

Data#3

Delivering
the **Digital**
Future

Code of Business Ethics



Contents

1	Message from our Chief Executive Officer	1	4.6	Gifts and hospitality	19
2	Introduction to the code	2	4.7	Fair competition	20
2.1	Who is covered under the code?	2	4.8	Obtaining competitive intelligence fairly	21
2.2	Making ethical choices and assistance with the code	2	4.9	Protecting company assets and resources	22
2.3	Our culture, core values and ethical foundations	2	4.10	Social media	22
2.4	The role of our leaders	4	4.11	Business continuity	23
2.5	Speaking up	4	4.12	Information security	23
2.6	Making a report	4	4.13	Electronic communication	24
2.7	How reports are handled and possible outcomes	5	4.14	Keeping accurate financial records and accounting controls	25
2.8	No retaliation	5	4.15	Business travel expenses and essential travel criteria	26
3	Our people	6	4.16	Share trading policy	27
3.1	Promoting and respecting human rights	6	4.17	Continuous disclosure policy	28
3.2	Creating a safe workplace	7	4.18	Tax obligations	28
3.3	Alcohol and drugs policies	9	4.19	Trade compliance	28
3.4	Social events policy	9	5	Integrity in our dealings with customers	30
3.5	Employee assistance program (EAP)	9	5.1	Committed to quality solutions and customer satisfaction	30
3.6	Rehabilitation and return to work policy	10	5.2	Fair dealing and good faith	30
3.7	Domestic violence	10	5.3	Advertising and marketing	31
3.8	Diversity, equal opportunity and inclusion – embrace!	11	5.4	Customer information privacy	31
3.9	Open dialogue between colleagues	11	6	Integrity in our dealings with our providers and vendors	33
3.10	No tolerance for harassment, bullying or victimisation	12	6.1	Our provider code of ethics and conduct	33
3.11	Protect the privacy of employees' personal information	14	6.2	Lifecycle management of our providers	33
4	Cultivating our corporate character and protecting our business	16	7	Respecting our communities and the environment	35
4.1	Acting ethically, lawfully and with integrity	16	7.1	Environmental sustainability	35
4.2	Making mistakes and non-compliance	16	7.2	Social sustainability practices	35
4.3	Anti-bribery, anti-corruption and conflict of interest	17	8	Additional Resources	37
4.4	Facilitation payments, secret commissions and money laundering	18	8.1	People	37
4.5	Political donations	18	8.2	Policies and other key documents	37

Message from our Chief Executive Officer

“Times change, technologies change, but ethics remains a constant. The desire to do what is right is just as relevant today as it was when Data#3 was formed in 1977.”

At Data#3, we are committed to doing the right thing and acting with integrity. As we harness the power of people and technology for a better future, to enable our customers’ success, we are committed to operating with the highest ethical standards and making a positive difference in everything we do. Culturally, this is at the HEART of what makes us a trusted colleague and business partner, and in turn sustains high community and investor stakeholder confidence.

Since our beginnings, Data#3 has built its reputation not only on technical excellence, but on engaging with customers and suppliers fairly and honestly. As the organisation has grown and developed, this attitude has remained a constant. Over Data#3’s long history, our ingrained sense of ethical business principles – including acting responsibly and with fairness – have been established and “lived” by our leadership team and staff.

We have a stated objective of being leaders in our industry in ethical business practices.

Underpinned by our core values, HEART (Honesty, Excellence, Agility, Respect and Teamwork), this Code of Business Ethics (the Code) reflects Data#3’s corporate soul. It describes the conduct expected of everyone working for, or in association, with Data#3. The aim is to provide a guide to assist us in making good, ethical decisions and translating our values into concrete actions every day. As community expectations evolve and technology changes, this Code will help ensure that we are well prepared to adapt, without ever losing sight of the ethical approach that is central to our character.

Brad Colledge

Brad Colledge

Chief Executive Officer and Managing Director

**Message
from our CEO**

**Introduction
to the code**

Our people

**Cultivating
our corporate
character and
protecting our
business**

**Integrity in our
dealings with
customers**

**Integrity in our
dealings with
our providers
and vendors**

**Respecting our
communities
and the
environment**

**Additional
resources**

2. Introduction to the code:

Put simply, ethical practices make good business sense. And we recognise that ethical business doesn't happen by chance. It takes the entire business to create a positive culture that supports doing the right thing, even when that is not easy. From our recruitment processes onward, we seek out and develop people who share our core beliefs about ethical behaviour. We also strive to create an environment where our people are supported to make good decisions and feel free to ask questions and speak up when something isn't right. So that even if a mistake is made, the focus is on making things right and limiting any impact on customers, vendors, and suppliers. Ultimately, good business ethics aids staff morale, fuelling productivity, so everybody wins.

This Code has been designed to articulate the goals and strategies of our Ethics and Compliance Framework (our way of organising the expected standards for appropriate conduct applicable to all employees). This Code sets the standard for the way we behave as individuals and as an organisation. It is written as a practical set of guiding principles that have been designed to help staff make ethical decisions in their day to day work.

Underpinned by our core values, this Code is supported by a number of more detailed policies and guidelines which are referenced and summarised in this document.

Data#3 may waive certain provisions of this Code where circumstances warrant doing so, based on the best interests of the company and its stakeholders. Any waiver pertaining to an employee must be approved by the General Counsel and by the Managing Director/Chief Executive Officer.

2.1 Who is covered under the code?

This Code applies to all Data#3 employees, contractors or independent consultants. You are expected to honour and comply with this Code whenever you are identifiable as a representative of Data#3 – this may mean outside of the work hours or the office, even when working online.

2.2 Making ethical choices and assistance with the code

It would not be feasible to cover every possible application of this Code and our key Policies and Guidelines within the scope of this document. It is not possible to have a policy or guideline that covers all conduct and decision making. Not every situation you encounter will be straightforward and it will be up to you to use your common sense and listen to your conscience when making decisions to ensure you are protecting both Data#3's and your own reputation. To support situations where ethical decision making is not straightforward, you must utilise a collaborative decision making model. This means, if you are unsure about a situation, initially test yourself with the following questions:

- Is it fair and honest?
- Is it legal?
- Is it consistent with the Code of Business Ethics? Does it align with our core values (HEART) or policies?
- Does it benefit Data#3 as a whole – not just a certain individual or group?
- Would I feel unconcerned if this appeared in a news headline, or if my manager or family found out?

Any 'no' or 'unsure' answers to any of these and you need to – STOP, rethink your decision making and reach out for guidance for your decision making – collaborative decision making. It should include at least two of the following:

- Your General Manager or their Executive Manager
- Your Local Ethics Champion
- Chief Ethics and Compliance Officer (GEAR)
- Chief People Officer
- Your Manager

This Code forms part of Data#3's Ethics and Compliance Program. This Program is administered by Data#3's GEAR Team (Governance, Ethics, Assurance and Risk). A member of the GEAR team can assist you with any questions you may have in relation to this Code, and help point you in the right direction where they cannot be of direct assistance. Our Ethics and Compliance Officer manages our GEAR Team. For further information on all things GEAR, refer to the [GEAR Hub](#) on StaffNet or email: gear@data3.com.au

2.3 Our culture, core values and ethical foundations

Enabling our purpose, vision and strategy

Our purpose: Our core purpose is to enable our customers' success.

Our vision: Our vision is to harness the power of people and technology for a better future.

Our value proposition:

- **Our customers** – what we do for our customers enables their success
- **Our partners** – we invest to release the value of our partners' offerings
- **Our people** – we inspire and support our people's passion for excellence and to do their best every day

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

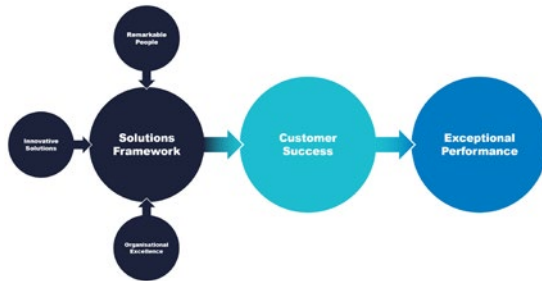
Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

- **Our shareholders** – we reward our shareholders for their confidence and support
- **Our community** – we work to support the communities we operate in and make a meaningful difference

Our strategy: Our strategy is to enable our customers' digital transformation by creatively evolving our solutions capability.



Our core values

Our core values inform our ethics, which in turn guides our decision making.

A key component of Data#3's vision is recognising that making good decisions and engaging in ethical conduct by our employees and those we choose to partner with shapes the culture of Data#3 and lies at the heart of our values.

HEART – Honesty, excellence, agility, respect and teamwork



Value	Expected Behaviours	Examples of Action
Honesty	A culture focused on honesty is the foundation for meaningful relationships and credibility for action taken.	<ul style="list-style-type: none"> • Be open, authentic and honest in all your dealings, even if you fear the consequences for Data#3 or for yourself • Never use your position or any information you receive to further your own personal interests • Use Data#3 assets and resources appropriately and for proper business purposes • Immediately report any suspicions of wrong-doing, fraud, theft or other dishonest behaviour by others
Excellence	<p>Commitment to pursue excellence and keep an edge, requiring constant improvement to goals, processes and systems.</p> <p>Strive to be a leader in ethical business in our industry.</p>	<ul style="list-style-type: none"> • Engrain and maintain an ethical business leadership mindset • Pay attention to detail, proof-read your emails, follow up when you say you will • Learn from your mistakes – see them as feedback that provides you with the information you need to learn, grow and succeed • Respond to changing laws and community standards
Agility	Continual improvement and adapting to change without losing momentum or vision. Demonstrate the ability to respond to rapidly changing market conditions.	<ul style="list-style-type: none"> • Have the courage to put your hand up with a new idea or new process • Commit to continual improvement and learning • Embrace change initiatives with a positive approach • Be aware of the impact of change initiatives and prepare for it
Respect	Treating others with respect to build personal and professional relationships, regardless of position or circumstances.	<ul style="list-style-type: none"> • Be fair and consistent in your treatment of everyone • Accept and support decisions once they have been made • Acknowledge that people won't start to trust you until you start to trust them • Give credit where it is due and value the contributions of others • Put yourself in another's shoes and try to understand their motivations before judging their actions • Never discriminate against, harass, or bully fellow Data#3 team members, customers, or vendors. Apart from being disrespectful, it is illegal • Do not give out information regarding a fellow team member without first gaining their express permission
Teamwork	Sharing of knowledge and ideas and valuing the different strengths each individual is able to contribute.	<ul style="list-style-type: none"> • Openly encourage and support your peers • Listen to others with an open mind and encourage them to share their work experiences • Act unselfishly and be dedicated to your team • Share your knowledge and your experience with others

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

2.4 The role of our leaders

As leaders in our business, we have a key role to play. This means both acting ethically and setting the standard for others to do so as well. As leaders we have an opportunity to inspire others to do the right things but also consider the kind of people they want to be.

As leaders we are expected to set the standard:

- **Lead by example** – consistently living up to our values and standards of conduct
- **Set the tone and actively promote** – ensure our culture is ethical, proactively promote the Code and discuss the value and importance of ethics and compliance with your team regularly
- **Take action** to prevent violations of the Code
- **Emphasise the substance behind performance** – not just the performance itself
- **Build a speak up culture** where employees feel safe to raise concerns. Remember – a healthy and safe culture allows for questioning, if you're not sure about something raise it without fear of reprisals.
- **Action any reported concerns** promptly and appropriately
- **Ensure there is no retaliation** against anyone who speaks up in good faith

2.5 Speaking up

Do the right thing, even when it's challenging.

We believe a healthy culture of corporate compliance and ethical behaviour is best supported where employees are aware of appropriate mechanisms within which to report conduct that does not meet our high standards. We strive to create an environment where employees are comfortable to speak up when they have concerns or questions.

We expect everyone to:

- report any breaches of this Code, including perceived malpractice, impropriety, unethical behaviour, legal or regulatory non-compliance or questionable accounting or audit matters;
- have the confidence to speak up about possible wrongdoing; and
- receive protection from any victimisation, harassment or discriminatory treatment, reprisal or detrimental action resulting from reporting such conduct.

Speaking up is important as it:

- enables effective compliance with relevant laws
- contributes to a healthier and safer work environment through the reporting of unsafe practices
- results in more effective management
- improves morale within the company
- enhances the perception and reality that the company is taking its governance obligations seriously and addresses such obligations in a transparent way
- protects our business and people
- enables us to address the problem and take the necessary steps to remedy/rectify the situation
- helps us to improve how we operate

Turning a blind eye to something you know isn't right is a way of condoning it.

