

**NANDO'S AUSTRALIA PTY LTD &  
NANDO'S PERI PERI AUSTRALIA PTY LTD**

**WHISTLEBLOWING POLICY**



**Policy Administration**

<b>Version</b>	<b>Description</b>	<b>Date</b>	<b>Approved By</b>
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## 1. Introduction

### 1.1. Policy Purpose

Nando's Australia Pty Ltd and Nando's Peri-Peri Australia Pty Ltd (**Nando's, we or our**) are committed to providing and upholding a culture of respect and ethical conduct in the way we operate, work and relate to each other. We do not tolerate corrupt, illegal or undesirable conduct and this policy is intended to:

- deter misconduct;
- encourage disclosures of misconduct if they occur;
- ensure individuals who disclose misconduct can do so safely, securely and with the confidence that they will be protected and supported;
- ensure disclosures are dealt with appropriately and in a timely manner; and
- provide transparency on the process for receiving, handling and investigating disclosures.

This policy is an important tool to help us identify misconduct that might not otherwise be uncovered without a safe and secure way for individuals to report such misconduct with the confidence that they will be protected. We strongly encourage anyone who is aware of possible misconduct to speak up and let us know through various available channels.

Nothing in this policy is intended to change or take away any other protections available at law.

### 1.2. Policy Application

This policy applies to anyone who qualifies as a discloser under the Act or this policy.

A discloser qualifies for protection as a whistleblower under the Act if they qualify as an eligible whistleblower and have made a disclosure regarding a disclosable matter to an eligible recipient of ours or an authorised recipient.

Disclosures that are not about disclosable matters do not qualify for protection under the Act, but may be protected under other laws, for example the *Fair Work Act 2009* (Cth). However, a discloser can still qualify for protection if the information provided relates to a disclosable matter but turns out to be incorrect.

While personal work-related grievances are not covered by this policy, except for the personal work-related grievance exclusions, refer to our internal [Grievance Dispute Resolution Procedure](#) for information on how to raise these internally so that we can still address them.

### 1.3. Definitions

**Act** means the *Corporations Act 2001* (Cth).

**APRA** means the Australian Prudential Regulation Authority.

**ASIC** means the Australian Securities and Investments Commission.

**authorised recipient** means an individual or entity authorised by the Act to receive disclosures about disclosable matters, including:

- ASIC, APRA or another appropriate Commonwealth body;
- a legal practitioner who has received the disclosure to obtain legal advice or legal representation about the operation of the whistleblower provisions in the Act; or

- those authorised to receive emergency disclosures and/or public interest disclosures.

**disclosable matter** means a matter that involves information that the discloser has reasonable grounds to suspect concerns misconduct, or an improper state of affairs or circumstances, in relation to Nando's, or a related body corporate of Nando's, or:

- constitutes an offence against, or contravention of, a provision of the 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*, the *Superannuation Industry (Supervision) Act 1993* or an instrument made under any of the above legislation;
- constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- represents a danger to the public or the financial system; or
- is otherwise prescribed by a regulation of the Act.

**discloser** means anyone who has worked, or is working, for us or is doing something in connection with their work for us, who discloses misconduct, including past and current:

- officers and employees (e.g. current and former employees who are permanent, part-time, fixed-term or temporary, interns and work experience students, secondees, volunteers, managers, board members and directors);
- suppliers of goods or services to us and their employees (e.g. current and former contractors, consultants, service providers and business partners);
- related body corporates of Nando's; and
- relatives, dependents or spouses of any of the above individuals (e.g. of current and former employees, contractors, consultants, service providers, suppliers and business partners).

**disclosure** means a report of misconduct or improper state of affairs or circumstances concerning Nando's or a related body corporate of Nando's.

