

1. Purpose

Whitehaven Coal (WHC) does not tolerate domestic and family violence and is committed to managing the impact it has on our employees and their participation in the workplace. This policy sets out WHC's approach in dealing with and supporting employees who may be affected by domestic and family violence.

2. Scope

This policy applies to all WHC employees, consultants, and contractors who are directly experiencing family and domestic violence, using violence and abuse, or supporting a person who is experiencing family and domestic violence.

3. General

This policy ensures that WHC:

- 3.1. Provides a safe workplace for all employees.
- 3.2. Treats all employee disclosures of domestic and family violence confidentially and seriously.
- 3.3. Does not disadvantage people experiencing domestic and family violence incidents that occur within the workplace.
- 3.4. Responds to any risks associated with domestic and family violence incidents that occur within the workplace.
- 3.5. Ensures that all employees understand their roles and responsibilities in relation to domestic and family violence.

4. Domestic and Family Violence Definitions

4.1. Family and domestic violence is defined as violent, threatening or other abusive behaviour by a family member, current or former partner or housemate of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful.

4.2. A family member is defined as:

- a spouse or former spouse, a common law or civil law partner or former common law or civil law partner, in all these cases either of the same or opposite sex; child (including adopted child), dependant, step child, parent, step parent, father-in-law, mother-in-law, grandparent, grandchild, sibling of an employee, brother-in-law, sister-in-law; or
- a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee; or
- a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules, or any other recognised cultural definitions.

4.3. Acts and behaviours associated with family and domestic violence vary in type, duration, intensity and frequency and are further described below:

- Physical violence can include slaps, hits, punches, being pushed downstairs or across a room, choking and burns, as well as the use of knives, firearms and other weapons.
- Sexual violence can include rape; sexual abuse; unwanted sexual advances or harassment and intimidation at work and elsewhere; being forced to watch or engage in pornography; sexual coercion; having sexual intercourse because you are afraid of what your partner might do; forced prostitution; and trafficking.

- Psychological and emotional abuse can include intimidation, belittling, humiliation, coercive control and the effects of financial, social and other non-physical forms of abuse.

4.4. The types of violence described here are not an exhaustive list of all possible acts and behaviours that can be classified under the umbrella term of family and domestic violence.

Source: Australian Institute of Health and Welfare 2019. Family, domestic, and sexual violence in Australia: continuing the national story 2019. Cat. No. FDV3. Canberra: AIHW.

5. Commitment

5.1. WHC is committed to promoting a safe respectful and supportive workplace free from all forms of violence, including domestic and family violence.

5.2. WHC is committed to providing assistance to employees experiencing domestic and family violence, with the aim of supporting their safety and continued participation in employment, and to ensuring they are not disadvantaged because they are experiencing domestic and family violence.

5.3. Any disclosure to WHC or request for support made by an employee who is experiencing, using or supporting someone experiencing domestic and family violence will be dealt with on a confidential basis. All personal information given in relation to situations of domestic and family violence will be kept confidential as far as is reasonably practicable and will only be disclosed as required by law, or where legally imperative to protect the life, health or safety of the employee or another person. No information will be kept on a personnel file without their express permission.

5.4. Personal information provided by employees to WHC concerning issues of domestic or family violence will be used solely for the purpose of assessing that individual's needs and determining and applying any appropriate support mechanisms as required and agreed between WHC and the employee.

5.5. A WHC employee will not be disadvantaged, victimised or otherwise subjected to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the support for an individual experiencing domestic or family violence.

5.6. WHC will take immediate action on any potentially dangerous instances of domestic and family violence within the workplace or on company property. Where an employee discloses use of violence or abuse and requests Company support, the Company will refer the employee to professional services who offer a specialised behavioural change program and/or relevant external providers, including access to the WHC Employee Assistance Program. In addition, it is important that users of violence or abuse are clearly informed that as per our STRIVE values of Safety and Respect and Whitehaven Coal Limited's Code of Conduct, violence or abuse of any form is unacceptable.