If you experience or witness unethical, illegal, inappropriate, fraudulent or disrespectful behaviour it is your duty to speak up and it is our duty to ensure you do not experience negative consequences as a result of doing so.

2.6 Making a report

To support our staff, and other interested parties, to report conduct that may not meet our high standards, or to ask a question when things seem unclear, you have many options available to you to provide assistance:

- Your manager, or another manager you trust;
- Data#3's Ethics and Compliance Officer or member of the GEAR team: gear@data3.com.au
- A Group Manager, General Manager or Executive General Manager
- An Ethics Champion in your region (refer to contact details in Appendix)

All complaints and information received are treated in a sensitive, fair, timely, and confidential manner.

You can also make a confidential report by sending an email to:

- whistleblower@data3.com.au (also available to external persons to raise serious concerns with Data#3);
- gear@data3.com.au

You are also entitled to make a report anonymously.

Our Whistle-blower Policy is available here: www.data3.com/policy/

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

2.7 How reports are handled and possible outcomes

- All reports will be handled discreetly and investigated without delay
- An investigator will carry out all investigations impartially, as quickly as practicable and in accordance with natural justice
- An investigation could involve:
 - Determining facts by conducting interviews, or reviewing documents
 - Contacting employees who may have information about the incident
- All Data#3 employees are expected to fully cooperate with any investigation, if requested to do so by the investigator
- Any information you share as part of the investigation will be handled discreetly and only conveyed to those who are required to be informed
- If the investigation confirms the code violations or misconduct, the person responsible may be subject to disciplinary action.
- At Data#3, we are all subject to the same rules regardless of position
- Depending on the nature of the breach, disciplinary action could range from a verbal warning or additional coaching or training through to employment consequences, such as termination of employment.
- An individual may also be exposed to criminal and/or civil liability.

For further information, Data#3 has a Conduct and Complaints and Investigations Policy available on StaffNet.

2.8 No retaliation

At Data#3, we take our no retaliation (victimisation) policy very seriously. We encourage openness and will support anyone who raises genuine concerns in good faith, even if they turn out to be mistaken. We have zero tolerance for any type of retaliation and are committed to ensure no one suffers detrimental treatment as a result of reporting concerns or misconduct in good faith.

We will not tolerate the harassment or victimisation of anyone who raises a genuine concern and will deal with any such occurrences under the Complaints and Investigations and disciplinary procedure.

Scenario:

You recently helped a colleague lodge a harassment complaint and are now being subjected to harassment yourself. Is this victimisation?

Response: Yes, it is. A person should be able to stand up for his or her rights, or assist others to do so, without fear of being treated unfairly in return. It is against the law to victimise someone who intends to make, or who has made a complaint, or assisted someone else to make a complaint.

For further information, Data#3 has a Harassment, Discrimination, Bullying and Victimisation Policy available on StaffNet.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

3. Our people

People are our priority and we are committed to maintain a safe, inclusive and supportive working environment where the human rights of all are upheld and respected. We are expected to treat all people we deal with, with dignity and respect, regardless of their position or circumstances.

3.1 Promoting and respecting human rights

Human rights are universal and every person around the world deserves to be treated with dignity and equality. Basic rights include freedom of speech, privacy, health, life, liberty and security, as well as an adequate standard of living. While governments have the duty to protect individuals against human rights abuses by third parties, businesses are recognising their legal, moral and commercial need to get involved.

At Data#3 we recognise and uphold the respect for human rights in our operations and supply chain in accordance with international standards, including the UN Guiding Principles on Business and Human Rights. We do not tolerate any form of modern slavery and are committed to playing our part in its eradication. We value the communities in which we operate and support initiatives to uplift the way people work and live.

What does this mean?

Respect human rights: We uphold and respect the human rights of all people and are committed to operate our business lawfully and ethically.

Comply with the law: We are committed to ensure employees' rights are respected and that relevant labour, employment, health and safety and human rights laws and standards are being adhered to. This includes (but not limited to) freedom of movement and communications, fair remuneration and provision of a safe working environment.

Commitment to abolish modern slavery: We have a zero-tolerance approach to Modern Slavery and are committed to acting ethically and with integrity in all our business dealings. We confirm our commitment to playing our part in the abolishment of modern slavery.

Our provider Code of Ethics and Conduct: This document sets out the standards we expect our providers to adhere to which includes operating with the highest ethical standards and complying with all relevant laws, regulations and licenses (refer to section 6.1 of this Code "Our Provider Code of Ethics and Conduct").

Modern Slavery Policy and statement: We produce and publish our Modern Slavery Statements in accordance with the Modern Slavery Act 2018 (Cth). It covers the approach we are taking to assess and implement actions to minimise the risk of modern slavery occurring in our operations and supply chain. This statement, together with our Modern Slavery Policy, are available on the Data#3 website at: www.data3.com/policy/

What are my responsibilities?

Everyone has a role to play: Modern Slavery is a complex issue and abolishing it requires a collective effort from all stakeholders. Everyone working for Data#3 has the duty to prevent, detect and report modern slavery or human rights concerns in our business or supply chains.

Be aware: be familiar and comply with Data#3 Modern Slavery Policy and avoid any activity that might lead to a breach of this policy. If you don't know what constitutes Modern Slavery, you need to read the policy.

Duty to report: If you believe or suspect a breach of our Modern Slavery policy has or may occur, (either by Data#3 or a Provider) you are expected to raise your concern by making a report (refer to section 2.6 of this Code – "Making a Report").

Managers' responsibility: Management at all levels are responsible for ensuring those reporting to them understand and comply with Data#3's Modern Slavery policy and have completed the required training on this important topic.

Scenario 1:

Data#3 uses an outsourcing company to supplement its workforce. It has come to your attention that this company, who mainly employs migrants, has a policy of retaining the original identity documents of its workers. What do you do?

Response: You should report this immediately (refer to section 2.6 of this Code "Making a Report"). Retention of identity documents, or other valuable personal possessions by an employer could be an indicator of forced labour (other common forced labour indicators include – charging recruitment fees, contract substitution and employers restricting an employee's freedom of movement). Once the report has been made, we will reach out to the provider to review and assess the situation, and if applicable, work with them to remedy it.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Scenario 2:

If one of our Providers featured in an overseas media report for allegedly not paying workers fairly and for providing poor working conditions at one of their overseas branches, what steps, if any, should you take?

Response: You should bring it to the attention of your manager or Data#3's Ethics and Compliance Officer in case they are not aware of it. Even though sub-standard working conditions do not necessarily mean the existence of modern slavery, it could be an indication of it, and this information is important as it will inform our due diligence and our modern slavery risk assessment of the Provider. According to the Australian Department of Home Affairs *"Modern slavery happens at the most extreme end of a spectrum that ranges from decent work to serious criminal exploitation."*

Modern Slavery is a crime and a violation of fundamental human rights. It can take various forms, such as:

- slavery
- servitude
- forced and compulsory labour
- human trafficking and
- any related exploitation (together Modern Slavery)

If you are unsure whether a particular act, the treatment of workers or their working conditions within any of Data#3's supply chains constitutes any of the various forms of modern slavery, please raise it with your manager, or bring it to the attention of the Ethics and Compliance Officer.

3.2 Creating a safe workplace

Our work health and safety (WHS) responsibilities are integral to the way we do business. The safety of our people, our customers, contractors, visitors, and those in the community who may be impacted by our operations is paramount. These responsibilities have become more apparent as our staff are increasingly being asked to work at higher risk locations, in support of our customers and also the focus on psychosocial hazards in the workplace.

What does this mean?

Responsibility: We are all responsible for taking appropriate steps to ensure a safe and healthy workplace for all. WHS management matters everywhere that work is completed including: our offices, warehouses, integration centers, customer sites, work related events and while traveling for work.

Hazard and risk management: Are the cornerstone of our health and safety management. It ensures hazards associated with work are identified and eliminated or, where elimination isn't possible, managed to prevent incident, injury or ill health.

Work conditions: We provide safe and healthy working conditions for the prevention of work-related injury and ill health. We undertake enhanced due diligence of higher WHS work locations at customer controlled sites.

Early detection: We encourage the early detection, reporting and management of work-related ill-health and injuries.

Legal compliance: We comply with relevant legislative requirements and standards in relation to health and safety management.

What are my responsibilities?

Personal responsibility: Accept a personal responsibility to ensure a safe and healthy workplace for yourself, your colleagues and our customers. You should continuously and proactively engage with workplace health and safety. One way you can do this is by managing hazards, or reporting uncontrolled hazards in the workplace (refer to definition of hazard below).

Be aware: Be familiar with and adhere to all Data#3 health and safety policies and procedures, and applicable safety laws. Please see this link for a copy of Data#3's WHS Policy: www.data3.com/policy/

Report promptly: Employees and contractors are responsible for reporting uncontrolled hazards, incidents and injuries that occur by using the WHS Incident Report Form (in eForms). Persons who do not have access to StaffNet must have an Incident Form submitted on their behalf by their Manager).

Priorities: Never prioritise business goals over people's health and safety.

Managers and supervisors: If you are a manager or supervisor, you have a heightened responsibility to:

- Maintain a level of expertise in workplace health and safety
- Understand hazards and risks associated with work
- Ensure staff are trained and competent and provide supervision where needed
- Inform workers on health and safety matters that may affect them
- Allow workers to have their say in health and safety (consultation)
- Act on reports of workplace hazards and incidents

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

- Monitor WHS, address issues and look for continuous improvement
- Advise Data#3 senior management of unresolved health and safety concerns

What is a hazard?

- A **hazard** is a situation, piece of equipment etc. that may cause harm to a person that has not been managed. Examples of hazards include:
- A wet floor, trailing lead or broken step may be a hazard because there is a risk that someone could slip or trip and injure themselves.
- Equipment that is not in good working order may be a hazard because there is a risk that it could injure someone.

What is an incident?

- An **incident** is a situation where an event has occurred, such as someone being hurt, equipment damaged or a 'near miss' that did not result in injury but could have done so. Examples of incidents include:
- Someone has slipped or tripped and injured themselves.
- Equipment that is broken and injured someone.

Data#3's hazard and incident reporting requirements and processes are detailed on the WHS Management System on StaffNet. For more information on reporting a hazard or incident, view the [WHS Incident Form](#).

Scenario 1:

While travelling for work related purposes, you slip while boarding the plane and sustain a minor ankle sprain. You feel it is not serious enough to raise a WHS incident report and don't want to create a fuss. What should you do?

Response: You should report the incident. The expectation is to report an incident or injury (irrespective of its severity) to your Manager and formally inform WHS, via an incident eform, as soon as convenient, but in any event within 24 hours. You can also get a colleague to log an incident on your behalf.

Scenario 2:

You're making yourself a cup of coffee in the office kitchen when you spill some milk on the floor. You realise you should probably do something about the spill but you're in a hurry and feel confident someone else will see it and attend to it. On the way out of the kitchen you almost trip over a couple of large boxes in the walkway but you continue to rush to your next meeting. What should you have done in this scenario?

Response: A positive work, health and safety culture requires everyone to look out for others. You should immediately clean up the spilt milk! In relation to the boxes, you should stop, and if safe to do move the boxes in the walkway, or if not safe, call your Office Manager for assistance and wait for instructions. You should promptly raise a hazard e-form and advise the steps you have taken.

These issues must be dealt with or reported to the relevant Manager or Supervisor.

Scenario 3:

At a warehouse you save one of your colleagues from a potential accident involving a forklift. Luckily, no one was injured. What should you do?

Response: You must report the near miss as soon as possible and include as much detail as possible. Correctly reporting any incidents or near misses forms a critical part of work health and safety. Reporting helps to identify hazards in the workplace and allows the organisation to take steps to eliminate or control them. (You can report the incident by using the WHS Incident Report Form (in eForms). (Persons who do not have access to StaffNet must have an Incident Form submitted on their behalf by their Manager).

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

3.3 Alcohol and drugs policies

Alcohol and drugs (including prescription medication) can affect fitness for work and are associated with impaired judgement and skills, reduced concentration, absenteeism and increased rates of incidents. These behaviours and activities can seriously affect health and safety at work for not only you but your colleagues as well as impact Data#3's reputation.

What does this mean?

Policy: Data#3 has an Alcohol and Drugs Policy which is available internally on StaffNet.