**EAP** means Employee Assistant Program.

**eligible recipient** means an individual authorised to receive disclosures about disclosable matters on behalf of Nando's, including:

- an officer (i.e. a director or company secretary) or senior manager (i.e. a member of the enterprise leadership team) of Nando's or a related body corporate;
- the internal or external auditor or actuary of Nando's or a related body corporate; and
- those individuals listed in Annexure A of this policy.

**eligible whistleblower** means a discloser who makes a disclosure of misconduct regarding a disclosable matter to an eligible recipient or authorised recipient under this policy or the Act.

**emergency disclosure** means information that concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment.

**journalist** means a person working in a professional capacity as a journalist for a newspaper or magazine, a radio or television broadcasting service or an electronic service (including a service provided through the internet) that is operated on a commercial basis, or by a body providing a national broadcasting service (within the meaning of the *Broadcasting Services Act 1992*) and is like a newspaper, magazine or radio or television broadcast.

**misconduct** means the following conduct:

- illegal conduct (e.g. theft, dealing or using illicit drugs, violence or threatened violence and criminal damage against property);
- fraud, money laundering or misappropriation of funds;
- offering or accepting bribes;
- financial irregularities;
- failure to comply with, or breach of, legal or regulatory requirements;
- engaging, 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;
- that poses a significant risk to public safety or the stability of, or confidence in, the financial system, even where such matters do not involve a breach of law; and
- allegations of the above, even if they do not involve the contravention of a particular law.

**personal work-related grievance** means personal work-related matters that do not relate to the detriment, or the threat of detriment, to the discloser, but instead relates to the discloser's current or former employment with Nando's which generally has implications for the discloser personally but not significant implications for Nando's or its related body corporates more broadly, and doesn't relate to any conduct about a disclosable matter, including:

- an interpersonal conflict between the discloser 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 discloser;
- a decision relating to the terms and conditions of engagement of the discloser; or
- a decision to investigate, suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

**personal work-related grievance exclusion** means a specific type of personal work-related grievance that does qualify for protection under the Act, despite fitting the ordinary definition of a personal work-related grievance normally excluded from this policy, specifically because:

- it includes information about misconduct accompanied by a personal work-related grievance (e.g. a mixed disclosure);
- breaches of employment or other laws punishable by imprisonment for a period of 12 months or more are alleged, engagements in conduct that represent a danger to the public occur or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances;
- the discloser suffers from, or is threatened with, detriment for making a disclosure; or
- the discloser seeks legal advice or legal representation about the operation of the whistleblower protections under the Act.

**protection officer** means an officer appointed by Nando's to be responsible for safeguarding the interests of eligible whistleblowers under this policy and in line with the Act, which may be one of the individuals listed in Annexure A of this policy.

**public interest disclosure** means misconduct that a discloser has reasonable grounds to believe would be in the public interest to disclose.

**related body corporate** has the same meaning given in the Act.

## **2. Making Disclosures Qualifying for Protection**

### **2.1. Disclosing Internally to Nando's (Employees & Officers)**

We support openness and teamwork, and this policy is not intended to replace the ability to resolve issues quickly and internally where appropriate. We encourage you to raise misconduct at any time with your manager to reach a resolution informally and internally where suitable. However, if you don't feel safe or able to raise misconduct with your manager, or it is not appropriate in the circumstances, you may instead disclose the misconduct to one of our eligible recipients to assist with a resolution.

### **2.2. Disclosing Internally to Nando's (Suppliers)**

We support openness and transparency, and this policy is not intended to replace the ability to resolve issues quickly and internally where appropriate and as may be outlined in your supply agreement or contract with Nando's.

We encourage you to raise misconduct at any time with your Nando's contact person, or as otherwise outlined in your supply agreement or contract with Nando's, to reach a resolution internally where suitable. However, if you don't feel comfortable raising misconduct with your Nando's contact person, or it is not appropriate in the circumstances, you may instead disclose the misconduct to one of our eligible recipients to assist with a resolution.