5.7. Where both parties in respect of an experience of family and domestic violence are WHC employees, the focus should be on the safety of the employee experiencing violence and abuse. Decisions on responding to the user of violence or abuse need to be made with the full involvement of the employee affected by the violence to avoid any unintended negative impacts on them.

5.8. Where the individual affected by family and domestic violence is not a WHC employee and there is no independent channel of contact or communication, caution is to be taken to ensure no harm or detriment to their safety occurs.

5.9. Where it is suspected an employee may be using violence or abuse, an individual tailored approach including advice from Whitehaven's General Counsel is required before responding.

6. Organisational Support

6.1. WHC will assist employees experiencing the effects of domestic and family violence with the aim of supporting their continued participation in employment and to ensure they are not disadvantaged.

6.2. The support WHC offers to employees will be tailored according to the employee's needs and circumstances, but may include:

- Training and support, open to all employees, so they are equipped to support an employee or colleague that may be affected by family and domestic violence.
- Coordinating existing support services available at WHC (including access to confidential and professional counselling).
- 10 days paid domestic and family violence leave for an employee who:
 - is experiencing violence or abuse and requests leave to seek help including, but not limited to, counselling, medical appointments, legal proceedings, care of dependents, relocation arrangements and any other activities that may be necessary.
 - Discloses use of violence or abuse and requests leave to seek help to change their abusive behaviour and/or improve the safety of their family
 - Is supporting a colleague or family member who is experiencing family and domestic violence.
- The 10 days paid leave may be extended for employee's experiencing violence or abuse at the Company's absolute discretion having regard to the employee's particular circumstances or when the necessity arises as specified in a relevant protection order.
- Access to flexible work arrangements.
- Access to family rooms should employees need to attend work with children (subject to availability by location).
- Preparing and implementing safety plans.
- Co-operating with police/legal orders.
- Protecting employee health and safety in WHC workplaces.
- Any other supports, measures or adjustments that are appropriate and able to be offered by WHC.

6.3. An employee who experiences situations of violence and abuse in their domestic or family life that may adversely impact on their attendance and/or performance in their employment will not be disadvantaged.

For immediate support, employees can contact:

- 1800 RESPECT (1800 737 732) www.1800respect.org.au
- NEWPSYCH: EMPLOYEE ASSISTANCE PROGRAM FOR NSW (EAP) 02 4926 5005
- GRYPHON PSYCHOLOGY: EMPLOYEE ASSISTANCE PROGRAM FOR QLD (EAP) 07 4953 5499

7. Perpetrating Domestic and Family Violence in the Workplace

7.1. WHC does not tolerate domestic or family violence and prohibits this violence being perpetrated in, or from, the workplace. WHC will not tolerate the misuse of company resources to engage in behaviour that threatens, harasses, victimises or abuses another person. Behaviour of this nature may be a breach of the organisation's Code of Conduct, Diversity and Inclusion Policy, and other related company policies.

7.2. If an employee is observed, or suspected of, perpetrating domestic or family violence in, or from, the workplace, WHC has a responsibility to undertake appropriate action which would include reporting such behaviour to People and Culture, and relevant external authorities.

7.3. WHC encourages all employees to confidentially disclose to their leader or People and Culture any allegations of, or court proceedings involving, domestic and family violence orders in which they are the respondent to ensure reasonable adjustments work may be made as well as access to counselling or Employee Assistance Program support.

8. Roles and Responsibilities

8.1. Responsibilities of Employees

- Comply with the obligations under this and related policies.
- If handling a disclosure of family and domestic violence, the employee must check immediate safety and maintain confidentiality.
- Speak up about behaviour in the workplace that is not consistent with this policy. Issues can be raised with leaders or the People & Culture Business Partner.

8.2. Responsibilities of Leaders

- Provide ongoing support, workplace adjustments and leave.
- Seek help and advice from the People & Culture Business Partner as required to ensure this policy is applied appropriately, whilst maintaining confidentiality.

8.3. Responsibilities of People & Culture

- Provide advice, support, information and referrals.
- Prepare safety plans.
- Assist leaders to apply the policy appropriately.

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