Prohibited: Being intoxicated by alcohol or being under the influence of drugs at work (office, client site, warehouse etc).

Management action: If personnel (including contractors) are suspected of being under the influence of drugs or alcohol, management action will be taken.

Functions: Alcohol is permitted at specified Data#3 functions, however you must self manage consumption and act appropriately, adhering to the Data#3 core values at all times

What are my responsibilities?

Awareness: Be familiar with and follow Data#3 Alcohol and Drugs Policy and complete your mandatory training on this topic.

Perform duties: You must not perform your duties, remain at work, or participate in work related activities if under the influence of alcohol or drugs.

Tests: For some clients' sites, Data#3 personnel are required to undertake a drug or alcohol test. If your role requires you to work on these sites, you must comply with this requirement. **Note a positive result may require removal from the site and possible termination of employment.**

For further information, refer to Data#3's Alcohol and Drugs Policy available on StaffNet.

3.4 Social events

Conduct at work-related events should be appropriate, safe, compliant with relevant legislation and not create unacceptable business risks.

What does this mean?

Reputation: As Data#3 representatives, our behaviour at work-related events could impact the company and our own professional reputation.

Work-related events refers to any event or function that is connected to work including for example work lunches, conferences, staff meetings, team building activities, after work drinks, Christmas parties, vendor or customer functions etc.

What are my responsibilities?

Act responsibly: Responsible and moderate consumption of alcohol is permitted at authorised Data#3 work-related events. You must not become intoxicated.

Professional conduct: You must conduct yourself in a professional manner during any work-related event.

Confidential information: You must not discuss or disclose Data#3 confidential information, or information that may be valuable to Data#3 competitors, partners, vendors, customers, while attending work-related events where members of the public, competitors, partners or vendors are in attendance.

Social media: Do not take photographs or videos of others during a work-related event and post these to social media platforms without the express consent of the other person.

Drugs: Zero tolerance consumption, use, delivery, exchange, purchase, manufacture, sale, transfer or distribution of drugs during a work-related event is strictly prohibited.

For further information, refer to Data#3's Social Events Policy, available on StaffNet.

If you are facing an issue related to alcohol or drugs, you are encouraged to reach out to your HR Advisor, your Manager or eap@data3.com.au. We are here to support you and have a number of resources available through our Employee Assistance Program (EAP) – see section 3.5 below.

3.5 Employee assistance program (EAP)

Data#3's EAP provides employees with access to support and resources to help them manage personal or professional challenges that are impacting their well-being or work performance. In delivering this benefit, Data#3 has partnered with a leading Australian external corporate mental health care provider who offers a confidential service where employees have access to licensed psychologists, counsellors and other qualified specialists to receive short-term assistance and solution focused support to guide them through their current challenges.

What does this mean?

Access: Data#3 employees, as well as their (dependant) family members, have access to a range of different resources designed to improve work/life balance and foster good health and wellbeing. Can access these benefits anytime.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Culture: We work to encourage all our employees to take care of their mental health and work to create a transparent culture where individuals who experience conflict are comfortable talking to their managers or the HR team to seek advice and support.

Services: Support is offered through a range of services including:

- Manager Assist
- Career Assist
- Conflict Assist
- Nutrition and Lifestyle Assist
- Money Assist
- Family Assist
- Legal Assist
- Employee Assist

What are my responsibilities?

Speak Up: If you, as a Data#3 employee, are facing a personal or professional challenge email: eap@data3.com.au detailing the type of assistance you require and who the service is for (yourself, your partner, child or parent). You will then receive an email providing you with a phone number and referral reference number.

Next steps: Once received, simply call the number provided, quote your reference number and arrange a convenient time for an appointment.

Further information: If you have any questions, would like further information or would like to speak to someone about Data#3's EAP benefit, then please email: eap@data3.com.au

3.6 Rehabilitation and return to work policy

We are committed to securing safe and healthy workplaces for our people and preventing injury and illness associated with work. Where these issues arise, we are committed to implementing rehabilitation and return to work principles and practices.

What does this mean?

Workplace rehabilitation framework: We have a framework for supporting workplace rehabilitation, recovery and return to work activities.

Compliance: This framework complies with applicable legislation, industry standards, practices and our own company commitment regarding Workers' Compensation.

Supportive culture: We promote a supportive and compassionate culture in the workplace to facilitate the effective return to work of injured and ill workers.

Multidisciplinary approach: We adopt a multidisciplinary approach to workplace rehabilitation and establish rehabilitation and return to work goals.

What are my responsibilities?

Awareness: Be familiar with the Rehabilitation and Return to Work policy.

Support: Contribute to a compassionate culture in the workplace by supporting injured colleagues returning to the workplace.

For further information, Data#3 has a Rehabilitation and Return to Work Policy available at: www.data3.com/policy/

3.7 Domestic violence

Data#3 is committed to support employees who experience Domestic and Family Violence (DFV) and recognises that their personal situation may affect their attendance, health and wellbeing or performance at work.

What does this mean?

We recognise that team members of all genders and orientations may be impacted by DFV, Data#3 is focused on;

- providing leaders with guidance on how to support the wellbeing and safety of all individuals within our workplace,
- Encouraging those who are at risk of, or who are experiencing DFV to seek support, and
- Encouraging those who use violence and abuse to seek support from Data#3 and to be comfortable in doing so.

Our people deserve to feel safe at work, at home, and everywhere in-between. Creating an environment that is centred on our people's welfare, wellbeing, and safety is what brings out the best in our people. By supporting employees to maintain respectful relationships, we are playing our part in the whole-of-community action to prevent harm and create a society in which violence has no place.

What are my responsibilities?

Reach out:

- Employees who experience DFV should contact their Manager or HR Advisor so that Data#3 can support or assist the affected employee with appropriate support for their circumstance.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

- Individual circumstances will differ, therefore support options will be different depending on these circumstances. Support options may include but not be limited to DFV leave, flexible work arrangements and access to Data#3's Employee Assistance Program (EAP).

Individuals affected by DFV may access an initial 10 days paid DFV Leave with the ability to request an extension to this. Additional leave should be discussed with the employee's manager and their HR Advisor who will assess the individual circumstances and work with the employee to put an appropriate plan in place for ongoing support. The leave can be taken as part or full days or within an entire block. For further information, refer to Data#3's Domestic and Family Violence Leave Policy available on StaffNet.

Employee Assistance Program (EAP): If you do not feel comfortable discussing your personal circumstances with someone at work, you can also access the free and confidential counselling support provided through our EAP: eap@data3.com.au – see section 3.5.

Alternatively: You can also gain support through the following services:

- Lifeline** on 13 11 14,
- Beyond Blue** on 1300 224 636, or
- National Domestic Violence Service** on 1800 RESPECT (1800 737 732)

No matter what your circumstances, Data#3 is here to support you, so do not hesitate to contact the [OD&HR Team](#).

WHS support is available within Data#3 through:

- WHS Consultant through LARA and OD&HR
- WHS Contacts in Data#3 offices and premises

Please take the time identify the WHS. Contact for your Data#3 office, go to the WHS Hub for details.

3.8 Diversity, equal opportunity and inclusion – embrace!

Integrity in a work environment is important as it creates a culture of trust and respect which facilitates collaboration and promotes a happy, productive workforce.

What does this mean?

Embrace: Our Diversity program – Embrace, has the goal to reflect the diverse community we serve and create a great and inclusive place to work for everyone by embracing the individual skills, perspectives and experiences our people bring to the workplace and harnessing these for high performance and improved service delivery.

Respect: We value and respect everyone for their distinctive skills, experiences and perspectives.

Balancing responsibilities: Structures, policies and procedures are in place to assist employees to balance their work, family and other responsibilities effectively.

Recruitment: Our recruitment processes embrace diversity.

Employment decisions are transparent, equitable and procedurally fair.

Meritocracy: We ensure employees have access to opportunities based on merit.

Our culture is free from discrimination, harassment and bullying.

What are my responsibilities?

Equality: Be fair and consistent in your treatment of everyone.

Teamwork: Give credit where it is due and value the contributions of others.

Empathy: Put yourself in another's shoes and try to understand their motivations before judging their actions.

Respect: Never discriminate against, harass or bully fellow Data#3 team members, customers or vendors. Apart from being disrespectful, it is illegal.

Scenario:

You are busy conducting interviews for a role that requires a lot of travelling. It comes down to two equally qualified candidates with similar experience, although one of them is a single parent and you have your concerns that they will be able to deal with the amount of travelling required for this role. Should this consideration form part of the final decision making process?

Response: No, making this assumption and taking it into consideration will not only be against this Code but against the law as it would amount to discrimination based on parental status. At Data#3, we believe in providing everyone with equal opportunity and appointing the best candidate, with the right skills, for the job.

For further information, refer to Data#3's Diversity and Inclusion Policy and Equal Employment Opportunity Policy, available on StaffNet.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

3.9 Open dialogue between colleagues

We believe that effective and honest communication is a prerequisite for an open and inclusive culture.

What does this mean?

Open dialogue: Our core values of honesty, teamwork and respect encourage us to work together and to recognise the importance of open and honest dialogue in the way we communicate with each other in day to day business dealings. We strongly encourage open and honest dialogue through team meetings, conference calls, forums and employee surveys, in which we can express our opinions freely. We also encourage open and honest dialogue in managing business issues internally or compliance with internal policies and processes. This also means providing open and accurate information in response to requests for information from those responsible for compliance matters within the business, for example Senior Management.

What are my responsibilities?

Make sure that we have an open, honest and inclusive culture and that you engage positively in open and honest dialogue, provide accurate information and focus on successful outcomes.

Whether as a team member or a team manager, it is important that we all understand and live our core values, which enable staff to encourage and support an environment of open dialogue.

3.10 No tolerance for harassment, bullying or victimisation

We are committed to developing and supporting positive workplace relationships and preventing workplace injuries and illness by taking all reasonable steps to ensure that our working environment is free from discrimination, harassment, bullying and victimisation. Our Discrimination, Harassment, Bullying and Victimisation Policy ("Discrimination Policy") sets out our expectations and gives guidance on how to identify situations of harassment (including sexual harassment), discrimination, bullying and victimisation.

What does this mean?

Zero tolerance: Data#3 expects employees to respect the rights of fellow employees; discrimination, harassment, bullying and victimisation are unlawful and will not be tolerated.

Discrimination means: treating someone less favourably than others would be treated in the same or similar circumstances because of a discriminatory ground including (but not limited to) race, colour, age, gender, sexual orientation, gender identity and expression, ethnicity or national origin, disability, pregnancy, religion, political affiliation, union membership, or marital status. There is no requirement that the behaviour is repeated or sustained.

Harassment means: unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate based on any of the discriminatory grounds (listed above). Both behaviour directed at a particular individual and behaviour that creates a hostile working environment are unlawful. Even a single incident can constitute harassment.

Bullying means: repeated, unreasonable behaviour directed towards an individual or group; that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten; and that creates a risk to health and safety.

Victimisation: occurs when an employee is punished or retaliated against because they made a complaint in relation to conduct that may be contrary to this Code or under another Data#3 policy.

Discrimination Policy: This policy applies:

- In the workplace and during work hours – including when working at other workplaces such as visiting a client or during work-related travel;
- During work-related function or events – such as work lunches, conferences, Christmas parties or client functions; and even
- Outside work – where your conduct may impact on Data#3 or its employees such as the use of social media

What are my responsibilities?

Awareness: Be familiar and comply with the Data#3's Harassment, Discrimination, Bullying and Victimisation Policy available on StaffNet.

Contribute to corporate culture: Play your part in preserving and contributing to our corporate culture, which is grounded in respect, fairness and dignity.

Walk the talk: Act, and encourage others to act, in accordance with Data#3's core values and this Code.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Do not tolerate harassment or discrimination:

Take responsibility to maintain and encourage a workplace that is free of discrimination, harassment, victimisation and bullying. Do not accept any behaviour – including jokes, language or gestures – that may be perceived as offensive, make people feel discriminated against or result in the creation of a hostile environment.

Be accountable for your own behaviour and be prepared to modify your behaviour if required.

Legal responsibility: You are legally responsible for your own workplace behaviour. This means you may be required by relevant authorities to address your behaviour by paying compensation or making an apology to someone if you engage in conduct or behaviour that does not comply with the Discrimination Policy and relevant laws. You may also be convicted by a relevant Court or Tribunal. If you aid, abet or encourage other employees to engage in unlawful conduct, you can also be legally liable. In circumstances where your conduct may involve a breach of any Australian law, the Data#3 Group may be legally obliged to notify the police or other relevant government authority.