### **2.3. Disclosing Externally to Your Call (Rely)**

If you don't feel safe, comfortable or able to report misconduct internally within Nando's, you can report a disclosure to Your Call (Rely), an independent eligible whistleblower hotline service provider who communicates only with those people authorised within our business.

Your Call (rely) operates under a service agreement with us and acts as the intermediary, providing ways for an eligible whistleblower to stay anonymous. Disclosures received by Your Call (Rely) are reported to us in line with this policy. Your Call (Rely) can help us to get more information if needed and allows an eligible whistleblower to receive updates from us during any investigation through an online anonymous message board which allows a discloser to:

- communicate with Your Call (Rely) and Nando's without revealing their identity if they wish;
- securely upload any relevant documentation and/or material that they wish to provide;
- receive updates; and
- request support or report victimisation.

Your Call (Rely) allows disclosures to be made anonymously and confidentially. Whilst it helps us if eligible whistleblowers disclose their identity to support our ability to complete a thorough investigation, eligible whistleblowers are not required to identify themselves and will not be named in any report unless they have consented to their identity being disclosed.

Your Call (Rely) reporting options include:

- Website: <https://nandos.relyplatform.com/home> (available 24/7); or
- Telephone: 1300 790 228 (available 9:00am AEST to 12:00am AEST on recognised Australian national business days).

If a disclosure received by Your Call (Rely) relates to an eligible recipient, Your Call (Rely) will exclude that eligible recipient from all communications when providing the disclosure to us. The eligible recipients who are not named in the disclosure will then receive and determine how the matter will be addressed or investigated as required. If a disclosure received by Your Call (Rely) relates to all eligible recipients, it will be escalated to our global General Counsel in South Africa.

If you are deaf, or have a hearing or speech impairment, you can contact Your Call (Rely) online or with the National Relay Service. Choose a contact method at [www.relayservice.gov.au](http://www.relayservice.gov.au) and request the hotline 1300 790 228.

#### **2.4. Disclosing Externally to Authorities**

If the misconduct relates to Section 1317AA(1) of the Act you may make a disclosure to ASIC, APRA or a Commonwealth authority prescribed for the purposes of Section 1317AA(1). ASIC provides more information on whistleblowing and handling whistleblowing reports that you can access in its [Information Sheet](#).

#### **2.5. Disclosing to a Legal Practitioner**

If you make a disclosure to a legal practitioner to obtain legal advice or legal representation in relation to Part 9.4 of the Act (i.e. eligible whistleblower protections and confidentiality of an eligible whistleblowers identity) the disclosure will be protected under the Act.

#### **2.6. Public Interest Disclosures**

You may make a disclosure in the public interest if:

- you have previously made a disclosure of that misconduct;
- at least 90 days have passed since you made the previous disclosure;
- you do not have reasonable grounds to believe that action is being, or has been, taken to address the misconduct that the previous disclosure related to;
- you have reasonable grounds to believe that making a further disclosure of the misconduct would be in the public interest;
- after the end of the 90-day period since the previous disclosure, you give the person that you made the previous disclosure to a written notification that:
  - includes enough information to identify the previous disclosure; and
  - states that you intend to make a public interest disclosure;
- the public interest disclosure is made to:
  - a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
  - a journalist; and
- the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the recipient of the misconduct or the improper state of affairs or circumstances referred to in subsection 1317AA(4) of the Act or the conduct referred to in subsection 1317AA(5) of the Act, as the case may be.

We suggest contacting an independent legal adviser before making a public interest disclosure.

## **2.7. Emergency Disclosures**

You may make an emergency disclosure if:

- you have previously made a disclosure that qualifies for protection under Part 9.4 subsection 1317AA(1) of the Act;
- you have reasonable grounds to believe that the disclosure is about a substantial and imminent danger to the health and/or safety of one or more persons, or to the natural environment;
- you give the person that you made the previous disclosure to a written notification that:
  - includes enough information to identify the previous disclosure; and
  - states that you intend to make an emergency disclosure;
- the emergency disclosure is made to:
  - a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory; or
  - a journalist; and
- 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.

