

Version 1.0

# Whistleblower Policy

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Authorised: Chief Executive  
Officer

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# Whistleblower (“Speak Up”) Policy

## 1. Purpose of the Policy

This Policy relates to Dr Jones & Partners Group Holdings Pty Ltd (ACN 158 390 802) and Jones Holding Co Pty Ltd (Jones).

Jones is committed to a culture of integrity, transparency and accountability.

Jones expects all staff to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. This Policy is in place to ensure that all eligible disclosers (as defined in section 2 below) feel comfortable and supported in coming forward and Speaking Up to raise any concerns of any actual or suspected misconduct without fear of reprisal. This Policy also explains legal protections available to disclosers.

This policy outlines:

- the protections available to Whistleblowers;
- the types of matters that qualify for protections under the law (i.e. what is a Disclosable Matter);
- how to report a Disclosable Matter;
- Jones' investigation process; and
- the legal protections available to Whistleblowers if they disclose a Disclosable Matter and make a report.

We encourage the reporting of Disclosable Matters (as explained below). The purpose of this Policy is to:

- encourage and enable Whistleblowers to report actual or suspected misconduct or an improper situation or circumstances on a confidential and, if desired, anonymous basis;
- provide a process for Whistleblowers to make a report, a means of support throughout the process, and transparency regarding how reported concerns are received and, where appropriate, investigated;
- describe the process for ensuring reports are dealt with fairly and appropriately;
- reassure Whistleblowers that they will not be subject to retaliation because of making a report; and
- outline how Jones will provide protection to Whistleblowers for reporting a concern.

## 2. Scope of the Policy

Anyone with information about any actual or suspected misconduct is encouraged to Speak Up.

You are eligible to make reports under this policy as a Whistleblower, and the terms of this policy apply to you if you are a current, or former:

- employee or officer (including a director or company secretary) of Jones, including permanent, fixed term and casual employee;
- person who supplies services or goods to Jones, whether paid or unpaid (for example, a contractor, consultant, service provider, supplier or business partner), or an employee of such a supplier;
- associate (within the meaning of the Corporations Act 2001 (Cth) (Corporations Act)) of Jones (including a director or secretary of any entity of Jones, a person with whom an entity of Jones acts in concert, or a person with whom Jones is or proposes to become formally or informally associated); or
- relative (including a parent, child or sibling), or spouse (including a de facto partner) or dependent (or a dependent of the spouse) of any person listed above.

Even if you do not fall into one of the above categories, you are still encouraged to raise any concern you have through the channels outlined in this Policy. Jones will still assess the concern raised and take appropriate steps.

While Jones may not be able to apply all the protections set out in this Policy to you in this circumstance, it will look for ways to support all people who raise a concern.

This Policy applies whether you are at work or engaged in any work-related activity. It is not restricted in its operation to work hours or your usual place of work. It applies at conferences, work functions, work related social events, and business trips.

This Policy is available on Jones' staff portal as well as on Jones' website.

### 3. Policy

The scope of this Policy relates to conduct which:

- breaches Jones' internal rules and/or policies; and/or
- is a Disclosable Matter as defined in this Policy.

#### 3.1. What is a Disclosable Matter?

We encourage you to report any Disclosable Matter according to this policy and the Corporations Act.

A '**Disclosable Matter**' is conduct which you have reasonable grounds to suspect is misconduct, or an improper situation or circumstance, in relation to Jones (including in relation to any of our officers or employees).

Disclosable Matters may include misconduct or serious wrongdoing that you reasonably believe:

- is dishonest, illegal, fraudulent, corrupt or unsafe;
- is unethical, including any conduct that would breach Jones' Code of Conduct or Code of Ethics;
- involves a serious breach of Jones' Code of Conduct or other Jones' policies / handbook;
- involves irregular use of company funds or practices (including misleading accounting or financial reporting practices);
- involves misuse of Jones information;
- is damaging to Jones' business or reputation;
- poses a serious risk to public health, public safety or the environment;
- endangers the health and safety of any employee or member of the public;
- is detrimental conduct against a person because they have made a report under this policy;
- constitutes a breach of the following legislation (or a related instrument):
  - the Corporations Act;
  - the Australian Securities and Investments Commission Act 2001;
  - the Banking Act 1959;
  - the Financial Sector (Collection of Data) Act 2001;
  - the Insurance Act 1973;
  - the Life Insurance Act 1995;
  - the National Consumer Credit Protection Act 2009; or

- the Superannuation Industry (Supervision) Act 1993;
- constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- is a danger to the public or a danger to the financial system, including conduct that poses a significant risk to public safety or the stability of, or confidence in, the financial system, whether or not it is in breach of any law; or
- victimises, harms or threatens someone in connection with actual, potential or suspected whistleblowing.