If you have observed any conduct or have yourself been subjected to any form of harassment, bullying or victimisation, we encourage you to reach out to your supervising manager, OD&HR or Manager IR for assistance. We treat all complaints seriously and in accordance with Data#3 Complaints and Investigations Guideline.

Scenario 1:

As part of his Sikh religion, Ikbir wears a turban and has an unshorn beard. He recently received an email which was forwarded to their whole team and contained offensive comments about the Sikh religion. During office banter some of his co-workers made jokes about his appearance which made him feel very uncomfortable. What should Ikbir do?

Response: This behaviour amounts to harassment and bullying and is not only disrespectful but against the law and will not be tolerated. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate based on any of the discriminatory grounds (which includes religion). Ikbir, or one of his co-workers observing this conduct, must report this behaviour – refer to section 2.6 of this code *“Making a Report.”*

Scenario 2:

You are considering lodging a bullying complaint against your manager as he or she has been criticising your performance over the last couple of months, pestered you to complete additional training and recently placed you on a performance improvement plan. This has caused you major distress. You accept that you have not been hitting your deadlines or targets but did not expect it to come to this. Does your manager’s action constitute bullying?

Response: Reasonable management actions such as providing constructive criticism or placing an employee on a performance improvement plan is generally not considered bullying. Managers have a legitimate right to expect a certain standard of performance from employees and to take steps to monitor performance and provide feedback. However, they must ensure that this is done in a fair and respectful manner demonstrating Data#3’s core values.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Scenario 3:

A couple of colleagues often tease one of your co-workers by making fun of his or her ideas and responding with sarcasm when he or she asks for assistance. They seem to think it is just good natured banter but you have recently noticed the specific individual becoming more with-drawn and absent from work. What should you do?

Response: Repeated, unreasonable behaviour of this nature could have a detrimental impact on the psychological health of your co-worker and be classified as bullying. You are encouraged to report any conduct or behaviours that you may observe in the workplace that may be contrary to the Discrimination Policy to your supervising manager, OD&HR or Manager IR, particularly where you have serious concerns about the health and safety of the target of that behaviour. It is not however your responsibility to personally confront the person engaging in conduct potentially in breach of the Discrimination Policy.

Scenario 4:

Someone who reports to you has accused you of bullying. You feel distressed as you believe these allegations are not justified. What should you do?

Response: If you are accused of bullying, it is important to keep written records of the allegations made against you, including full details of the allegations, the date, time and place the allegations were made, and if there were any witnesses present. Even if you feel the allegations are unfounded you should co-operate with the investigations, remain calm and be considerate of the other person's perspective.

Workplace Harassment Myths

Myth	Fact
If I have good intentions, my behaviour cannot be considered harassment.	Often, people who are guilty of workplace harassment are not aware that their conduct is unwanted and offensive. Harassment depends on how the behaviour was received (perception of the victim) - not on intent.
If a colleague's behaviour bothers you but everyone else seems to be fine with it, you should just accept it as well.	<p>If you find conduct offensive, you should report it so that it can be addressed before it becomes severe.</p> <p>Everyone has a role to play in preserving our corporate culture which is grounded in respect, fairness and dignity. We also care for the health and safety of our colleagues</p>
Giving co-workers slang "nicknames" in reference to their race, cultural heritage or ethnicity is acceptable, as long as it is done in the spirit of good-natured banter.	<p>Bad intent is not a requirement for harassment. It is how the conduct is received by the victim.</p> <p>This conduct is not acceptable in the workplace.</p>

For further information, Data#3 has a Harassment, Discrimination, Bullying and Victimisation Policy available on StaffNet.

3.11 Protect the privacy of employees' personal information

We respect the confidentiality of our employees' personal information and comply with all applicable privacy and data protection laws.

What does this mean?

Personal information: Personally identifiable information (Personal Information) is any information from which it is possible to ascertain the identity of a person. All personal information needs to be protected at law. It should be kept confidential and not shared without the individual's consent. The more sensitive the information (for example, health details, bank details, home address) the more important it is to use measures to keep the information secure.

Comply: We are committed to protecting the personal information we collect from our employees, customers and partners in accordance with Australian Privacy Laws.

Privacy Policy: We have adopted a Privacy Policy which sets out how we collect, use, disclose and otherwise manage personal information – this policy is available on our [external website](#).

Personal records: Access to employees' personal records are limited to those with appropriate company authorisation or as required by law.

What are my responsibilities?

Awareness: Be familiar with and comply with Data#3's Privacy Policy.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Protect your co-workers: If you receive requests for confidential employee information from inside Data#3 who do not have a reasonable basis for requiring that information or any request received from outside Data#3, you must forward the request to your manager and advise OD&HR and LARA.

Secure personal information: If your role at Data#3 requires you to access your co-workers' personal information, or you have access to personal information about people outside of Data#3, you are required to follow Data#3 policies and applicable law to ensure that the information is properly secured, and only accessed, or used as authorised by Data#3 and for legitimate business purposes. Regardless of your role, if you gain access to any personal information you are expected to keep it confidential and secure.

You should not store your own personal information on Data#3's systems unless required for business purposes.

For more information, please refer to Data#3's Privacy Policy available here: www.data3.com/policy/

Scenario:

You receive an email which was sent in error containing the performance reviews and payslips of some of your co-workers. What should you do?

Response: The moment this comes to your attention you should delete the email without reading it and reach out to the person who sent it to you. This may classify as an information security incident and should be reported via the Cyber Hub. You should obviously not make use of this information for any purpose whatsoever. Data#3 will manage its obligations with regard to reporting any security incident.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

4. Cultivating our corporate character and protecting our business

4.1 Acting ethically, lawfully and with integrity

Integrity means being honest and having strong moral principles. A person or business with integrity behaves ethically and does the right thing, even behind closed doors. Workplace integrity is vital to decision-making, serving customers, and managing employees. It's also crucial to reducing costly errors, avoiding illegal activity, and keeping Data#3's core values top of mind.

Many parts of our business rely upon other areas of our business providing accurate and complete information.

4.2 Making mistakes and non-compliance

Making mistakes or errors can occur, as they do across many types of businesses. This can be non-compliance with a Policy or communicating in a manner that doesn't align to our core values. Mistakes are typically either categorised as accidental or intentional and vary from minor to major impacts.

What does this mean?

Part of our Quality Management System assists Data#3 to limit the occurrence of mistakes and to understand why they happen so that any corrective steps can be taken. If you've made a mistake, part of this process typically requires raising it in a timely manner and making full and frank disclosure to staff that are chartered with reviewing the mistake.

Dealing with the mistakes of others – it is important to never take unfair advantage of the mistakes of another party (including colleagues, partners, customers, distributors, providers). As a trusted partner we have a duty to bring the mistake to the attention of the other party (act in good faith).

During day-to-day work, many people require information from you to do their function and meet their responsibilities efficiently and effectively. Assuming a valid request, it is important to provide colleagues with full and complete information.

What are my responsibilities?

When you are asked for information relating to your compliance with policies or guidelines or assisting colleagues with their roles and responsibilities, complete, honest, timely and accurate information must be provided. This can be an area where your responsibility to act in the best interests of Data#3 may not align with your personal interests.

Taking proactive steps to mitigate the impact of a mistake or non-compliance with policies or guidelines is recognised by Data#3. Do not ignore the mistake, take steps to cover it up or take advantage of the mistakes of another.

When facing an ethical dilemma and unsure or conflicted about what the appropriate decision is, communicate and engage in consensus decision-making.

Reach out: Seek help from the Ethics and Compliance Officer if you are unsure how to comply with this Code, or require guidance to navigate a particular situation.

Scenario 1: Non-compliance with legal review policy

As part of my sales role, I have been under customer pressure to win a piece of business and did not obtain all internal management or legal approvals for the contract. However, I now need to get the contract signed.

Response: You should disclose this non-compliance to your manager and to those that were required to provide approval, as if the policy had been complied with.

Scenario 2: Non-compliance with executive bid brief policy

As part of my sales role, I had a major project piece of work with a key customer to win. I am aware of the executive bid brief requirements and dollar thresholds but didn't want to go through this process. I decided to enter the project work into smaller opportunities to ensure the EBB thresholds were not triggered. As part of an internal audit, I've now been asked to provide information on this deal.

Response: You should provide complete, honest, timely and accurate information as part of the internal audit.

Never risk causing harm to our reputation and trust to gain a short-term benefit.

Message from our CEO

Introduction to the code

Our people

Cultivating our corporate character and protecting our business

Integrity in our dealings with customers

Integrity in our dealings with our providers and vendors

Respecting our communities and the environment

Additional resources

4.3 Anti-Bribery, anti-corruption and conflict of interest

We are committed to creating an environment which is free from bribery and corruption and where conflicts of interest are disclosed and properly managed. Our Anti-Bribery, Anti-Corruption and Conflicts of Interest Policy ("Anti-Bribery Policy") aims to protect our business interests and high standard of professionalism and ethical conduct in our operations. This policy is available here: www.data3.com/policy/ We are all responsible for controlling the risks of fraud and financial crimes.

What does this mean?

Bribery is the act of offering, promising, giving or accepting a benefit with the intention of influencing a person who is otherwise expected to act in good faith or in an impartial manner, to do or omit to do anything in the performance of their role or function, in order to provide Data#3 with business or a business advantage that is not legitimately due.

Corruption is the abuse of entrusted power for private gain.

Conflict of Interest: A conflict of interest exists whenever you are in a situation where your private business or personal interests conflict with those of Data#3. Conflicts of interest must be disclosed and properly managed.

Fraud is a crime. It's a deception to benefit someone or cause a loss to someone else.

Zero-tolerance for bribery: Data#3 personnel must not give, offer, promise, accept or request a bribe and must not cause a bribe to be given, offered, promised or accepted by another person.

Zero-tolerance for corruption: Under no circumstances will Data#3 approve of any offers, or make, request or receive an irregular payment or other thing of value, to win business or influence a business decision in Data#3's favour.

Consequences for breaching the Anti-Bribery, Anti-Corruption and Conflict of Interests Policy:

- **For Data#3** – If Data#3 is found to have taken part in bribery or corruption it could be subject to a regulatory fine, be excluded from tendering for public contracts, and suffer serious reputational harm.
- **For employees** – A breach of this policy by a Data#3 employee will be regarded as serious misconduct, leading to disciplinary action, which may include termination of employment.
- **For third-parties** – A breach of this policy by a third-party will be regarded as a breach of the supply agreement, leading to a performance review (which may include termination of the supply agreement) – See section 6 of this Code "Integrity in our dealings with our providers and vendors."
- **Criminal and civil liability for individual** – A breach of this policy may also expose an individual to criminal and civil liability and could result in imprisonment or in the imposition of a significant financial penalty.

What are my responsibilities?

Awareness: Be familiar with Data#3 Anti-Bribery Policy and complete the mandatory training on this topic.

Compliance: Never give, offer, promise, accept or request a bribe or cause a bribe to be given, offered, promised or accepted by another person.

Report: Be vigilant and report any suspected or actual instances of bribery or corruption, or undisclosed conflicts of interest promptly to your line manager and Data#3's Chief Financial Officer or General Counsel (refer to Red Flag examples below). We treat all complaints and information received in a sensitive, fair, timely and confidential manner.

Reach out: Seek help from the Ethics and Compliance Officer if you are unsure how to comply with this policy, or require guidance to navigate a particular situation.

Avoid conflicts of interest by refraining from:

- Performing duties other than for Data#3 or on Data#3's behalf, unless you have Data#3's **prior written permission**
- Engaging in any other employment, business or profession, unless you have Data#3's **prior written permission**
- Engaging in any activities that may lead to a conflict of interest, including accepting any benefit as an inducement or reward for an act or omission for the benefit of another person, without Data#3's **prior consideration**

Key Takeaway: Acts of bribery or corruption are designed to improperly influence an individual in the performance of their duty or function. It is irrelevant if the bribe or form of corruption is accepted or ultimately paid.

Practical scenario: Red flags for bribery and corruption:

The following list of bribery and corruption red flags may arise during the course of working for or providing products or services to Data#3. If you encounter any of the following, you must report them promptly to your line manager and Data#3's Chief Financial Officer or Data#3's General Counsel (not an exhaustive list).