We suggest contacting an independent legal adviser before making a public interest disclosure.

## **2.8. Information in Disclosures**

Nando's does not expect a disclosure to include absolute proof of misconduct, however where possible it should include the following information to help us decide how to address it:

- the name, job title and workplace address of the person the subject of the disclosure;
- details of the misconduct, including dates, times and places;
- names of anyone who may substantiate the disclosure (e.g. witnesses); and
- any other evidence that supports the disclosure (e.g. emails, documents or CCTV).

## **2.9. Anonymous Disclosures**

You can make a disclosure about a disclosable matter to an eligible recipient or an authorised recipient anonymously and still receive the protections offered under the Act.

You can choose to remain anonymous while making a disclosure about a disclosable matter, during the investigation and after the investigation is finalised. You can also refuse to answer questions that you feel could reveal your identity at any time, including during any follow-up conversations, however we do suggest that you maintain two-way communication with us so that we can ask follow-up questions or provide feedback.

You may adopt a pseudonym for making a disclosure of a disclosable matter, which may be appropriate in circumstances where the discloser's identity is known to their manager, a protection officer or equivalent, but the discloser prefers not to disclose their identity.

## **2.10. Misleading Disclosures**

Anyone who makes a disclosure intentionally knowing it to be false or misleading may be subject to disciplinary action under Nando's Disciplinary Policy, which will depend on the severity, nature and circumstance of the intentionally misleading or false disclosure.

## **3. Protections Available to Eligible Whistleblowers**

### **3.1. Identity Protection (Confidentiality)**

An eligible whistleblower does not need to identify themselves when making a disclosure about a disclosable matter to qualify for protection under the Act.

Your identity will not be disclosed by Your Call (Rely) or Nando's unless:

- you consent to disclosing your identity;
- the disclosure is required by law; or
- it is necessary to prevent a serious threat to a person's health or safety.

It is a serious offence and a contravention of the Act to make an unauthorised disclosure of:

- the identity of an eligible whistleblower; and/or
- information that is likely to lead to the identification of the eligible whistleblower where the information was obtained because of the disclosure.

A breach of the confidentiality provisions will be regarded as a disciplinary matter and will be dealt with in line with our Disciplinary Policy. The Act also carries serious penalties for individuals and companies that breach this requirement.

We can still disclose the information in a disclosure with or without the discloser's consent if:

- the information does not include the discloser's identity;
- we have taken all reasonable steps to reduce the risk that the discloser would be identified from the information; and
- it is reasonably necessary for investigating the issues raised in the disclosure.

If a discloser has a complaint about a breach of confidentiality, they can lodge it with an eligible recipient or an authorised recipient in the same way as a disclosure about a disclosable matter.

### **3.2. Protection against Detriment**

We will do everything reasonably possible to support and protect an eligible whistleblower from detrimental acts or omissions, victimisation or threats (express or implied, conditional or unconditional) of detrimental acts or omissions or victimisation, if the eligible whistleblower:

- intends to, or makes, a disclosure about a disclosable matter;
- is mentioned in the disclosure;
- acts as a witness; and
- otherwise assists with the investigation and resolution of the disclosure.

Nando's eligible recipient will review disclosures made to identify whether there is a possibility of detrimental conduct occurring and, if so, take steps appropriate in that circumstance to prevent detrimental conduct from occurring. The discloser is encouraged to support the eligible recipient with this review by providing any information the discloser believes may be necessary to assist with the assessment. Detrimental conduct that is prohibited under the Act includes:

- dismissal of an employee;
- injury of an employee in their employment;
- alteration of an employee's position or duties to their disadvantage;
- discrimination between employees;
- harassment or intimidation of a person;
- harm or injury to a person, including psychological harm; and
- damage to a person's property, reputation, business or financial position.

