

## 1. Purpose of the Policy

Revo Fitness is dedicated to ethical conduct and promoting a culture of honesty, corporate compliance, and strong governance. This important policy outlines our approach to detecting and deterring unethical, corrupt, or illegal conduct and aims to create a supportive and safe environment for individuals to voice concerns.

The purpose of this Policy is to:

- explain how to Speak Up by reporting concerns about Potential Misconduct.
- ensure that individuals who disclose Potential Misconduct can do so safely, securely and with confidence that they will be protected and supported;
- outline Revo Fitness' processes for dealing with reports of Potential Misconduct; and
- meet Revo Fitness' legal and regulatory obligations.

## 2. Who this Policy applies to

Anyone with information about Potential Misconduct is encouraged to Speak Up.

This Policy applies to the following individuals, who are eligible for protection under the *Corporations Act 2001* (Cth) (**Act**) and the *Taxation Administration Act 1953* (Cth) (**Eligible Whistleblowers**):

- Current and former officers (directors and company secretaries) and employees of Revo Fitness or a related company or organisation.
- Current and former suppliers, contractors and other service providers providing goods or services (paid or unpaid) to Revo Fitness, including their employees.
- An associate of Revo Fitness, usually a person with whom Revo Fitness acts in concert.
- A spouse, relative, or dependant of one of the individuals referred to above.

While you must be an Eligible Whistleblower to access the protections, you do not have to identify yourself or your role, and you can raise your concerns anonymously.

## 3. What can be reported under this Policy?

Eligible Whistleblowers will qualify for protection under Whistleblower Laws where they report to an Eligible Recipient on a matter where there are Reasonable Grounds to suspect Potential Misconduct in relation to Revo Fitness, its employees, officers or any related body corporate (**Eligible Disclosure**), including:

- an offence or contravention of any applicable legislation or regulations;
- a criminal act punishable by imprisonment for a period of 12 months or more;
- modern slavery, forced labour or human trafficking;
- bribery and corruption;
- financial fraud or mis-management;
- tax avoidance behaviours and other tax issues;

- conduct which represents danger to health and safety;
- conduct which represents danger to the public or the financial system;
- victimisation of a discloser making an Eligible Disclosure; and
- deliberate covering up of information concerning the above.

Supporting information must be provided when reporting a concern to demonstrate the Eligible Whistleblower's Reasonable Grounds to suspect their allegations. An Eligible Whistleblower can still qualify for protection even if the disclosure turns out to be incorrect.

Reporting of behaviour not connected to an Eligible Disclosure, such as breaches of company policies and codes of conduct, will not qualify for protection under Whistleblower Laws but reporting of this behaviour may be protected by other legislation, such as the *Fair Work Act 2009* (Cth). Despite this, Revo Fitness encourages staff to Speak Up about any adverse behaviour under this Policy.

#### 4. What is not covered by this Policy?

This Policy is not a substitute for Revo Fitness' Grievance Policy.

Nor is it a channel for employees to raise matters that relate solely to personal work-related grievances in relation to their current or former employment, such as complaints of bullying, harassment or disciplinary action. These matters have implications for the discloser personally (rather than Revo Fitness) and are likely to be dealt with under the Code of Conduct or other policies unless they also relate to an Eligible Disclosure.

An employee who makes a false or baseless report may be subject to disciplinary proceedings, in accordance with Revo Fitness policies and procedures. In the event that a third party makes a false report, they may be liable to legal action.

#### 5. How can I speak up?

You are encouraged to Speak Up to a Whistleblower Protection Officer (**WPO**) in the first instance so that the Potential Misconduct can be addressed as early as possible. A WPO is an individual within Revo Fitness who has specific whistleblower responsibilities under this Policy. This includes protecting and safeguarding the interests of the person Speaking Up.

Revo Fitness WPOs:

- Chief Financial Officer
- Chief People and Culture Officer

In order to fully support our employees, Revo has appointed an external and independent whistleblower service dedicated to receiving reports from whistleblowers, to facilitate a confidential capture and management of reported disclosures and complaints. This provides our employees with a safe and secure environment to make anonymous disclosures about Potential Misconduct by phone, online or via email. If the reported disclosure relates to one of the Revo Fitness WPOs, only the other WPO will be notified of the disclosure.

Eligible Whistleblowers can make a disclosure directly to **ProAct Link**, which is operated by ProActive Strategies Pty Ltd.

ProAct Link reporting options are:

In Australia:

- **Online:** [www.proactlink.com.au](http://www.proactlink.com.au)
- **Phone:** 1800 888 340
- **Email:** [report@proactlink.com.au](mailto:report@proactlink.com.au)

You can identify yourself or remain anonymous when you make a report to ProAct Link. If you disclose your identity to ProAct Link, you can request that your identity not be disclosed to Revo Fitness.

ProAct Link will not disclose your identity to Revo Fitness without your consent unless it is legally required to do so.

After it receives a disclosure, ProAct Link will provide details of that disclosure to the nominated Revo Fitness Whistleblower disclosure recipients.

ProAct Link is considered to be an Eligible Recipient.