- You learn that a third party engages in, or has been accused of engaging in, improper business practices or that they have a reputation for paying bribes or requiring that bribes are paid to them.
- A third party insists on receiving an irregular or uncustomary commission or fee payment before committing to sign up to a contract with Data#3, or carrying out a government function or process for Data#3.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

- A third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business.
- A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services.
- You learn that a colleague has been taking out a particular supplier for very expensive and frequent meals.
- A third party requests that a payment is made to “overlook” potential legal violations.
- A third party requests that Data#3 provides employment or some other advantage to a friend or relative.
- You are offered an unusually generous gift or offered lavish hospitality by a third party.

Scenario: Conflict of Interest

One of your close family members is a director at a company that Data#3 is considering doing business with. What steps, if any, should be taken to properly manage this situation?

Response: You should disclose this potential conflict of interest to your manager the moment it comes to your attention and raise it with the Ethics and Compliance Officer. How it is managed will depend on the circumstances of the specific situation (such as whether you are involved in determining who receives the contract). The main concern would be to prevent even the appearance that the contact was granted inappropriately.

4.4 Facilitation payments, secret commissions and money laundering

The making of facilitation payments, secret commissions and money laundering is strictly prohibited.

What does this mean?

Facilitation payments – are typically minor, unofficial payments made to secure or expedite a routine government action by a government official or employee.

Secret commissions – typically arise where a person or entity (such as an employee of Data#3) offers or gives a commission to an agent or representative of another person (such as a customer of Data#3) which is not disclosed by that agent or representative to their principal.

Money laundering – is the process by which a person or entity conceals the existence of an illegal source of income and then disguises that income to make it appear legitimate.

What are my responsibilities?

Awareness – Be familiar and comply with Data#3's policies regarding facilitation payments, secret commissions and money laundering.

For more information see our Anti-Bribery, Anti-Corruption and Conflicts of Interest Policy, which is available here: www.data3.com/policy/

4.5 Political donations

It is our policy not to knowingly make donations to any political party.

What does this mean?

Political donations: You must not knowingly make a political donation on behalf of Data#3 or request or direct another person to make a donation on Data#3's behalf. If an exception is to be made to this policy, it requires approval by the Board of DirectorsTH.

Definition: Political donations include both monetary payments, contributions or gifts made to, or for the benefit of:

- A political party or political candidate of any federal, State or local government elections
- An elected member of Parliament or a local council and their staff
- Any government department, agency or one of their employees
- A third party campaigner

What are my responsibilities?

Awareness – Be familiar and comply with Data#3's policies regarding political donations. For more information, see our Anti-Bribery, Anti-Corruption and Conflicts of Interest Policy, which is available here: www.data3.com/policy/

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

4.6 Gifts and hospitality

Data#3 prohibits the offering or acceptance of gifts or hospitality in circumstances which could be considered to give rise to undue influence or, induce or reward improper performance, breach contractual or obligations at Law. Data#3 also prohibits the offering of gifts or hospitality where a Customer or Vendor has notified Data#3 of a specific policy in place.

What does this mean?

Courteous business practice not prohibited:

Accepting or offering gifts or hospitality of moderate value (for example, a bottle of wine, or dinner) has understood convention in building business relationships. Data#3 does not prohibit reasonable and proportionate hospitality and promotional business expenditure intended for these purposes. Data#3 however does prohibit the offering of gifts or hospitality (even if otherwise reasonable) where a customer or vendor has notified Data#3 of a specific policy in place which prohibits gifts or hospitality of any kind.

Guidance: The offer or acceptance of gifts or corporate hospitality is not prohibited where it:

- is done for the purpose of general relationship building, is reasonable and is given in the ordinary course of business; and
- cannot reasonably be construed as an attempt to improperly influence the performance of the role or function of the recipient; and
- is permitted by a customer or vendor; and
- complies with the local law of the jurisdiction in which the expenditure is made; and
- is given in an open and transparent manner; and
- does not include cash, loans or cash equivalents (such as gift certificates or vouchers); and

- complies with Data#3's financial limit on gifts or entertainment, or if the value of the gift is \$300 or more, it has been approved by an Executive General Manager of Data#3.

Public and government officials: Gifts or hospitality must not be offered to, or accepted from, public or government officials or their associates (including politicians or political parties), without the prior approval of the applicable General Manager in the relevant Data#3 business unit.

What are my responsibilities?

Awareness: Be familiar and comply with Data#3's policy on gifts and hospitality (refer to Anti-Bribery Policy). Be aware that Fringe Benefits Tax may apply to the value of the gift or hospitality.

Consider: When accepting or offering gifts or hospitality be mindful of:

- What is an appropriate or inappropriate gift?
- When is a gift a bribe? (that is, given to influence decision-making)

Obligation to record gifts in gift register: If you receive a gift with a value of \$300 or more, you must immediately:

- report it to the General Manager responsible for compliance with this policy in the relevant division and any action to return or accept is documented; and
- record the gift in the gifts and benefits register maintained by Finance & Accounting and Vendor Management.

It is likely that certain gifts will need to be returned (or donated to charity).

Be alert: The frequency with which gifts or invitations to corporate hospitality events are provided to a single individual or single organisation over time may be such that receipt on multiple occasions may be viewed as a breach of this policy.

Scenario 1:

A new Provider has invited you and your colleague to the Australian Grand Prix. It takes place in a different state so the Provider will cover the cost of your Grand Prix entrance ticket as well as the flights and accommodation. You know they are seeking better access to key Data#3 staff who may influence procurement decision making. What should you do?

Response: With giving, or receiving, gifts or hospitality, the fundamental question to consider is "does it serve a legitimate business purpose?" This is not always a straightforward question to answer, and much will depend on the particular set of circumstances involved. This is why it is important to always bring the situation to your manager's attention. A situation, like the present example, will require the pre-approval of 2 managers. This additional checkpoint allows the matter to be considered from different perspectives so that potential risks can be identified and concerns raised.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Scenario 2:

You would like to give a small gift to a long-standing customer. What should you keep in mind?

Response: Remember gifts are only acceptable:

- if permitted by law, the known internal rules of the recipient's employer and our own internal policy (refer to Data#3's Anti-Bribery Policy)
- if given to serve a legitimate business purpose and not to unduly influence an action or gain an undue advantage
- Should have a reasonable value
- Not frequently given to the same individual or organisation
- If intended to be given to a government or public official, if you have received prior approval from the General Manager in the relevant Data#3 business unit and LARA.

4.7 Fair competition

We compete fairly and comply with all applicable competition laws and regulations. We are committed to the integrity of the competitive process and only pursue and win business based on merit, not through engaging in anti-competitive behaviour.

What does this mean?

Prohibited agreements and practices:

Agreements and practices that aim to unlawfully restrict competition, fix prices, allocate customers, markets, territories, products or services are unlawful and will not be tolerated.

Bid rigging: is a practice that unlawfully restricts competition. It refers to when competitors agree not to compete genuinely with each other for a tender, resulting in one of them 'winning' the tender. Bid rigging can take various forms, including (not limited to):

- **Cover bidding** – competitors select a winner and everyone, except the winner, intentionally bids higher than an agreed amount to create the impression that the winner's price is competitive
- **Bid suppression** – a company agrees to decline to tender to allow the pre-agreed company to win the contract
- **Non-conforming bids** – is where an organisation intentionally insert terms and conditions they know the customer will not accept

Consequences: Violating competition laws can lead to serious consequences for Data#3 and the individuals who are found to have committed these offences, including fines, imprisonment, disciplinary action and significant reputational damage.

What are my responsibilities?

Avoid: Never engage in improper discussions with competitors relating to prices, or pricing strategies, profit margins, contract terms, allocation of customers, division of markets or any other practice that could restrict competition. Also do not provide or exchange any documents with competitors dealing with these topics.

Seek legal advice: Always seek legal advice before entering into arrangements that could potentially be viewed as anti-competitive. This includes sharing commercially sensitive or confidential information.

Report: Speak up and contact Legal and Risk Advisory if you are concerned that you may have broken, or be about to break competition law, or have been approached by a competitor to engage in potentially uncompetitive conduct.

Scenario 1:

An account representative from one of our main competitors approaches you to discuss an upcoming government contract that both us and the competitor have routinely tendered for in the past. He or she says that their company will consider declining to bid during this tender cycle should we decide not to respond during the next one. How should you react?

Response: You should not even engage in this type of conversation for the following reasons:

- What he or she is suggesting could result in bid suppression, a form of bid rigging.
- Bid rigging is illegal and could result in significant consequences, not only for Data#3 but for you personally.
- It is considered among the most serious breaches of competition law as it leads to uncompetitive tender processes which could result in organisations paying inflated prices or receiving lower quality goods or services.
- As a government organisation, these additional costs are ultimately passed on to the taxpayer.

You should immediately take the following steps:

- Let him or her know that this discussion is inappropriate and terminate it
- Report this incident to Legal and Risk Advisory confirming what happened and how you reacted

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Scenario 2:

My partner just started working for a competitor. Is there a process I should follow to ensure the situation is appropriately managed?

Response: This is a complex situation and should be handled carefully. First step would be to disclose this to your manager in writing. The greatest concern is the risk that you and your partner could potentially violate competition laws and confidentiality obligations by discussing business information with each other. Discussing certain topics like pricing or business opportunities could even result in both of you committing a criminal offence (potential price fixing or other cartel conduct). You should ensure that you are very familiar with all aspects of competition law so that you do not unintentionally violate it.

You should also be very careful about not disclosing confidential information to your partner.

If you are unclear about any aspect of competition or confidentiality laws, reach out to the Legal and Risk Advisory for assistance and guidance.

4.8 Obtaining competitive intelligence fairly

We only collect information about competitors that is publicly available, or in a manner that does not breach any legal, contractual or ethical duty.

What does this mean?

Legal business practice: Competitive intelligence refers to the legal business practice of gathering and analysing information collected about market factors, including competitors. This is an important legitimate business tool that assists us to understand our competitive environment and identify opportunities and challenges.

Guidelines: To ensure we gather competitive intelligence fairly we:

- Rely on publicly available information such as competitors' external websites, published articles, or industry surveys
- May conduct market research
- Never accept information that has been obtained unlawfully or in an unethical manner
- Refrain from gaining information about a competitor from a job applicant or employee who previously worked for the competitor

What are my responsibilities?

Prohibited conduct: Never use illegal or unethical practices to obtain information about competitors.

Speak Up: If you are unsure about the ethical nature of a specific business practice please reach out to the Governance, Assurance, Ethics and risk team (GEAR) by emailing: gear@data3.com

Scenario:

A customer has offered to provide Data#3 with the proposal a competitor has provided.

Response: First step would be to respectfully decline the offer from the customer citing the ethical concerns of receiving the competitive information that isn't public information. The second step would be to disclose that your customer has offered this information to you to your manager in writing. The greatest concern is the risk that you and your customer could potentially violate competition laws by discussing business information with each other. The proposal may have information about how the competitor intends to deliver the solution. This could include the Intellectual Property of the competitor. Similarly the proposal will most likely include the competitors pricing. You should ensure that you are very familiar with all aspects of competition law so that you do not unintentionally violate it.

If you are unclear about any aspect of competition or confidentiality laws, reach out to the Legal and Risk Advisory for assistance and guidance.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

4.9 Protecting company assets and resources

We use Data#3 assets (for example, computers, software, equipment, information systems and confidential information) appropriately and for proper business purposes. We all have a responsibility to safeguard company assets from waste and damage. We protect confidential information and only use it for legitimate business purposes.

Protecting confidential and proprietary information and honouring contractual post-employment obligations (including restraints on soliciting/enticing Data#3 staff/providers/customers) continue even after employment.

What does this mean?

Company assets: refers to the resources required to conduct business and include both physical and intangible assets (such as our company's brand, reputation, intellectual property and confidential information).

Use: Company assets are provided for business purposes – not for personal use.

Limited personal use: IT facilities and mobile devices can be used for limited personal use as long as it does not interfere with business operations, incurs minimal additional expense to company, is infrequent and brief, does not breach Data#3 policies or break the law.

Confidential information: You must take care not to disclose Data#3 confidential, or commercially sensitive information. This will not only breach your confidentiality obligations to Data#3 but could lead to accusations of insider trading, or if disclosed to a competitor, potential breaches of competition law. Intellectual property: We respect and protect the intellectual property rights of Data#3 and those of our customers, competitors and third parties.

Intellectual property: We respect and protect the intellectual property rights of Data#3 and those of our customers, competitors and third parties.

What are my responsibilities?

Personal responsibility: You are required to take responsibility for safeguarding company resources and equipment against abuse, theft, loss, waste or cyber-attack (refer to our Information Security below).