However, the following conduct is not detrimental conduct:

- administrative action that is reasonable to protect the discloser from detriment (i.e. moving a discloser who has made a disclosure about their immediate work area to another location to prevent them from detriment); and
- managing a discloser's unsatisfactory work performance where the action is inconsistent with our policies and procedures and expected work performance and practices.

Importantly, if the discloser feels that have already suffered detriment, or is about to suffer detriment, Nando's can support the discloser with options like taking extended leave, developing a career development plan for the discloser that includes new training and career opportunities or other support tools appropriate in the circumstances. Nando's encourages disclosers to discuss these options with Nando's eligible recipient to ensure the appropriate steps and outcomes are taken for the situation to support the discloser.

Assistance is available to current employees mentioned or involved in a disclosure through our external EAP provider, Telus Health. Such assistance may include ways the discloser could minimise and/or manage stress, time or performance impacts during the investigation or disclosure reporting process, or other challenges that may arise in the situation or circumstance.

If a discloser believes they have suffered detriment they may seek independent legal advice or contact an eligible recipient or an authorised recipient. We will thoroughly investigate reports of detrimental acts or omissions or victimisation associated with this policy and, if proven, those who have engaged in detrimental acts or omissions or victimised another will be dealt with in line with our [Disciplinary Policy](#) as a disciplinary matter. The Act also carries serious penalties for individuals and companies that breach this requirement.

### **3.3. Compensation and Remedies**

A discloser can seek compensation and other remedies through the courts if:

- they suffer loss, damage or injury because of a disclosure; and
- reasonable precautions weren't taken and due diligence to prevent the detrimental conduct from occurring wasn't exercised.

We suggest that disclosers seek independent legal advice if they have concerns in this regard.

### **3.4. Civil, Criminal and Administrative Liability Protection**

If an eligible whistleblower makes a disclosure about a disclosable matter to an eligible recipient or an authorised recipient, in relation to the disclosure they will be protected from:

- civil liability (e.g. any legal action against the discloser for breach of an employment contract, duty of confidentiality or another contractual obligation);
- criminal liability (e.g. attempted prosecution of the discloser for unlawfully releasing information, or other use of the disclosure against the discloser in a prosecution (other than for making a false disclosure)); and
- administrative liability (e.g. disciplinary action) for making the disclosure.

Please note however that:

- Nando's has no power to offer any person immunity against prosecution in the criminal jurisdiction which can only be granted by the Director of Public Prosecutions; and
- the protections do not prevent an eligible whistleblower being subject to any civil, criminal or administrative liability for their conduct which is revealed by the disclosure.

### **3.5. Availability of Protections**

The protections described in this section apply to internal disclosures, disclosures made to legal practitioners, regulatory and other external bodies, public interest disclosures and emergency disclosures that are made in accordance with the Act.

## **4. Supporting Disclosers**

### **4.1. Identity Protection (Confidentiality)**

We will treat disclosures in the strictest confidence and ensure we keep secure records. We will also take the following steps to reduce the risks of the discloser being identified from the information contained in a disclosure:

- the discloser will be referred to in a gender-neutral context;
- the discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them (where possible);
- disclosures will be handled and investigated by qualified staff, contractors or agents;
- all 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 the discloser's identity, subject to the discloser's consent, or information that is likely to lead to the identification of the discloser;
- communication and documents relating to the investigation of a disclosure will not be sent to an email address that can be accessed by other 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, and will be reminded of the important requirements to manage the risks of isolation or harassment, conflicts and to ensure fairness when managing the performance of a discloser.

The confidentiality provisions do not prevent anyone involved in the disclosure from sharing the information with their representative or a support person.

#### **4.2. Support**

If necessary, we will appoint a protection officer, who may be within the business or external to the business, to arrange or coordinate support for anyone who has made, or is in the process of making, a disclosure. The support may include a support person and or other support services as appropriate based on the circumstances.

