



The GEO Group Australia Pty Ltd.

WHISTLEBLOWER POLICY

Document Type:	Corporate Policy
Number:	GA 1.03
Approval Date:	17 November 2023
Review Date:	16 November 2023
Responsibility:	Director, Governance and Continuous Improvement
Summary:	<p>The GEO Group Australia Pty Ltd ('GEO') acknowledges that transparent whistleblower policies are essential to good risk management and corporate governance. GEO also acknowledges the importance of whistleblowers in uncovering misconduct that might otherwise not be detected.</p> <p>The GEO Group Australia Pty Ltd confirms that this policy complies with Section 1317AI of the <i>Corporations Act 2001 (Cth)</i>.</p>
Related Policies:	<p>HR 2.01, Code of Conduct</p> <p>HR 2.03, Disciplinary Procedures and Guidelines</p> <p>GA 1.27, Investigations of Incidents and Allegations</p> <p>HR 1.02, Managing Bullying Harassment and Discrimination</p>
Internal References:	Training documents (to be developed)
External References:	<p>The <i>Corporations Act 2001 (Cth)</i></p> <p>The ASIC Regulatory Guide</p>

CORPORATE POLICY

This Policy is underpinned by the values of The GEO Group Australia Pty Ltd and its application should reflect these values:

Integrity - *We always act with integrity in everything we do – as individuals, in our centres and as a company.*

Respect - *We treat everyone with respect. (Our colleagues, clients, prisoners, partners and communities). We work in collaboration and respect everyone's opinion.*

Accountable - *We are accountable for our actions. We deliver what we promise. (To our clients, staff, prisoners, communities and shareholders).*

Agile - *We respond to the needs of our clients, prisoners and communities.*

Innovative - *We continuously review to improve outcomes for our clients, employees and the people in our care, now and into the future.*

The Company reserves the right to amend its policies from time to time. Company policies do not form part of an employee's contract of employment.

Not for Release to External Agencies, Prisoners or Inmates

Table of Contents

1.	POLICY.....	3
1.1	The purpose of this policy.....	3
2.	PROCEDURE.....	3
2.1	Who the policy applies to	3
2.2	Matters the policy applies to	3
2.3	Types of disclosures not covered by the policy.....	4
2.4	Who can provide advice on or receive a disclosure?	4
2.5	How to make a disclosure.....	4
2.6	Legal protections for disclosers	5
2.7	Handling and investigating a disclosure.....	6
2.8	Process for keeping a discloser informed	6
2.9	Ensuring fair treatment of individuals mentioned in a disclosure.....	6
3.	COMPLIANCE AND RISK MANAGEMENT	7
3.1	Ensuring the policy is easily accessible	7
3.2	Monitoring and reporting on the effectiveness of the policy	7
3.3	Reviewing and updating the policy.....	8
4.	APPROVED.....	8

1. POLICY

1.1 The purpose of this policy

The purpose of this policy is to provide a clear statement that GEO will:

- a. Provide protection for individuals who disclose wrongdoing ('disclosers')
- b. Enhance the 'whistleblowing culture' within GEO operations and ensure transparency in how GEO handles disclosures of wrongdoing
- c. Encourage disclosures of wrongdoing
- d. Deter wrongdoing, promote full compliance with relevant legislation, promote ethical behaviour and instil awareness there is a high likelihood that wrongdoing will be identified and actioned.

This policy will:

- a. Form a part of GEO's risk management systems and Corporate Governance Framework
- b. Be one of the mechanisms in GEO's risk management toolkit for identifying wrongdoing
- c. Be available to all employees as part of their employment information.

2. PROCEDURE

2.1 Who the policy applies to

An eligible whistleblower under the *Corporations Act* ('the Act') is an individual who is, or has been any of the following in relation to GEO and its operations and practices in Australia:

- a. An officer or employee
- b. A supplier of services or goods to GEO (whether paid or unpaid), including their employees
- c. An associate of GEO
- d. A relative, dependant or spouse of an individual in (a) – (c).

2.2 Matters the policy applies to

'Disclosable matters' under the Act involve information that the whistleblower has reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances, in relation to GEO and its operations and practices in Australia. Some examples include:

- a. Illegal conduct such as theft, dealing in, or use of illicit drugs, violence or threatened violence and criminal damage against property
- b. Fraud, money laundering or misappropriation of funds
- c. Financial irregularities
- d. Failure to comply with, or breach of, legal or regulatory requirements; however, this does not include personal work-related grievances (i.e., employment issues or discrimination, harassment, or bullying that relates to individuals personally)
- e. 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.

While GEO will actively support the disclosure of information from whistleblowers, it does not condone or accept deliberate false reporting. Deliberate false reports involve a discloser reporting information they know to be untrue. It does not include situations where a discloser reasonably suspects misconduct, but their suspicions are later determined to be unfounded.

An individual who deliberately submits false reports will not be able to access the whistleblower protections under the Act. Deliberately submitting false reports may be considered a breach of The GEO Group Australia Pty Ltd Code of Conduct.