Correct use of intellectual property: Understand the concept of intellectual property and ensure you correctly use the intellectual property belonging to Data#3 and those of third parties. This includes obtaining the appropriate permissions before using the intellectual property of others (this can include images, training material, videos).

Protect our brand: Always comply with the Data#3 Brand Guidelines available here: [Brand Guidelines](#)

Protect our confidential information: Carefully safeguard the confidential information you have access to by:

- Only sharing it with those that are authorised to receive it and where it is required for a valid business purpose
- Never sharing it with those outside Data#3 without appropriate permission
- Always use Confidentiality Agreements or Non-Disclosure Agreements (as applicable) before disclosing confidential information to third parties

Scenario 1:

A co-worker who is running for local council, uses the company printer to print pamphlets for his or her campaign. Is this acceptable conduct?

Response: No, it's not acceptable to use Company assets/resources for private use.

Scenario 2:

You are working on a business presentation and would like to use some images you've found on Google. Is this permissible?

Response: A large amount of the content you find online is subject to copyright protection. You should never use copyrighted material without permission or a license. This includes published music, photos or video content. If you are unsure, you should contact the Legal and Risk Advisory team for guidance.

4.10 Social media

We have a Social Media Policy that governs the appropriate use of social media and associated platforms by our employees. As representatives of the company, we encourage all employees to communicate online in a positive light about Data#3 and our industry and to uphold our values and this Code.

What does it mean?

If you identify yourself online as a Data#3 employee or are using company equipment or systems, you are expected to be familiar with and follow our Social Media Policy.

What are my responsibilities?

Interacting online: Key things to remember:

Transparency

- Make it clear you are expressing your own views and not those of Data#3
- Don't make misleading statements or references to topics that you are unclear on.
- Don't comment, on Data#3's behalf, on topics of (potential) controversy.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Responsibility

- Ensure non-public information is not distributed online or outside of Data#3.
- Do not speculate or engage with discussions online about the future of Data#3, our products, services, share prices or company updates.
- Ensure that all content posted does not cause any damage to Data#3, regardless of your personal opinion.

Respect

- Show respect for all Data#3 staff and customers when interacting online.
- Refrain from work discussions on social media channels.
- Be polite and respectful of others at all times and do not make any discriminatory or defamatory remarks about colleagues, customers, partners or competitors.

Scenario 1:

You hear internally that Data#3 has won a large contract with a customer of whom you have a number of friends who work for them, you're excited that you could be working with them. Do you reach out to them over facebook with the great news?

Response: No, as with any workplace Data#3 employees are exposed to a number of confidential matters that may not be fit for public exposure. In this case the contract may still be in negotiation and you might jeopardise the winning of the business by inadvertently airing the news publicly.

Scenario 2:

You see some former colleagues engaging in speculation about the future of the Data#3 share price on Twitter basing their argument around information that is inaccurate. You disagree with their assessment based on the information you know, should you correct them on their Twitter thread?

Response: No, as a Data#3 employee you might be exposed to information that is not fit for public exposure. Engaging in speculation on Data#3's ASX position could lead you into sharing confidential information in a public forum which could mean you and/or the company are breaching strict ASX rules and regulations.

4.11 Business continuity

Business Continuity Management is an important element of our enterprise approach to risk management and critical for building operational resilience capability.

What does it mean?

Policy: Our Business Continuity Management Policy sets out the foundation for building organisational resilience with the capability for an effective response that safeguards the interests of key stakeholders, reputation, brand and value-creating activities. This in turn ensures Data#3 is well placed to continue supporting its customers well into the future, and in particular, to fulfill current & vital contractual commitments.

Continued viability: We have internal controls in place to ensure continued viability before, during and after a material disruptive event.

What are my responsibilities?

Awareness: Be familiar with our Business Continuity Management procedures and know your individual responsibilities.

If you are a Manager, ensure that your business unit has appropriate recovery plans documented and current.

Contribute: Continue to assess risks and identify potential threats that could impact your business unit.

4.12 Information security

Information is one of Data#3's most valuable assets. We all have a responsibility to protect this information from deliberate, accidental or unauthorised access or from being altered, disclosed or destroyed. We also have an obligation to safeguard information we receive from third parties.

What does it mean?

Information Security Policy: This policy defines the core principles of how we manage information security within the organisation. We are committed to preserving the confidentiality, integrity, and availability of Data#3, customer, and provider information assets and have the necessary controls in place to prevent information from being:

- Given away, leaked or disclosed in an unauthorised way
- Modified without knowledge
- Lost without trace or hope of recovery
- Rendered unavailable when needed.

Information Classification Policy: This policy classifies information and protection of information based on its sensitivity. Protection is given by limiting access to the information through a series of measures which could include procedural, physical or technical controls. Everyone is responsible to appropriately handle all information in accordance with its security classification.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

What are my responsibilities?

Awareness: Be familiar with Data#3's various IT Policies setting out your responsibilities with respect to information and your use of IT services.

Report: If an actual or suspected information security breach comes to your attention you are expected to report it via the 'Cyber Security Hub' on StaffNet or call the Service Desk on 1300 631 281.

User credentials: You are individually accountable for any access to our systems using your user credentials, including username and passwords, and any remote access authentication tokens. You must keep them secure.

Passwords: When creating passwords, ensure to comply with the Password Policy requirements. Remember, knowingly disclosing passwords to others could result in disciplinary action.

Information security – accessing systems and information: You are only entitled to access and use those systems and information that is consistent with your authorization and are accountable for your use of Data#3 IT systems and services.

Support: Seek guidance and support from the Information, Process and Technology team if you are ever unsure about something, if something seems suspicious, or if you notice anything which may compromise our information security.

Scenario 1

You have completed a financial forecast and have emailed it off to Senior Management, for a meeting the following day, when you realise you have inadvertently selected an incorrect recipient. What steps should you take in this situation?

Response: It is vital that you get in touch with the recipient as soon as possible and ask them to delete the email without reading or sharing it. Then report this information security incident via the 'Cyber Security Hub' on StaffNet and to a member of the LARA team.

Scenario 2:

You have received an unexpected email, including an attachment, from an unknown recipient. How should you deal with the situation?

Response: Always be careful when clicking on attachments or links in email. If it's unexpected or suspicious for any reason, don't click on it. Double check the URL of the website the link will take you to: bad actors will often direct you to a harmful domain and may try to make the URL closely resemble a legitimate web address. Report suspicious emails via the 'Cyber Security Hub' on StaffNet.

4.13 Electronic communication

The use of internet and electronic communications (including email, instant messaging, SMS) should always be done in a manner that upholds our ethical principles and values and never for harmful, unethical or unlawful activities.

What does this mean?

Prohibited conduct: We must never use electronic communications to:

- Defame, harass, abuse or otherwise offend other internet and email users, individuals or other organisations;
- Compromise the privacy rights of individuals within and external to Data#3;
- Refer to people in a manner that could reasonably be taken by them as being offensive;
- Knowingly access inappropriate internet sites and activities;
- Intentionally access, download, store or distribute offensive material (e.g. pornography, inappropriate pictures, literature, games or videos), unlawful or criminal material or material containing defamatory comments;
- Create or distribute any form of malicious or deleterious material via the internet or email;
- Attempt to obscure the origin of any message or download material under an assumed internet address or otherwise disguise the user's identity;

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

- Knowingly obtain unauthorised access to information or damage, delete, insert or otherwise alter such information with malicious intent;
- Infringe copyright or unlawfully circumvent technological protection measures designed to deter copyright infringement;
- Maintain or support a personal private business; and
- Disrupt communication and information or degrade network services by sending unsolicited commercial electronic messages (spamming), other junk email including chain email or other inappropriate use.

Reasonable care: We should all use reasonable care in choosing the content of email messages sent externally to Data*3 as email sent over the Internet can be intercepted and read by anyone.

Diligence: When downloading files using Messaging applications great care should be taken to ensure that all files are scanned for viruses using Data*3's approved anti-virus software.

What are my responsibilities?

Awareness: You are expected to read and understand the relevant IT policies and to have completed the mandatory training on Cyber security (refer to Data*3's Appropriate Use of IT Policy, IT Security Policy and Information Classification Policy).

Take responsibility: We take personal responsibility for the way we use electronic communications and ensure our conduct aligns with Data*3 policies and values.

4.14 Keeping accurate financial records and accounting controls

We are committed to safeguarding the integrity of our corporate financial reporting and ensuring that our financial statements are completed in accordance with applicable accounting standards and accurately reflect our performance and financial position. We are also committed to only using Data*3 funds for legitimate business purposes and to our staff following guidelines and policies when incurring reimbursable business-related expenses on behalf of Data*3.

What does this mean?

Maintaining accurate records: We keep complete, accurate and auditable company accounts and records to ensure financial integrity and prevent fraud.

Fraud prevention: We adhere to all financial controls and processes aimed at minimising risk and preventing fraud. We never make any entry in the company's records that distorts or misrepresents the true nature of transactions.

Accounting standards: We strictly comply with all relevant accounting standards and principles. We do not engage in "creative accounting" or any other unethical behaviour.

Reimbursable expenses: Our policies provide controls to ensure that all business-related expenses claimed are legitimate, accurately recorded and allocated correctly. These controls include setting expense limits, obtaining necessary management approvals, regulating the use of corporate credit cards, selecting preferred travel vendors and providing appropriate receipts.

Data*3 board is responsible for the integrity of Data*3's corporate financial reporting and for ensuring that our records are accurate and complete.

Formal declaration: The MD/CEO and CFO provide a formal declaration to the board at the end of each reporting period confirming that, in their opinion:

- the financial records of the company have been properly maintained; and
- the financial statements comply with the appropriate accounting standards and give a true and fair view of the financial position and performance of the company; and
- their opinion has been formed on the basis of a sound system of risk management and internal control which is operating effectively in all material respects.

Investors: Maintaining accurate records is critical for investors as they rely on the information to make good investment decision.

What are my responsibilities?

Accurate reporting: We all share the responsibility to ensure records are complete and accurate and a true reflection of the status of our business. Records could include financial documents, or more general documents like timesheets, expense claims and emails.

Comply: If your position involves financial recording of transactions, ensure you're familiar with and comply with all relevant policies, specifically those relating to revenue recognition.

Report: If you have any suspicions or concerns about fraud or financial irregularities or become aware of any other behaviour that does not meet our strict financial integrity standards you must report it to your manager.

Contribute: If you suspect gaps in our current controls that could potentially lead to an opportunity for fraud to occur or finance-related misconduct to go unnoticed, inform the Legal and Risk Advisory Team.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Expense claims: Only incur or approve expenses which have a legitimate business purpose. Ensure you follow the correct procedure to properly submit all business-related expense claims – See the Data#3 Expense Reimbursement Policy.

Scenario 1:

To help process his expense claims, your colleague occasionally records an expense under a different category to get faster approval and payment. As the claim is still for the same amount is this acceptable?

Response: No, it's not. Even though it may not appear to be a major deviation from the truth, it's important that our accounts are accurate and correctly reflect the true nature of all expenses. Different expense categories are there for a reason and should not be compromised.

Scenario 2:

A Manager is out to lunch with his team to celebrate another end to a financial year. The Manager asks a direct report to pay for and submit a business claim for the lunch, as his entertainment expenses have been quite high of late. Is this acceptable?

Response: No, it's not. Asking a direct report to do so does not set the right example, even if the expense is legitimate.

Scenario 3:

A customer of mine has a tender out shortly and I need to catch up face to face to discuss it. I am aware that the customer has a strict policy against gifts from suppliers. I decide to call my customer contact and arrange a "social" catchup. I invite my customer contact to a fine dining restaurant and claim the expenses without recording my customer contact. Is this acceptable?

Response: No, it's not. This conduct is in breach of Data#3's gifts and entertainment policy and breaches our contractual commitments to this Customer.

4.15 Business travel expenses and essential travel criteria

While corporate travel remains a necessary aspect of Data#3's business, it constitutes a large operational expense and time commitment. To minimise transport, accommodation and meal costs, each of us are responsible to assess every trip to ensure the expense is justified, is compliant with the essential business criteria, local and international government laws and has the required approvals.

Before you travel, consider whether alternate arrangements such as teleconferencing, web conferencing, virtual meetings or other substitutes for travel may suffice instead. Apart from reducing travel expenses, these virtual substitutes help us reduce our environmental footprint.

What does this mean?