As a first step, employees can contact Nando's EAP provider, Telus Health, on 1800 835 871.

The protection officer may be appointed by us to:

- assess the immediate welfare and protection needs of an eligible whistleblower;
- safeguard the interests of an eligible whistleblower under this policy and the Act;
- address any issues or concerns of victimisation or detrimental treatment; and/or
- highlight to disclosers that, in practice, people may be able to guess a discloser's identity if:
  - they have previously mentioned to others they are considering making a disclosure;
  - they are one of a small number of people with access to the information; or
  - the disclosure relates to information that they have previously been told privately.

### **5. Investigating Disclosures**

#### **5.1. Nando's Handling a Disclosure**

Once an eligible recipient has received a disclosure about a disclosable matter from an eligible whistleblower the eligible recipient will:

- carefully assess the disclosure to determine whether it qualifies for protection and whether a formal in-depth investigation is required;
- keep the information provided in a confidential and secure system;
- appoint and coordinate an investigator to investigate the disclosure (where appropriate);
- oversee the investigation where an investigator has been appointed;
- appoint a protection officer to support and protect the eligible whistleblower, if necessary, from detriment and victimisation;
- advise the eligible whistleblower of the progress of the matter to the extent it is legally permissible and appropriate to do so; and
- take all reasonable steps to ensure the identity of the eligible whistleblower and the subjects of the disclosure are kept confidential.

Given that each disclosure, investigation and process will differ slightly, it's not possible for Nando's to confirm investigation timeframes in advance. However, Nando's will ensure all disclosures are acknowledged and contact with the discloser attempted at least within 7 days of the initial disclosure being made. In addition, Nando's will keep the discloser updated on the steps and process of any investigation, as outlined in this policy.

## **5.2. Your Call (Rely) Handling a Disclosure**

Your Call (Rely) is the external party that acts as an intermediary between us and a discloser. Once Your Call (Rely) receives a disclosure it will:

- make a record of the information a discloser provides;
- ensure the disclosers identity is kept confidential from us if the discloser requests;
- allow the discloser to access the Your Call message board to communicate with us, including posting questions and information for our attention, while remaining anonymous throughout the communications if desired; and
- refer the disclosure, including the information and documents provided by the discloser, to our eligible recipients within 1 business day.

Your Call (Rely) is not the decision maker of a disclosure and all decisions relating to dealing with the disclosure, including investigation and resolution, are entirely our responsibility.

## **5.3. Investigating a Disclosure**

The eligible recipient will carefully assess and use the information provided in the disclosure to decide the best action to take, including whether a formal in-depth investigation is required and, if so, the appropriate investigation process, which may include:

- the nature and scope of the investigation;
- who will conduct the investigation (internal or external to the business);
- the nature of any technical, financial or legal advice that may be required; and
- a timeframe for investigating, noting it may vary depending on the nature of the disclosure.

While a discloser can remain anonymous, Nando's may not be able to investigate a disclosure thoroughly if it cannot contact the discloser or obtain further information about the disclosure.

The investigation will be conducted in a constructive, impartial and lawful way according to the principles of natural justice and procedural fairness. The investigator appointed will:

- be objective, fair and independent while preserving the confidentiality of the investigation;
- gather information, material and documentation about the disclosure as quickly as possible, including taking steps to protect or preserve documents, materials and equipment;
- take a statement or record of interview and/or tape formal interviews with witnesses as required. Where the eligible whistleblower wishes to remain anonymous and does not wish to make a statement they will not be asked to do so;
- keep information gathered in the investigation securely;
- take all reasonable steps to protect the identity of the eligible whistleblower, and where identity disclosure cannot be avoided due to the nature of the allegations, the investigator will warn the eligible whistleblower of this probability in advance; and

- complete the investigation and provide a report to us as soon as is reasonably practical.

