intentionally provided false or misleading information, disciplinary action may be taken against you. In some circumstances, providing false or misleading information could be a criminal offense.

3.0 Responsibilities

Refer to the Whistleblower Protection Policy.

The **Company Secretary (Whistleblower Protection Officer)** must:

- (a) assess the risk of reprisal against the Discloser;
- (b) provide details of the disclosure to the Whistleblower Investigation Officer and the CEO;
- (c) offer professional support and assistance to the Discloser and, where appropriate, the Subject Officer;
- (d) where appropriate, provide information about any assessment or investigation to the Discloser and the Subject Officer; and
- (e) as required, report to the Public Service Commission, the Chief Executive Officer and Stanwell’s Board as required.

The **Whistleblower Investigation Officer (being a member of the Legal Team as nominated by the General Counsel)** must:

- (a) assess the disclosure to determine whether it qualifies as a Protected Disclosure and advise accordingly;
- (b) liaise with the Crime and Corruption Commission or Australian Securities and Investment Commission or other agency as applicable;
- (c) appoint appropriately qualified parties (where available under Legal Professional Privilege) to investigate the Protected Disclosure; and
- (d) assist the Whistleblower Protection Officer, as required, to report to the Public Service Commission, the Chief Executive Officer and Stanwell’s Board.

4.0 Review, Consultation and Communication

Review:

This Document is required to be reviewed, as a minimum, every 2 year/s

Consultation:

The Executive Leadership Team members and the Stanwell Board of Directors.

Communication/Requirements after Update:

The Executive Leadership Team members and the Stanwell Board of Directors.

This Policy is available electronically in TRIM and is available on GenNet.

5.0 References

- Environmental Protection Act 1994 & Regulation 2008
- Health & Safety Act 2011 & Regulation 2011
- GOV-POL-30 - Code of Conduct
- All Code of Conduct Framework Policies
- Public Interest Disclosure Act 2010 (Qld)
- Corporations Act 2001 (Cth)

6.0 Definitions

Contractor	refers to an individual who is under a contract for services to Stanwell.
Discloser	refers to our people who make an allegation of Reportable Conduct against a Stanwell director, employee or contractor.
Corrupt Conduct	<p>is defined by the Crime and Corruption Act 2001 (<i>Qld</i>). The conduct in question must satisfy a number of cumulative threshold tests, being whether the conduct:</p> <ul style="list-style-type: none"> • adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of an agency or a public office holder; and • results, or could result, directly or indirectly, in the performance of functions or exercise of powers in a way that is not honest or impartial; involves a breach of the public trust; or involves a misuse of information; and • is engaged in for the purpose of providing a benefit to the person or another person or causing a detriment to another person; and • would, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the person's services
Our people	refers to Stanwell directors, employees and all contractors working for or at Stanwell, in their capacity as a director, employee or contractor of Stanwell.
Protected Disclosure	<p>refers to a qualifying disclosure of information relating to Reportable Conduct. A disclosure will qualify as a Protected Disclosure if it meets any of the following criteria:</p> <ul style="list-style-type: none"> • It relates to conduct of our people that, if proven, could be Corrupt Conduct; or • It relates to the conduct of our people, that, if proven, could be a reprisal that relates to a previous disclosure made by our people to Stanwell or the Crime and Corruption Commission; or • it relates to conduct that, if proven, could breach the <i>Corporations Act 2001 (Cth)</i> or the <i>Australian Securities and Investment Commission Act 2001 (Cth)</i>. <p>The assessment of whether a disclosure qualifies as a Protected Disclosure will be made between the Whistleblower Protection Officer and the Whistleblower Investigation Officer.</p>
Reportable Conduct	<p>refers to any conduct by our people, which:</p> <ul style="list-style-type: none"> • is or could be dishonest, fraudulent, corrupt or unethical; • is or could be an illegal or criminal act (including but not limited to theft, drug use or sale, violence or threatened violence and criminal damage to property); • is a repeated breach of Stanwell Policy or administrative processes; • is or could be a breach of Commonwealth or State legislation or local authority by-laws; • comprises an unsafe work practice or practices involving substantial risk to the health and safety of our people or the public;

- causes or may cause financial or non-financial loss or damage to Stanwell or is otherwise detrimental to Stanwell's interests;
- is or could be a Reprisal that relates to a previous disclosure of Reportable Conduct; or
- any deliberate concealment of any of the above.

Reprisal

means causing, attempting to cause or attempting to induce a person to cause, detriment to a person because or in the belief that that person or someone else:

- has made or intends to make a disclosure about Reportable Conduct; or
- is, has been, or intends to be, involved in a proceeding under the *Public Interest Disclosure Act 2010* (Qld) or the *Corporations Act 2001* (Cth) against any person.

Subject Officer

refers to the director, employee or contractor of Stanwell whose conduct is the subject of the Protected Disclosure, where that disclosure falls within the *Public Interest Disclosure Act 2010* (Qld).

Stanwell

refers to Stanwell Corporation Limited.

7.0 Revision History

Rev. No.	Rev. Date	Revision Description	Author	Endorse/Check	Approved By
0	21.03.2011	New Procedure to replace existing Whistleblower Policy (GOV-POL-11) & Procedure (GOV-PROC-15) and Customer Complaints/Feedback/Enquiries procedure (CORP-MAN-04)	J. Windle		H. Gluer
1	29.02.2012	Procedure was revised to reflect the process for Stanwell Corporation, after the merger of Stanwell Corporation, TEC and CS Energy sites Mica Creek and Swanbank.	K. Buckley		M. O'Rourke
2	4.07.2012	Procedure was revised and a number of edits and enhancements made.	K. Buckley		M. O'Rourke
3	5.09.2014	Procedure updated with new definition of Corrupt Conduct. References to the Crime and Misconduct Commission have been replaced with Crime and Corruption Commission	K Buckley		K Buckley (acting under authority delegated by the Board on 8 July 2014)
4	20.01.2017	Procedure updated to reflect Crime and Corruption Act 2001 and correct formatting issues	Karen Buckley	Michael O'Rourke	Board