Controls, policies and guidelines: We have controls in place to determine the criteria for essential travel together with the process for seeking approval. In addition, we have policies and guidelines supporting the essential travel criteria for incurring reimbursable travel expenses. Our policies are designed to enable adequate controls to minimise costs, ensuring accuracy of cost allocations and legitimacy of all business expenses claimed.

Travel Policy: When considering incurring travel and related entertainment expenses, the simple guide is to comply with travel policy and to act in Data#3's best interests. Please note that all expense claims are subject to periodic audits by Concur or Data#3 management, so you need to be able to substantiate any claim.

What are my responsibilities?

Awareness: We familiarise ourselves with the expense and business travel policies, supporting systems and reimbursement procedures.

Approvals: We obtain management approval for all business travel and expenses prior to incurring the expense.

Approving managers: Be diligent when approving travel requests and expense claims. Always ensure travel is for an essential business purpose, and the relative expense claims have received prior approval, are accurate, have been incurred wholly and exclusively for legitimate business purposes, are in Data#3's best interests, are in line with the travel expense policy and have the required supporting documentation.

Take ownership: We take responsibility for the legitimacy of expenses that we claim, and the adequacy and authenticity of supporting documents that we submit, including but not limited to any required receipts. We also submit all expenses in a timely manner.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Travel coordinator: We book all travel via the company appointed travel coordinator/service provider.

Scenario 1:

You are travelling interstate for business purposes and opted to stay with friends instead of booking a hotel room. You are of the view that as you have saved the business the hotel expense you are entitled to additional compensation? Are you correct?

Response: Where an employee chooses to stay in non-commercial/ private accommodation (such as with friends or family), no accommodation costs will be paid by Data#3. We only reimburse employees for costs they incur on behalf of the business.

Scenario 2:

Whilst traveling, you decide to catch up with a work colleague and take him or her out for a relatively expensive meal. You pay for the meal and submit your expense claim after the event (you did not obtain the required expense approval prior to incurring this expense). Can you expect to be reimbursed for this expense?

Response: It is likely that the expense claim will be rejected to the extent that it does not qualify with Data#3's expense policy (no prior approval) and reasonable reimbursement expense criteria. When making decisions about incurring or approving company expenses, always apply the overarching guideline by asking whether it will be in Data#3's best interests. As the employee requesting prior approval to incur the expense, you are expected to take ownership and be able to explain why incurring the expense will be in Data#3's best interests.

4.16 Share trading policy

To preserve the reputation and integrity of Data#3, and avoid placing investors at an unfair disadvantage, insider trading is strictly prohibited at Law. Our Share Trading Policy sets out procedures to reduce the risk of insider trading occurring and the potential impact on our share price reputation and integrity.

What does this mean?

Share trading policy: Data#3 has a share trading policy which restricts the time period in which directors and employees may purchase and sell company securities. The policy prohibits insider trading and reinforces the directors' and company's statutory obligations to notify the ASX regarding any dealing in Data#3's securities which results in a change in the relevant interests of the director in Data#3's securities.

What is insider trading?: Insider trading refers to when a person uses his or her knowledge of inside information (material non-public information) about a listed company to buy or sell securities of that company, either directly or through another person, or when they communicate the information with others for them to act upon.

Why it is wrong: Insider trading damages the integrity of financial markets thereby undermining investors' confidence in it.

Penalties: Using or leaking material non-public information has serious consequences, including imprisonment and substantial fines.

What are my responsibilities?

Awareness: Be familiar and comply with the Data#3's Share Trading policy (particularly if you are planning on buying or selling Data#3 shares).

Speak up: Everyone has a responsibility to help guard against insider trading and to expose it if it does occur (refer to section 2.6 of this Code "Making a Report").

Scenario 1:

I am working on a customer project and have access to non-public customer information, am I permitted to buy or sell shares of this customer?

Response: No, this will be considered insider trading, particularly if you have access to sensitive customer information.

Scenario 2:

You were in the office kitchen when you overheard two people discussing an upcoming merger and acquisition of two of their customers. Would it be okay for you to invest in one of these companies?

Response: No, this would be regarded as insider trading as the information is material and has not been released to the public yet. We do not trade on non-public information no matter how it has come to our attention. You should also ensure not to disclose this information to anyone else.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

4.17 Continuous disclosure policy

Data#3 is listed on the Australian Securities Exchange (ASX) and is bound by the ASX Listing Rules and the Australian Corporations Act. We are committed to fair, efficient and transparent markets and to complying with our obligation to disclose information which may have a material effect on the price or value of Data#3 shares. Our Chief Financial Officer is Data#3's Communications Officer.

What does this mean?

Timely and balanced disclosure: The Data#3 Continuous Disclosure Policy contains written procedures that promote timely and balanced disclosure to our shareholding market of all material matters concerning our organisation.

Price-sensitive material: Under this policy all price-sensitive material for public announcement (such as annual and interim profit announcements, financial reports, presentations or briefings to investors and analysts) are required to be lodged with the ASX as soon as practical, and before external disclosure elsewhere, and then posted on Data#3's Investor Centre website.

Timely, factual and comprehensive: We ensure such announcements are timely, factual, do not omit material information and are expressed in a clear and objective manner.

Purpose: The fundamental idea behind the continuous disclosure obligation is to ensure all investors have equal and timely access to information about a company to allow them to make informed investment decisions.

Protect confidential corporate information: The board has also developed procedures for safeguarding confidential corporate information to avoid premature disclosure and for responding to market rumours, leaks and inadvertent disclosures.

What are my responsibilities?

Awareness: If required by your role (typically each Director and executive officer of Data#3), be familiar with Data#3's Continuous Disclosure policy.

Approval: All communication with the ASX requires pre-approval (usually by the board, Chairman, CEO, CFO or Company Secretary), and is provided to the ASX by the Communications Officer.

4.18 Tax obligations

We take Data#3's tax compliance responsibilities seriously and are committed to being a good corporate citizen of Australia, where we transact 99% of our business. We voluntarily disclose the types and amounts of tax that Data#3 pays in our external reports to ensure complete transparency.

What does this mean?

Tax obligations: We meet all our tax obligations in accordance with the laws of each State and the Commonwealth. We do not engage in aggressive tax planning strategies and we do not use any "tax havens". At all times we seek to maintain transparent and cooperative relationships with relevant tax authorities in Australia and other countries in which we may operate.

Tax Transparency Code (TTC): Data#3 has elected to adopt the TTC and believe disclosure of additional information in relation to tax will benefit our shareholders and the public. Adoption of the TTC is voluntary, and it provides a set of principles and minimum standards developed by the Australian Board of Taxation to guide disclosure of tax information by businesses.

Tax report: Our Tax Report in connection with the TTC is included in the Annual Report, which is available on our website.

Governance: Data#3 has developed a Corporate Tax Governance Framework to set out the approach by which the group's tax obligations are met from an operational risk management perspective, within the context of the broader risk management framework and risk appetite.

4.19 Trade compliance

We comply with all international and Australian trade regulations and controls and expect all our Providers to know and comply with trade laws applicable to their products or services.

What does this mean?

Responsibility: It is our responsibility to make sure we do not contravene any trade laws including international export, sanctions and financial laws. Sanctions: Sanctions ban or severely restrict trade with the sanctioned countries, entities or individuals.

Trade controls: We have the necessary trade controls in place to ensure compliance with all trade-related Australian and international laws. This includes ensuring:

- all necessary export/ import documentation is available
- products or services are not exported to sanctioned countries, entities or individuals
- end-users are not engaging in banned activities (for example prohibited nuclear, chemical or biological weapons of mass destruction)

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

What are my responsibilities?

Awareness: If your position involves the import or export of goods, services or technical information be familiar and comply with all relevant trade regulations.

Compliance: Our Providers Export Trade Compliance policies can be located in the Vendor Hub on StaffNet, available here: [Vendor Hub](#)

Report: If you have a query or concern about trade compliance obligations immediately report it to LARA.

Scenario:

A customer asks you to arrange shipping to an office of theirs in the middle east.

Response: You should advise the customer that we will need to review our [Code of Business Ethics & Export Trade Compliance](#). Most vendors will restrict the provision of goods to a particular defined territory e.g. Australia or Australia and Pacific Islands. Provision of the equipment to the middle east would not be in alignment with our reseller agreements. Similarly, many countries are banned to receive goods from USA based organisations. Supply of goods to the middle east for example could contravene export restriction guidelines.

Message
from our CEO

Introduction
to the code

Our people

**Cultivating
our corporate
character and
protecting our
business**

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

5. Integrity in our dealings with customers

To achieve our core purpose of enabling our customer's success, all our decisions are influenced by the best interests of our customers. We always engage with customers fairly and honestly and honour all contractual commitments. Together with our leading vendors, we go the extra mile to ensure we understand our customers' needs so we can deliver the best solutions to enable their success.

5.1 Committed to quality solutions and customer satisfaction

We are committed to the continual development and improvement of our products and services and the way they are delivered to meet and exceed our customer expectations. Our commitment to quality is an ongoing process of improvement that strives to deliver consistent, reliable, and accurate products and services from every level of the organisation. We fulfil our commitments to service, quality, and customer satisfaction through our quality policy.

What does this mean?

Quality Policy: Data#3's Quality policy focusses on:

- Maintaining a quality management system certified to ISO 9001:2015 Quality Management Systems
- Identifying, understanding and satisfying customer, legal and other requirements applicable to our business activities and services

- Establishing measurable quality objectives for meeting customer requirements and driving and improving performance
- Establishing and enhancing processes to support Data#3's quality commitment, including but not limited to goals and planning, responsibilities, resources, communications, operational processes, monitoring, audits, reporting, reviews and customer feedback
- Driving continual improvement and innovation based on well-defined outcomes, smart business processes, thought leadership, best practice and enhancing customer satisfaction.

What are my responsibilities?

Commitment to quality: Be committed to quality, delivering value and building longstanding relationships with our customers based on trust and respect.

Speak up: If you have any concerns, or feedback regarding our quality management system, please reach out to the Governance, Assurance, Ethics and Risk team (GEAR) by emailing: gear@data3.com We encourage the sharing of ideas and are always looking for ways to improve.

5.2 Fair dealing and good faith

At Data#3, our core purpose is to enable our customers' success. We are committed to always acting ethically, honestly and responsibly in all dealings with our customers. We aim to deliver a consistent experience for our customers, helping them achieve their desired outcomes and maximising the value we bring them.

What does this mean?

Customer-centric: We put our customers at the centre of everything we do. All our actions are focused on delivering the best outcomes for them.

What are my responsibilities?

Commitment: We do our utmost to fulfill our customers' needs, wants and requirements with the products and services we offer. We strive to provide the best possible experience to each customer at every touchpoint.

Honest and open communication: Always be transparent in your dealings with customers.

Queries and complaints: Handle queries and complaints in a timely and efficient manner.

Protect our reputation: Never risk causing harm to our reputation and trust to gain a short-term benefit.

Scenario 1:

A customer has inadvertently ordered double the equipment they needed and signed off on the cost. What do you do?

Response: At Data#3, we always act in the best interests of our customers and are guided by what is right for them. We will give the customer a call and alert them to their mistake.

Message from our CEO

Introduction to the code

Our people

Cultivating our corporate character and protecting our business

Integrity in our dealings with customers

Integrity in our dealings with our providers and vendors

Respecting our communities and the environment

Additional resources

Scenario 2:

A customer is requesting a certain business solution which you do not think is the right course of action for them. How do you handle this?

Response: Be open and honest with the customer and explain why you do not believe this is the best option for them. If they insist on proceeding in this direction and you are convinced it will not address their business problem, please confirm your point in view in writing with the customer with the reasons why. If the customer still insists on ordering the solution, it is your obligation to assist the customer in an informed manner as there may be other factors that the customer has not been able to divulge. The customer must make an informed decision with all available information.

5.3 Advertising and marketing

We advertise and market our products and services honestly and accurately. We comply with all internal marketing criteria with respect to the review and approval of advertising and marketing material.

What does this mean?

Responsibility: All claims we make in our advertising and marketing must be accurate, honest, complete and understandable.

Prohibited conduct: False claims or exaggerations about our products, services, employees or competitors or omissions of vital information in our advertising and marketing are against our core values and this Code.

What are my responsibilities?

Keep your promises: Never mislead customers or make exaggerated claims about our products and services. In particular, where Data#3 is acting as a reseller of a third party vendor's goods and services, be clear about the role we are playing in delivering their needs.