You can also Speak Up to:

- an officer (director or company secretary) or senior manager of Revo Fitness;
- an auditor or actuary of Revo Fitness;
- a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower requirements;
- the Australian Securities and Investments Commission (**ASIC**), Australian Prudential Regulation Authority (**APRA**) or any other Commonwealth authority prescribed for whistleblowing (each an **Authority**); or
- in respect of a tax related disclosure:
  - the Commissioner of Taxation (Australian Tax Office) (**ATO**) or Tax Practitioners Board (**TPB**) if you consider that the disclosure may assist the ATO or the TPB to perform their functions or duties under a taxation law in relation to Revo Fitness or an associate;
  - a registered tax agent or BAS agent providing services to Revo Fitness, an employee or officer of Revo Fitness who has functions or duties that relate to the tax affairs of Revo Fitness, or the Inspector-General of Taxation (**IGT**), where you:
    - have reasonable grounds to suspect that the information indicates misconduct, or an improper state of affairs or circumstances related to Revo Fitness or an associate's tax affairs; and
    - consider that the information will assist the recipient of the disclosure to perform their functions or duties in relation to the tax affairs of Revo Fitness or an associate;
  - an entity prescribed for whistleblowing of which you are a member, for the purpose of obtaining assistance in relation to the tax disclosure; or

- a registered or licensed medical practitioner or psychologist for the purpose of obtaining medical or psychiatric care, treatment or counselling (including psychological counselling), in relation to the tax disclosure.

Eligible Disclosures can also be made to a journalist or member of parliament (**MP**) under the following limited circumstances:

- A **public interest disclosure** can be made to an MP or journalist where an Eligible Disclosure was made to an Authority at least 90 days earlier and you do not have Reasonable Grounds to believe action has been or is being taken to address your disclosure. In this instance, you may give the same Authority written notice that you intend to make a public interest disclosure. The notice must include sufficient information to identify your previous disclosure. After providing this notice, you may Speak Up to a MP or a journalist, providing no more information than is necessary to inform the MP or journalist of the Potential Misconduct.
- An **emergency disclosure** may only be made to an MP or journalist where an Eligible Disclosure was previously made to an Authority and 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.

Before making a public interest disclosure or an emergency disclosure, you must give the same Authority written notice that you intend to make a public interest disclosure or emergency disclosure (as the case may be). The notice must include sufficient information to identify your previous disclosure.

A public interest disclosure or emergency disclosure must not contain more information than is necessary to inform the MP or journalist of the Potential Misconduct or substantial imminent danger.

It is important that you understand the criteria for making a public interest disclosure or an emergency disclosure before you take any action. Before making a public interest disclosure or emergency disclosure, you should contact an independent legal adviser to confirm your protections under Whistleblower Laws.

## 6. Can I Speak Up anonymously?

Eligible Disclosures made anonymously will be protected under Whistleblower Laws. You may refuse to answer questions that you feel could reveal your identity at any time, including during follow-up conversations.

Due to difficulties in investigating reports made anonymously, it may not be possible to fully investigate such disclosures, so individuals are encouraged to come forward. If you do wish to remain anonymous, it is encouraged that you maintain communication to allow for follow-up questions and feedback.

## 7. What protections exist if I speak up under the Policy?

An Eligible Whistleblower will qualify for protection as a whistleblower under Whistleblower Laws, in relation to Eligible Disclosures (**Whistleblower**).

Revo Fitness must:

**Protect the identity of people that Speak Up.** It is illegal for a person to identify a Whistleblower, or disclose information that is likely to lead to the identification of a

Whistleblower, other than to ASIC; APRA; the Australian Federal Police; the ATO, IGT, TPB or the Commissioner of the Australian Charities and Not-for-profits Commission (**ACNC**) in respect of tax related disclosures; a legal practitioner for the purposes of obtaining legal advice or representation; or with the Whistleblower's consent. Complaints about breach of confidentiality may be lodged with a Whistleblower Protection Officer or ASIC, APRA or the ATO for investigation.

Revo Fitness will protect the confidentiality of your identity in any Eligible Disclosure by:

- redacting all personal information or references to any event being witnessed by you;
- referring to you in a gender-neutral context;
- where possible, liaising with you to identify aspects of your disclosure which may inadvertently identify you; and
- ensuring disclosures are only handled and investigated by qualified persons.

All information relating to the investigation will be stored and accessed in an appropriate and secure manner.

**Protect you from detriment for Speaking Up.** It is illegal for a person to cause, or threaten to cause, detriment (including, but not limited to, disciplinary action or termination of employment) to a Whistleblower or another person on the belief or suspicion that an Eligible Disclosure has been, or will be, made, regardless of whether the disclosure was made.

Revo Fitness will protect you from detriment by:

- having processes in place to assess risk of detriment;
- providing EAP services to disclosers;
- providing appropriate training to management staff; and
- following complaint procedures if a detriment is suffered.

If appropriate to protect you from detriment, as assessed on a on a case-by-case basis, Revo Fitness may re-assign your role or relocate your work space.

Reasonable administrative or management action such as managing your unsatisfactory work performance does not constitute a detriment if the action taken is consistent with Revo Fitness' performance management process.