2.3 Types of disclosures not covered by the policy

Disclosures that are not about 'disclosable matters' (as described above) are not covered by the policy because they do not qualify for protection under the Act. Some disclosures may be protected under other legislation such as the *Fair Work Act 2009*. An assessment of each disclosure will be individually made.

Disclosures that relate solely to personal work-related grievances (inappropriate behaviour that relates to individuals personally such as discrimination, harassment or bullying, unless such actions are in retaliation for making a disclosure) and do not relate to detriment or threat of detriment to the discloser, do not qualify for protection under the Act. Personal work-related grievances are those that relate to the discloser's current or former employment and have, or tend to have, implications for the discloser personally, but do not:

- a. Have any other significant implications for GEO
- b. Relate to any conduct, or alleged conduct, about a disclosable matter as described above.

Examples of personal work-related grievances include:

- a. An interpersonal conflict between the discloser and another employee;
- b. Decisions that do not involve a breach of workplace laws:
 - (i) About the engagement, transfer or promotion of the discloser
 - (ii) About the terms and conditions of engagement of the discloser
 - (iii) To suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

Personal work-related grievances should be reported through normal channels as described in the relevant GEO Corporate Policies and Procedures, including the Harassment, Bullying and Discrimination Policy, the Code of Conduct, the Grievance Resolution Procedure and the Disciplinary Procedures and Guidelines Policy.

2.4 Who can provide advice on or receive a disclosure?

An 'eligible recipient' is able to receive disclosures that qualify for protection. A discloser must make the disclosure directly to one of the following eligible recipients to qualify for protection as a whistleblower under the Act.

An eligible recipient in relation to this policy is:

- a. A Director, Company Secretary or Senior Manager of The GEO Group Australia Pty Ltd
- b. The internal or external auditor (including a member of the audit team conducting an audit) or actuary of GEO
- c. The Manager, Office of Professional Integrity
- d. A person authorised by GEO to receive disclosures that may qualify for protection.

2.5 How to make a disclosure

GEO provides several options for the disclosure of whistleblower information. A disclosure can be made to the *eligible recipients* or the *whistleblower protection officer* within our operational centres.

A disclosure may also be made to the independent whistleblowing service provider (PKF Integrity Pty Ltd) via a telephone hotline **1800 318 269** or the online platform. A disclosure may be made anonymously and/or confidentially, securely and outside of business hours.

Within our operational centres the **General Manager**, the **Deputy General Manager / Operations Manager** and the **Human Resources Manager** are **eligible recipients** as is the **Manager, Office of Professional Integrity** (who is located in Head Office). The Human Resources Manager is designated as the **whistleblower protection officer** at the Centre.

In relation to Head Office staff, all **Directors** are **eligible recipients** and the **Manager, Office of Professional Integrity** is both an **eligible recipient** and the **whistleblower protection officer**.

Training will be provided for the nominated eligible recipients and the whistleblower protection officers.

Information about the various options regarding disclosing whistleblower information can be found on the GEO website and the intranet.

2.6 Legal protections for disclosers

Identity Protection (Confidentiality)

GEO has a legal obligation to protect the confidentiality of a discloser's identity. It is a criminal offence under the Act to identify a discloser or to disclose information that is likely to lead to the identification of a discloser except in certain circumstances. Should a discloser feel that his/her confidentiality has been breached, he/she can lodge a complaint with the Manager, Office of Professional Integrity.

Protection from detrimental acts or omissions

There are legal protections for protecting a discloser or any other person from detriment in relation to a disclosure. The Act details offences for a person engaging in conduct that causes detriment to the discloser or another person for making or proposing to make a disclosure - this includes threatening to cause detriment.

GEO will not hesitate to act to protect disclosers. The following are examples of detrimental conduct prohibited under the Act.

- a. Dismissal of an employee
- b. Injury of an employee in his or her employment
- c. Alteration of an employee's position or duties to his or her disadvantage
- d. Discrimination between an employee and other employees of the same employer
- e. Harm or injury to a person, including psychological harm (such as bullying)
- f. Damage to a person's property
- g. Damage to a person's reputation
- h. Damage to a person's business or financial position
- i. Any other damage to a person.

The above does not prevent GEO from managing a discloser's unsatisfactory work performance in line with the GEO performance management framework.

In order to protect a discloser from detriment, GEO and the *whistleblower protection officer* will:

- a. Assess the risk of detriment against a discloser and other persons as soon as possible after receiving a disclosure
- b. Offer support services (including counselling or other professional or legal services) to a discloser
- c. Employ strategies to help a discloser minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation
- d. Take specific action to protect a discloser from risk of detriment including but not limited to
 - (i) Relocating the discloser to another location
 - (ii) Re-assigning the discloser to another role at the same level
 - (iii) Making modifications to the discloser's workspace or the way they perform their work duties
 - (iv) Re-assign or relocate other staff involved in the disclosable matter.
- e. Ensure that management are aware of their responsibilities to:
 - (i) Maintain the confidentiality of the disclosure

- (ii) Address the risk of isolation and harassment
 - (iii) Manage conflicts
 - (iv) Ensure fairness when managing the performance of, or taking other management action relating to, a discloser.
- f. Explain the procedure for a discloser to lodge a complaint if they have suffered detriment and the actions that will be taken in response to such a complaint.
- g. Provide support for a discloser who has suffered detriment, including but not limited to:
 - (i) Allowing a discloser to take extended leave
 - (ii) Developing an alternative career development plan for the discloser, including new training and career opportunities
 - (iii) Offering compensation or other remedies.