Any disclosure that is not about a Disclosable Matter (including as defined in the Corporations Act) does not qualify for the protections under the Corporations Act, including the protections as specified in paragraph [10] of this Policy. In addition, a disclosure may also be protected as a “qualifying disclosure” under the Taxation Administration Act 1953 (Cth) (Taxation Administration Act) where a report relates to a breach of Australian tax law or tax-related misconduct.

However, disclosers who reasonably suspect wrongdoing are encouraged to make a report under this Policy even if they are unsure whether the matter would be considered to be a Disclosable Matter. The discloser in these circumstances will be treated in the same manner under this Policy regardless of whether the matter qualifies for protection under Australia’s whistleblower laws. You must not however make a report about Disclosable Matters that you know, or ought to know, are false or have no substance. Where it is found that a person has knowingly made a false report, this will be considered a serious matter and may result in disciplinary action.

Further, if a Whistleblower makes a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation, their disclosure will also be protected even if it does not relate to a “Disclosable Matter”.

Examples of things which would be a Disclosable Matter include:

- a breach of an officer’s duties to the organisation in relation to financial management;
- providing false or misleading information in a document;
- misuse of the organisation’s resources;
- unauthorised payments being made;
- election-related offences;
- coercion to exercise or not exercise a workplace right; or
- failing to lodge required documents.

However, things that (on their own) would not usually be a Disclosable Matter include:

- complaints about the level of service received from the organisation or a particular official;
- a difference of opinion about a policy adopted by the organisation;
- not being elected as a workplace representative;
- employment disputes with your employer (where your employer is not the registered organisation); or
- disagreeing with the decision of the organisation to donate to a particular cause.

### 3.2. This Policy does not apply to certain personal work-related grievances

This Policy and the protections under the Corporations Act or Taxation Administration Act generally do not apply to matters which relate solely to personal work-related grievances. Examples of work-related grievances include:

- an interpersonal conflict with another employee;
- a decision that does not involve a breach of workplace laws;
- challenges to a decision about the employment, or engagement, transfer or promotion of an employee;

- a disciplinary or performance management process regarding employment;
- disciplinary action taken; or
- challenges to a decision to suspend or terminate the engagement.

However, a personal work-related grievance may be reportable under this Policy and/or protected by law, where:

- the concern has significant implications for Jones;
- the grievance concerns actual or alleged conduct about a matter that is reportable under this Policy; and
- the grievance concerned breaches laws against whistleblower-related victimisation (i.e. relates to a person suffering from or being threatened with detriment for making a report under this policy or raising a concern regarding a Disclosable Matter).

If you wish to report a personal work-related grievance, please refer to the grievance process in our Workplace Behaviours & Equal Opportunity Policy.

### 3.3. How to make a report - i.e. who are Jones' "eligible recipients"?

You should report any Disclosable Matter as soon as you become aware of it.

You must provide information to assist any investigation of the Disclosable Matter including a description of the facts and circumstances of the misconduct.

Such report must be provided to an "eligible recipient".

#### Reporting under this Policy to an "Eligible Recipient"

In order to qualify for protection at law, you must disclose the Disclosable Matter to an eligible recipient.

In the first instance, you are encouraged to report the Disclosable Matter to the Head of People Services.

If you do not wish to raise the matter with the Head of People Services, you may raise the matter with the Chief Executive Officer, Board Chair or Company Secretary so they can assist you in relation to your matter.

We understand that there may be limited cases where you may have concerns about the suitability of making a disclosure through internal channels. In such cases, the report may be provided or notified to an external recipient, being Stoplevel Pty Ltd, via phone on 1300 30 45 50 or email at [makeareport@stopline.com.au](mailto:makeareport@stopline.com.au), or online at <https://jonesradiology.stoplinereport.com> or by mail at **Jones Radiology**, c/o Stoplevel Pty Ltd, PO Box 403, Diamond Creek, VIC 3089.

Your identity as a discloser will not be disclosed to any person unless you consent to this.