You may seek independent legal advice or contact regulatory bodies such as ASIC, APRA or the ATO if you believe you have suffered a detriment as a result of you Speaking Up.

You may also seek compensation and other remedies through the courts if you suffer loss, damage or injury because of a disclosure and Revo Fitness failed to take reasonable precautions and exercise due diligence to prevent detrimental conduct. You are encouraged to seek independent legal advice before taking any action to seek compensation or other remedies.

**Not take action against you for Speaking Up.** A Whistleblower is protected from civil liability (such as legal action for breach of confidentiality requirements under your employment contract), criminal liability (such as prosecution for unlawfully releasing

information, other than for making a false disclosure) and administrative liability (such as disciplinary action). The protections do not grant immunity for any misconduct you have engaged in that is revealed in your disclosure.

## 8. Investigations

All reports of Potential Misconduct under this Policy will be dealt with promptly, fairly and objectively. While speaking up does not guarantee a formal investigation or protection under Whistleblower Laws, all reports will be properly assessed and considered by the WPO and a decision made as to whether it should be investigated.

If the WPO determines that the disclosure qualifies, or may qualify, for protection under Whistleblower Laws and an investigation is required, the nature, scope and timeframe of the investigation will be determined. While Revo Fitness aims to complete investigations within 2 months, this may vary depending on the nature of the disclosure.

Revo Fitness may not be able to proceed with an investigation if it is not able to contact you (e.g. if you make an anonymous disclosure or have not provided contact details. Where you are contactable, you will be regularly updated throughout the investigation.

All investigations will be undertaken with the objective of locating evidence that either substantiates or refutes the claims of Potential Misconduct. The WPO may engage external professionals to assist in any investigation.

The investigation will be conducted in a timely manner and will be fair and independent from any persons to whom the report relates. All employees and contractors must cooperate fully with any investigation.

Where appropriate, a person being investigated will be provided with details of the report that involves them (to the extent permitted by law) and be given an opportunity to respond. A person being investigated will be entitled to access Revo Fitness' EAP Service.

As part of the investigation, documents, information and evidence will be gathered relating to the report and will be kept secure and protected. Objective conclusions will be drawn based on the evidence gathered during the investigation and findings and recommendations will be presented to the WPO. The WPO will determine appropriate response and necessary action to remediate, or act on the investigation findings.

Investigation findings will be documented and reported internally as appropriate depending on the nature of the disclosure and while preserving confidentiality. You may be provided details of the outcome of the investigation (including through anonymous channels), however, there may be circumstances where it may not be appropriate to provide these details.

Revo Fitness is committed to implementing the findings and recommendations of any investigation with a view to rectifying any wrongdoing as far as is practicable in the circumstances.

If you are not satisfied with the outcome of the investigation, you may request a review of whether this Policy and associated Revo Fitness processes and procedures have been adhered to. Revo Fitness will not be obliged to reopen an investigation and may conclude a review if it is found that the investigation was conducted properly, or new information is not available or would not change the findings of the investigation. Whistleblowers may

also lodge a complaint with ASIC, APRA or the ATO if they are not satisfied with the outcome of the investigation.

## 9. Breaches of this Policy

All employees and contractors of Revo Fitness are required to comply with this Policy at all times as well as with Whistleblower Laws.

Non-compliance with this Policy or Whistleblower Laws may result in disciplinary action up to and including termination of employment or termination of a contractor's services.

This Policy will be accessible to all Revo Fitness officers and employees via Blink and will be reviewed on an annual basis. Any updates will be notified via Blink and/or email. This Policy (as updated from time to time) will be accessible to other Eligible Whistleblowers via the Revo Fitness website.

## 10. Definitions

**Authority** mean ASIC, APRA or any other Commonwealth authority prescribed for whistleblowing.

**Eligible Disclosure** has the meaning given to that term in paragraph 3.

**Eligible Recipient** means those persons or entities listed in paragraph 5.

**Eligible Whistleblower** means those persons listed in paragraph 2.

**Potential Misconduct** means any suspected or actual misconduct (including fraud, negligence, corruption, default, breach of trust and breach of duty) or improper state of affairs or circumstances in relation to Revo Fitness, its employees, officers or any related body corporate. It also means (but is not limited to) a breach of law or information that indicates a danger to the public or to the financial system.

**Reasonable Grounds** means grounds on which a reasonable person in your position would objectively suspect the information indicates misconduct or a breach of the law.

**Speak Up** or **Speaking Up** means informing (verbally and/or in writing) an Eligible Recipient if you have Reasonable Grounds to suspect that Potential Misconduct has occurred or is occurring in relation to Revo Fitness.

**Whistleblower Discloser** means an Eligible Whistleblower who has made an Eligible Disclosure to an Eligible Recipient.

**Whistleblower Laws** mean Acts, regulations and other laws in force relating to whistleblowing including Part 9.4AAA of the *Corporations Act 2001* (Cth) and Part IVD of the *Taxation Administration Act 1953* (Cth).

**WPO** has the meaning given to that term in paragraph 5.