Compensation and other remedies

A discloser may seek compensation and other remedies through the Courts if:

- a. They suffer loss, damage or injury because of a disclosure
- b. GEO failed to prevent a person from causing detriment.

A discloser should seek independent legal advice should they wish to seek compensation.

2.7 Handling and investigating a disclosure

GEO commits to quickly assessing each disclosure it receives to determine whether it falls within the GEO Whistleblower Policy and whether a formal, in-depth investigation is required. Any disclosure relating to the conduct of a member of the Senior Management Team within a GEO Operational Centre or Head Office shall be handled and investigated exclusively by the Office of Professional Integrity. Any disclosure relating to the conduct of a member of the Office of Professional Integrity will be referred immediately to the Director, Governance and Continuous Improvement and the Managing Director who will determine who will handle and investigate the disclosure.

Any investigations will be conducted in accordance with the Corporate Policy – Investigations of Incidents and Allegations (GA 1.27).

Unless the discloser gives consent, the confidentiality provisions found in the Act may prevent the disclosure of information that is contained in a disclosure as part of the GEO investigation process - unless:

- a. The information does not include the discloser's identity
- b. GEO removes information relating to the discloser's identity or other information that is likely to lead to the identification of the discloser
- c. It is reasonably necessary for investigating the issues raised in the disclosure.

This may significantly impact the ability to conduct an investigation or limit the GEO investigation process.

2.8 Process for keeping a discloser informed

GEO commits to providing an acknowledgement to a discloser, (if the discloser can be contacted) that a disclosure has been received. GEO further commits to providing updates to a discloser at various stages throughout the process, including when the investigation process has commenced, while the investigation is in progress and after the investigation has been finalised.

2.9 Ensuring fair treatment of individuals mentioned in a disclosure

GEO commits to ensuring fair treatment of its employees who are mentioned in a disclosure that qualifies for protection, including those who are the subject of a disclosure. GEO confirms that:

- a. Disclosures will be handled confidentially, when it is practical and appropriate in the circumstances

- b. Each disclosure will be assessed and may be the subject of an investigation
- c. The objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported
- d. An employee who is the subject of a disclosure will be advised about;
 - (i) The subject matter of the disclosure as, and when required by the principles of natural justice and procedural fairness and prior to any actions being taken
 - (ii) The outcome of the investigation (but they will not be provided with a copy of the investigation report).

3. COMPLIANCE AND RISK MANAGEMENT

3.1 Ensuring the policy is easily accessible

GEO commits to making this policy available and accessible to its officers and employees through the Training and Development Unit by:

- a. Holding staff briefing sessions and/or smaller team meetings
- b. Making the policy accessible on the staff intranet
- c. Post information on staff noticeboard
- d. Set out the policy in the employee handbook
- e. Incorporate the policy in employee induction information packs and training for new starters.

GEO further commits to providing managers at all levels additional training in how to effectively deal with disclosures under this policy. GEO also commits to providing training to *eligible recipients* and *whistleblower protection officers* in relation to the processes and procedures for receiving and handling disclosures, including training relating to confidentiality and the prohibitions against detrimental conduct.

3.2 Monitoring and reporting on the effectiveness of the policy

The Manager, Office of Professional Integrity will provide a half-yearly report to the Director, Governance and Continuous Improvement for the Managing Director which will contain the following information in relation to the whistleblower process within GEO:

- a. The subject matter of each disclosure
- b. The status of each disclosure
- c. For each disclosure, the type of person who made the disclosure (e.g. employee or supplier) and their status (e.g. whether they are still employed or contracted by GEO)
- d. The action taken for each disclosure
- e. How each disclosure was finalised
- f. The timeframe for finalising each disclosure
- g. The outcome of each disclosure.

The reports will also contain the following statistics showing:

- a. The timeframe between receiving a disclosure and assessing whether a disclosure should be investigated
- b. The timeframe between commencing and finalising an investigation
- c. The number of reports made through each of the different options available for making a disclosure
- d. The types of matters reported
- e. The location of the reports.

3.3 Reviewing and updating the policy

GEO commits to reviewing this policy every two years and updating it as required. Should the policy and its processes and procedures be updated, then GEO commits to ensuring that the updates are widely disseminated to and easily accessible by individuals covered by the policy. Targeted communications and specialist training will be provided to all employees and eligible recipients, including staff members who have specific roles and responsibilities under the policy.

4. APPROVED

A handwritten signature in black ink, appearing to read 'Bezuidenhout', with a long horizontal stroke extending from the bottom of the signature.

Pieter Bezuidenhout
Managing Director