At the end of the investigation, the investigator will provide a written investigation report to the eligible recipient which will:

- list the findings of all relevant facts;
- identify whether the disclosure is proven, not proven or otherwise; and
- include a recommendation about any action that may be taken.

The eligible recipient will appoint a director of Nando's as an authorised decision maker who will use the investigator's report to determine the action (if any) to be taken, which may include disciplinary action.

#### **5.4. Keeping the Eligible Whistleblower Informed**

Subject to legal, privacy and confidentiality requirements, and being able to contact the eligible whistleblower, the eligible recipient will keep the eligible whistleblower informed of:

- regular updates on the progress of the disclosure and any investigation; and
- the outcome of the disclosure and any investigation.

The frequency and timeframe of contact will depend on the nature of the disclosure.

#### **5.5. Findings**

If the misconduct reported in the disclosure is proven as an outcome of the investigation, our authorised decision maker appointed by the eligible recipient will decide what action to take in line with our [Disciplinary Policy](#).

The findings will be communicated to the relevant parties involved either by telephone, email or the Your Call (Rely) message board (depending on the discloser's preference and request) to the extent that it is allowed and appropriate under relevant laws and Nando's policies to do so.

The method for documenting and reporting findings will depend on the nature of the disclosure, as there may be circumstances where it may not be appropriate for us to provide details of the outcome to the disclosure (e.g. when it involves disciplinary action of another employee).

If an eligible whistleblower is not satisfied with the findings, they can request that the eligible recipient reopens the investigation or has the matter investigated again. However, we are not obliged to reopen an investigation if we find that the initial investigation was conducted properly or if new information is either not available or would not change the findings.

We will refer the information in the disclosure, and the findings of any investigation which revealed conduct that may constitute a legal or criminal offence, or when required to do so by law to the relevant external agency (e.g. the police, ASIC or APRA).

### **6. Fair Treatment**

#### **6.1. Individuals Mentioned in Disclosures**

In addition to protecting eligible whistleblowers under this policy, we will also ensure the fair treatment of individuals mentioned in disclosures, including the subject of a disclosure, by:

- handling disclosures confidentially, when it is practical and appropriate;

- assessing each disclosure which may be the subject of an investigation;
- ensuring the object of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported in a disclosure;
- ensuring any investigations undertaken follow an objective, fair and independent process;
- advising an individual who is the subject of a disclosure of its subject matter and ensuring the principles of natural justice and procedural fairness are followed prior to any actions being taken; and
- allowing individual employees who are subject of a disclosure access to our EAP.

## **7. Policy Availability**

### **7.1. Policy Access**

This policy is available to employees and our officers online through Workday (together with an online training and education module and external resources to assist access Your Call (Rely)) and in hardcopy in restaurants and offices.

When the policy was introduced to include the external Your Call (Rely) option, Nandoca briefing and information sessions were held at Indabas (conferences) and smaller team meetings and it now forms part of the induction and onboarding process for new Nandocas and suppliers and the standard policies and procedures within Nando's business.

### **7.2. Policy Information**

If you need information about making a disclosure, or the support and protection available, you may discuss this in confidence with a Nando's People Partner or Regional General Manager.

Please remember that if you do not formally make a disclosure, we may still be compelled to act on the information you provide if it reasonably suggests misconduct has occurred.

### **7.3. Board Reports**

Our Chief Executive Officer will prepare a report to be compiled to our Board annually on this policies effectiveness, which will include, subject to privacy and confidentiality considerations:

- a brief description of the disclosures received;
- the action taken in response to disclosures received;
- the outcome of disclosures received; and
- the timeframe taken to resolve and finalise disclosures received.

### **7.4. Policy Review**

Our Legal Department will monitor and review this policy annually to ensure it meets, and continues to meet, its objectives.

Any amendments to this policy will be posted online on Workday and/or updated in hard-copy available in the restaurants and offices.

**ANNEXURE A – NANDO’S ELIGIBLE RECIPIENT**

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