5.4 Customer information privacy

We recognise the importance of information security and are committed to protecting our customers' data.

What does this mean?

Our duty: We protect our customers' privacy rights by making sure we handle their personal information responsibly. We do this by ensuring personal information is protected and processed in accordance with legal requirements.

Personal Information: refers to information or an opinion about an identified individual or an individual who is reasonably identifiable. General examples of the type of personal information we collect and hold includes names, addresses, contact details, email addresses, occupation, information customers provide to us through our customer surveys, information associated with Data#3 marketing events

Purpose for collecting personal information: Our primary purpose for collecting, holding, using and disclosing personal information is to facilitate the efficient provision of quality information technology products and services.

Privacy Policy: We take our legal and regulatory obligation of safeguarding the personal data entrusted to us by our customers seriously. For this reason, we have adopted a privacy policy which sets out how we collect, use, disclose and otherwise manage personal information.

Information Protection Policy: We have also adopted an Information Protection Policy which sets out our state of the art security systems and procedures to ensure the integrity and security of customer information held by our company

What are my responsibilities?

Compliance: Be familiar with and comply with both Data#3's Privacy Policy and Information Security Policy and procedures. We all share the responsibility to ensure personal information is dealt with in a secure and safe manner, and to help reduce the risk of unauthorised disclosure, improper modification, or it being lost, misused or destroyed.

Consent: Ensure you understand what consent is required before collecting, using or disclosing personal information

Provide access: Where we hold personal information about a person and that person request access to it in writing, you need to respond to their request within a reasonable period.

Update personal information: If notified by a customer that the personal information we are holding about them is incorrect, incomplete or out of date, you must take reasonable steps to correct the information accordingly or provide them with reasons for refusal to do so.

Report: You are required to report any actual or suspected information security breaches via the 'Cyber Security Hub' on StaffNet.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

If you have any questions about privacy related issues or wish to complain about a potential breach of Australian Privacy Principles or the handling of your personal information, please contact our Privacy Officer:

Address: Data#3 Privacy Officer, Level 1, 555 Coronation Drive, TOOWONG, QLD, 4066

Telephone: 1300 23 28 23

Facsimile: 1300 32 82 32

E-mail: privacy@data3.com.au

Scenario:

You are working on a tender and as part of the process you are requested to provide references from previous customers. What steps should you take to ensure you don't breach our privacy policy when addressing this component?

Response: You should ensure that prior written approval is obtained from the Customer's management representative. You should also ensure that our Marketing team is engaged to ensure a record is kept of the approval.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

6. Integrity in our dealings with our providers and vendors

Providers form an integral part of our business model and play a key role in the success of our business. We believe in fostering mutually beneficial partnerships with providers that are aligned to our values and meet our expectations.

6.1 Our provider code of ethics and conduct

The actions of our Providers reflect on our reputation. For this reason, our Provider Code of Ethics and Conduct (Provider Code) sets out our expectations of our Providers in relation to professionalism, ethics and conduct that apply in their dealings with us. It reinforces our culture of acting lawfully, honestly, ethically and responsibly.

What does this mean?

Our expectation: We expect Data#3 Providers to act with the highest ethical standards and conduct to align with our core values. In that regard, Providers must comply with our Provider Code and educate their own employees and subcontractors, so they understand and comply with this Code when doing business with or for Data#3.

Comply: We require Providers to adhere to all applicable labour, health, safety and employment laws in the countries in which they operate. (refer to section 3.1 of this Code “Promoting and Respecting Human Rights and 4.1 “Acting ethically, lawfully and with integrity). Our Providers Code of Ethics policies can be located at: www.data3.com/policy/

What are my responsibilities?

Speak up: If you have a concern in relation to one of our Providers, speak up and bring it to our attention so that we can deal with it appropriately.

Scenario:

Data#3 is busy onboarding a new Provider and part of the process includes ensuring we meet the Provider's key requirements for certifications and training. As part of your role, you are required to complete this training and pass an online test. It has come to your attention that an unauthorised answer sheet containing the correct answers to the test has been circulated by Data#3 staff. You have a lot on your plate at the moment and using the cheat sheet will save you some time and allow you to meet deadlines on other projects. What do you do?

Response: At Data#3, we value our relationships with our Providers and invest in building and strengthening our trust with them. This includes ensuring that we meet all our obligations to them, including completing all training and certification requirements with the highest ethical standards. Cheating on a test, no matter how big or small, is unethical and does not align with Data#3's core values and Code of Business Conduct.

Tip – if you have to rationalise your conduct (making excuses or blaming others) to convince yourself that what you are doing is not wrong, you have probably crossed the ethical line.

6.2 Lifecycle management of our providers

Our Provider Performance Lifecycle Management System (ProPEL) provides a consolidated management system to co-ordinate and manage our responsibilities in relation to the engagement, approval, management, performance review, and off-boarding of Providers.

What does this mean?

Definition: ‘Provider’ is a generic term that refers to vendors, distributors, consultants, subcontractors, trade contractors and internal product suppliers. It expressly excludes employees.

Due diligence: ProPEL has a focus on compliance areas to ensure our Providers observe the highest legal and ethical standards. For example, we will not engage any third party who Data#3 knows or suspects of engaging in bribery or corruption. In certain circumstances, a reasonable investigation (due diligence) into the background, reputation, and business practices of a third party will be required before entering into a contract with them.

Anti-Bribery Policy: We can be liable for the acts of third parties where such third parties are acting on Data#3's behalf. Anti-bribery laws prohibit “indirect” as well as direct payments and offers. This means Data#3 may be liable for the conduct of a third party where Data#3 knows or reasonably should have known of such party's unlawful conduct. Refer to section 4.1 of this Code “Acting ethically, lawfully and with integrity.”

Modern Slavery Policy: Working together with our Providers to identify and understand the risks of modern slavery, including in operations and supply chains, is a critical step toward addressing world-wide modern slavery and related practices. Providers are required to be committed to ensuring that all workers in their operations and supply chain are treated fairly with dignity and respect. Refer to section 3.1 of this Code “Promoting and Respecting Human Rights.”

Message from our CEO

Introduction to the code

Our people

Cultivating our corporate character and protecting our business

Integrity in our dealings with customers

Integrity in our dealings with our providers and vendors

Respecting our communities and the environment

Additional resources

Consequences: Should we become aware that a Provider is not meeting our requirements, corrective action plans shall be established, and progress will be monitored. We may choose to support Providers in developing their capabilities. We will terminate the relationship with Providers that repeatedly and knowingly violate the Provider Code of Ethics and Conduct.

What are my responsibilities?

Appointing third parties: Before appointing a Provider you must consult with your General Manager, Vendor Management and Legal & Risk Advisory Services to determine whether due diligence is required.

Awareness: Be aware of the importance of our relationships with our Providers and stay alert to the potential of real or perceived conflicts.

Comply: If you are responsible for engaging or overseeing providers you must comply with the Data#3 policies and procedures for dealing with provider selection, approval, due diligence and monitoring.

Scenario:

You become aware that one of our Providers is involved in potentially unlawful activity, what should you do?

Response: You should report your concern (refer to section 2.6 of this Code “Making a Report”). As our reputation and culture are also at stake, we hold our Providers to the same high standards of conduct as our employees.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

7. Respecting our communities and the environment

To remain true to our vision of creating a better future through the power of people and technology, we have committed to a sustainable social responsibility framework. Community and social responsibility remain a key component of the Data#3 culture, with community considered a key stakeholder along with our people, partners, shareholders and customers. We also recognise and work to fulfil our responsibility toward environmental sustainability.

7.1 Environmental sustainability

Our Environmental Sustainability Policy integrates a philosophy of lifecycle sustainability into all of our business activities and it establishes and promotes environmental practices throughout our operations.

What does this mean?

Reduce impact on environment: We are committed to environmentally sustainable practices and are continually working towards reducing the impact of technology on the environment. We partner with our leading vendors to reduce energy consumption, decrease carbon emissions, increase recycling and eliminate hazardous materials. We have created a program called Sustain with five key focus areas.

Working with customers: We also support our customers with their corporate citizenship goals by helping them to reduce their energy use with green technology solutions and assisting them to dispose of their IT equipment responsibly.

Commitment: We are committed to:

Comply with applicable Australian Government, state and local body environmental legislation, regulations, policies, initiatives

- Promote lifecycle sustainability, minimise our environmental impact and reduce the consumption of natural resources across all activities of the business
- Develop and provide products and services that encourage and facilitate sound environmental life cycle strategies and practices
- Establish and maintain partnerships with Providers who have clearly demonstrated and fulfil their commitment to environmental sustainability
- Nurture an environmentally responsible culture throughout Data#3, and
- Continually improve through the ongoing enhancement of our management systems in accordance with our environmental and quality management processes.

What are my responsibilities?

Prevent: Everyone working for Data#3 has responsibilities to prevent environmental harm, nuisances and contamination. This applies to work on Data#3 premises, supply chain and customer sites. This includes considering environmental impacts in project work and where required following environmental practices on clients' sites.

Personal actions: Everyone is responsible for integrating good environmental practice into everyday activities and building a green-thinking culture. Contribute to an environmentally responsible culture by:

- reducing travel by using collaboration solutions;
- reducing energy usage and paper usage in our offices;

- Thinking green and volunteering with an environmental focus;
- Reduce and conserve energy consumption;
- recycling paper and other general office waste; and
- using environmentally responsible recycling programs for the disposal of obsolete IT equipment

7.2 Social sustainability practices

We are committed to the communities in which we operate and want our people to feel satisfied and proud to work at a company that really cares for others. As such, we widely promote and encourage our people to get personally involved, so they can feel and see the difference and impact their contributions are having on the community around them.

What does this mean?

Our mission: For corporate social responsibility, our mission is to work to support the communities we operate in and make a meaningful difference. To demonstrate how much we value community, Data#3 have named it as a key stakeholder along with our people, customers, partners and shareholders.

Our commitment: To support our people's ability to contribute and give back to the community, we have created a Corporate Social Responsibility program, called SOUL. Through our SOUL program, we engage with local and national communities and not-for profit organisations and provide support through; fundraising, sponsorships, volunteering, and making regular corporate donations (including goods and services).

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

Modern slavery: A key tenet of our corporate social responsibility program is our approach to identifying, addressing and remediating (if necessary) Modern Slavery risks and practices in our operations and supply chain including for the purposes of ongoing compliance under the Modern Slavery Act 2018 (Cth). (Refer to section 3.1 “Promoting and Respecting Human Rights.”).

What are my responsibilities?

Make a difference: Personally make a difference by getting involved in the SOUL program.

Encourage others: Motivate and support your colleagues and teams to also get involved and give back to the community.

Give feedback: Let us know your thoughts about the SOUL program, including what works well, your experiences or any areas and ways in which we could continue to develop or enhance our offering and contributions to the community.

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

8. Additional resources

8.1 People

- Your General Manager
- Your Local Ethics Champion
- Chief Ethics and Compliance Officer (GEAR)
- Chief People Officer
- Your Manager

The Ethics & Compliance Program is administered by Data#3's GEAR Team (Governance, Ethics, Assurance and Risk). A member of the GEAR team can assist you with any questions you may have in relation to this Code, and help point you in the right direction where they cannot be of direct assistance.

Our Ethics & Compliance Officer manages our GEAR Team with the assistance of our Policy & Compliance Adviser.

For further information on all things GEAR, refer to the [GEAR Hub](#) on StaffNet or email: gear@data3.com.au

You can also make a confidential report by sending an email to:

- whistleblower@data3.com.au (also available to external persons to raise serious concerns with Data#3);
- gear@data3.com.au

8.2 Policies and other key documents:

[Policy Central](#)

[Data#3 Policy Documents](#)

[Corporate Governance](#)

[2024 Annual Report](#)

[Environmental, Social and Governance](#)

Message
from our CEO

Introduction
to the code

Our people

Cultivating
our corporate
character and
protecting our
business

Integrity in our
dealings with
customers

Integrity in our
dealings with
our providers
and vendors

Respecting our
communities
and the
environment

Additional
resources

A Leading and award-winning Australian IT services and solutions provider, Data#3, is focused on helping customers to harness the power of people and technology for a better future.

Built on a foundation of over 40 years' experience, combined with world-leading vendor technologies, Data#3 is constantly evolving its solutions and services to enable its customers' success.

Leveraging solutions such as cloud, modern workplace, security, data & analytics and connectivity, combined with Data#3's services across consulting, project services and managed services, Data#3 is delivering the digital future.

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the Digital
Future**

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