#### Disclosure Under Law

Jones also provides the protections set out in this Policy to any Whistleblower who makes a disclosure regarding a Disclosable Matter that is protected under law to:

- a director, officer, senior manager, auditor or actuary of Jones;
- an employee or officer of Jones with functions or duties that relate to the tax affairs, or a registered tax agent or BAS agent who provides tax agent or BAS services to Jones (in relation to tax-related Disclosable Matters); or
- the Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA), or (for tax-related disclosures) the Tax Commissioner (in the case of tax-related misconduct where it may assist the Commissioner to perform their statutory functions and duties).

You may disclose a Disclosable Matter to a lawyer for the purpose of obtaining legal advice or representation in relation to your concern.

A disclosure needs to be made directly to one of the above people in order to be able to qualify for protection as a Whistleblower under the Corporations Act (or the Taxation Administration Act, where relevant).

You may also contact the CEO to obtain additional information before making a disclosure.

### 3.4. Public Interest Disclosure and Emergency Disclosure

In limited circumstances, certain “public interest” or “emergency” disclosures made to parliamentarians or journalists are also protected by law. It is important that you understand the criteria for making a “public interest” or “emergency disclosure” before doing so.

For example, to make a public interest disclosure, you must do all of the following:

- have previously disclosed the Disclosable Matter to ASIC, APRA or a prescribed body, and at least 90 days must have passed since that previous disclosure;
- after that 90-day period, give the regulator who received that previous disclosure, a written notice that
  - (a) includes sufficient information to identify your previous disclosure; and
  - (b) states that you intend to make a public interest disclosure;
- not have reasonable grounds to believe that action is being, or has been, taken to address the matters relating to the previous disclosure;
- have reasonable grounds to believe that making a further disclosure to a member of parliament or journalist would be in the public interest; and
- disclose information to the member of parliament or a journalist only to the extent necessary to inform him or her of the Disclosable Matter.

To make an emergency disclosure, you must do all of the following:

- have previously disclosed the Disclosable Matter to ASIC, APRA or a prescribed body;
- give the regulator who received that previous disclosure a written notice that:
  - a) includes sufficient information to identify your previous disclosure; and
  - b) states that you intend to make an emergency disclosure;
- have reasonable grounds to believe that the Disclosable Matter concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
- disclose information to the member of parliament or a journalist only to the extent necessary to inform him or her of the substantial and imminent danger.

Please contact the CEO if you would like more information about emergency and public interest disclosures. We strongly encourage disclosers to consult a legal practitioner before making a “public interest disclosure” or an “emergency disclosure”.

### 3.5. Investigation Process

You will be notified that your report has been received.

You should not attempt to investigate any Disclosable Matter yourself.

While making a report under this policy does not guarantee that it will be formally investigated, we will make a preliminary assessment of your report to determine whether it qualifies for protection as a whistleblower disclosure.

and whether the conduct warrants an investigation. If an investigation is required, we will either (depending on the avenue we determine to be most suitable):

- Conduct an internal investigation into the substance of your report; or
- Appoint an external investigator to determine whether there is evidence to support the matters raised in your report.

All investigations will be conducted thoroughly with the objective of locating evidence that either substantiates or refutes the claims made in the report.

Investigations will be independent and fair. Individuals named or implicated in the report will be provided an opportunity to respond, if appropriate to do so.

We will endeavour to complete internal investigations within a 2 week period, noting that this may vary depending on the nature of the disclosure, and that external investigations are likely to take more time.

This is subject to compliance with the confidentiality protections set out in this Policy and the investigator not being a subject of the reported concern. We may also take such other steps as we consider appropriate to properly assess your report and to determine appropriate outcomes. Without the discloser's consent, Jones cannot disclose the information that is likely to lead to the identification of the discloser as part of its investigation process, unless:

- the information does not include the discloser's identity;
- the entity removes information relating to the discloser's identity or other information that is likely to lead to the identification of the discloser; and
- it is reasonably necessary for investigating the issues raised in the disclosure.

Note that Jones may not be able to undertake an investigation if it is not able to contact the discloser, for example if the disclosure was made anonymously and the discloser has refused to provide, or has not provided, a means of contacting them.

You may be asked to provide additional information to assist any assessment or investigation of your report, including a description of the facts and circumstances of the misconduct or improper state of affairs or circumstances.

To the extent reasonable, you may receive updates or feedback on the outcome of the assessment, progress or investigation (subject to privacy and confidentiality restrictions). The frequency and timeframe of any updates may vary depending on the nature of the report. These updates may include the following:

- confirming receipt of a report;
- advising that an investigative process has begun (where an investigation is appropriate);
- providing updates on the investigation status (even if there has been no progress); or
- advising when an investigation has been closed.

Once an investigation has been completed, reasonable efforts will be made to notify the discloser of the outcome or the conclusion of the investigation. Note that, due to privacy, confidentiality and other constraints, there may be circumstances where it may not be appropriate to provide the discloser with the details about the outcome of the investigation. A confidential report of the investigation findings and outcome will be provided to the Chair of the Audit, Risk and Compliance Committee and/or the Chair of the Board.



Subject to their rights under this Policy and the Corporations Act, a Whistleblower must keep all information relating to any report confidential both during any investigation and following any resolution of the report. We will decide what steps should be taken to address any substantiated reports, which may relate to misconduct or improper state of affairs or circumstances. Jones will ensure fair treatment of its employees who are mentioned in a disclosure that qualifies for protection. These protections include:

- ensuring all reports are passed on to the Chair of the Audit and Risk Committee, unless the Chair of the Audit and Risk Committee is alleged to be involved in any Disclosable Matter;
- when an investigation needs to be undertaken, the process will be objective, fair and independent;
- 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
- the determination of the report will not be finalised until the report has been fully investigated.

Jones Radiology's Head of People Services (or another person we nominate or the Chief Executive Officer if the Head of People Services is absent) is responsible for protecting you against detriment or disadvantage because of making your report.

### 3.6. Will a Whistleblower's identity remain confidential?

Reports can be made anonymously, or you may disclose your identity in your report. All information disclosed in your report, including your identity (where you choose to disclose this), will remain confidential and be afforded the confidentiality protections in accordance with Jones' obligations under the Corporations Act and the Taxation Administration Act.

Anonymous reports may have significant limitations that inhibit a proper and appropriate inquiry or investigation. These limitations may include the inability to provide feedback on the outcome and/or to gather additional particulars to assist the inquiry/investigation.

At any given time, you can identify yourself, but this is your choice and at no point do you need to do this or will you be forced to provide your identity. If you decide to disclose your identity, Jones will take steps to protect your identity and to protect you from detriment as applicable in this Policy. Under the Corporations Act, where a report is made about a "Disclosable Matter" by a Whistleblower to the persons specified in this policy and under the Corporations Act, that Whistleblower's identity (and information which is likely to identify them) must not be disclosed. However, where necessary, your identity may be disclosed:

- with your consent;
- to ASIC, APRA or the Australian Federal Police, or to the Australian Taxation Office (for tax-related disclosures); or
- to a lawyer for the purpose of obtaining legal advice or representation.

In some circumstances, information that might lead to your identification may be disclosed where it is reasonably necessary to disclose the information for the purposes of an investigation, but your identity is not disclosed and all reasonable steps are taken by Jones to reduce the risk that the person will be identified. A discloser can choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. A discloser is able to refuse to answer questions if they are of the opinion the questions may reveal their identity at any time. A discloser who wishes to remain anonymous should ensure they maintain ongoing two-way communication with Jones, to enable Jones to ask follow up questions or provide feedback. Reasonable steps will be taken to reduce the risk of identification, which may include:



- limiting access to information relating to the report;
- consulting with the Whistleblower in relation to the protection of their identity;
- redacting personal information or references regarding the Whistleblower information relating to the report;
- using tools and platforms that allow reports to be made anonymously;
- referring to the Whistleblower in gender neutral terms;
- ensuring that 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; and
- ensuring that access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure.

It is an offence for a person to identify a Whistleblower or disclose information in a report about a “Disclosable Matter” made by them that is likely to lead to their identification, other than as set out above.

### 3.7. What protections will a Whistleblower receive

We are committed to protecting and supporting Whistleblowers who make a report under this Policy or otherwise report misconduct, or an improper situation or circumstances, on reasonable grounds in accordance with this Policy, the Corporations Act and the Taxation Administration Act.

In addition to the confidentiality protections as set out above, Jones does not tolerate anyone threatening to cause, or already causing, detriment to you because of your desire or decision to raise a concern. Doing so is taken seriously by Jones and may lead to disciplinary action. When you report a Disclosable Matter, the following protections are in place to protect you:

- you will not be subject to disciplinary action by us solely because of reporting the Disclosable Matter, including where we are unable to find any evidence to support the conduct reported;
- your position and duty within our business will not be altered to your detriment or disadvantage solely because of making your report. You will not be otherwise dismissed, demoted, harassed, discriminated against, or subject to bias solely because of making your report;
- to the extent it is reasonable and practical to do so, we will monitor and manage the behaviour of any people who are involved in your report; and
- we will take reasonable precautions to ensure that you are not subject to victimisation or detrimental treatment solely because of your report. Detrimental conduct includes:
  - dismissal of an employee;
  - injury of an employee in his or her employment;
  - discrimination between an employee and other employees of the same employer;
  - harassment or intimidation of a person;
  - harm or injury (including psychological harm);
  - alternation of an employee's position or duties to their disadvantage;
  - damage to a person's reputation;
  - damage to a person's business or financial position;
  - any other damage to a person; or
  - damage to your property.

These protections do not only apply to internal disclosures, but to disclosures to legal practitioners, regulatory and other external bodies, and public interest and emergency disclosures that are made in accordance with the Corporations Act.

Jones can implement additional protections that we consider necessary for your protection. These actions are not considered to be detrimental conduct and include:

- transfer of duties or putting in place temporary work arrangements, such as allowing a person to perform their duties from a different location;
- leave of absence during any investigation; or
- monitoring and managing the behaviour of other employees or providing support services.

The protections offered will be determined by Jones and will depend on things such as the nature of the report and the people involved. The following measures will be implemented to protect disclosers from detriment:

- ensuring there are processes for assessing the risk of detriment against a discloser and other persons, which will commence as soon as possible after receiving a disclosure;
- support services (including counselling and other professional or legal services) that are available to disclosers;
- 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 the entity may take in response to such complaints; and
- interventions for protecting a discloser if detriment has already occurred.

In certain circumstances, these protections will also be enforceable under the Corporations Act or the Taxation Administration Act (where a report relates to a breach of Australian tax law or tax-related misconduct). Under this legislation, it is an offence for a person to engage in conduct (or threaten to engage in conduct) that causes detriment to you (or another person) if:

- that person believes or suspects that you (or another person) made, may have made, propose to make, or could make a disclosure that qualifies for protection, and
- the belief or suspicion is the reason (or part of the reason) for the conduct.

Where those provisions apply, you are also protected from liability for making the report (either by way of civil, criminal or administrative legal proceedings, or contractual or other remedies being sought against you). Information you disclose cannot be used in legal proceedings against you (except for proceedings in relation to giving false information). However, you will not be granted immunity from the consequences of any misconduct you have engaged in that is revealed by your report (including, but not limited to, any disciplinary action). For more information, you should seek legal advice before making your report.

Whistleblowers who are staff of Jones (or a relative, spouse or dependent of staff) can also access the Jones Radiology Network external professional counselling services (EAP) available if required.

### 3.8. What should a Whistleblower do if a protection is breached

Jones takes any breach of the protections set out above regarding confidentiality and non-victimisation seriously. Where you believe a breach has occurred, you should raise a concern with Jones Chief Executive Officer or Company Secretary.

If you suffer detriment because a person believes or suspects that you or another person has, proposes to make, could make or may make a report that qualifies for protection under the Corporations Act, you can also seek compensation and other remedies through the courts if you suffer loss, damage or injury because of the disclosure, including if Jones fails to take reasonable precautions and exercise due diligence to prevent the detrimental conduct. You should seek legal advice if you are considering seeking such remedies.

### 3.9. Failure to comply with this Policy

Any breach of this Policy may result in disciplinary action, up-to and including termination of employment.

### 4. Policy References

- [Fair Work Act 2009 \(Cth\)](#)
- [National Employment Standards \(NES\)](#)
- Corporations Act
- Tax Administration Act

### 5. More Information

The Jones Radiology Board is regularly updated on its whistleblowing program, inclusive of summary information relating to reports, investigations, and results, which are de-identified as required. Reports or investigations concerning material incidents may be reported to the Board outside of the usual updates. The Board at any time can ask about the state of Jones' whistleblowing program.

This Policy is subject to ongoing review and may be amended, replaced or revoked at any time by Jones in its absolute discretion. This Policy will be periodically reviewed at least every two years to ensure that it is operating effectively and appropriately reflects how whistleblowing matters are managed by Jones. The review will also ensure that the Policy evolves in line with changes in the nature, scale and complexity of Jones' business, its operating and regulatory environments.

Staff are to direct any questions regarding this policy to [HR@jonesradiology.com.au](mailto:HR@jonesradiology.com.au).