

POLICY 1.18

WHISTLEBLOWER POLICY

Policy statement

Reach is committed to providing a safe and supportive workplace and to carrying out its activities honestly, fairly and with integrity. We want you to feel safe to tell us about serious wrongdoing if you become aware of it.

This policy sets out:

- (1) what disclosures will ensure protection to a whistleblower;
- (2) who can be a whistleblower;
- (3) what protections are available to whistleblowers; and
- (4) how to make a disclosure and what Reach will do.

Document control			
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Related documentation

Reach Code of Conduct

1.12 Issue and Grievance Resolution Policy – Internal

1.13 Issue and Grievance Resolution Policy – External

Corporations Act 2001 (Cwlth)

Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cwlth)

1. Who can be a whistleblower?

a) These people may receive protection as a whistleblower:

1. current and former employees and officers;
2. volunteers;
3. contractors or suppliers (including employees of contractors or suppliers); and
4. associates, for example directors or secretaries of Reach or its related bodies corporate.

b) Whistleblowers may also be relatives, family members and dependents of the people listed above.

2. What reports of wrongdoing will be protected?

2.1 Reportable Wrongdoing

Protections will apply to a whistleblower reporting serious misconduct, or an improper or illegal state of affairs or circumstances, in relation to Reach (or a related body corporate of Reach) (Reportable Wrongdoing). For example, conduct that is:

- a) dishonest, unethical or fraudulent;
- b) illegal (including theft, drug sale or use, violence or threatened violence and property damage);
- c) corrupt (including soliciting, accepting or offering a bribe, or facilitating payments or other such benefits);
- d) endangering health and safety;
- e) damaging, or substantially risking damaging, the environment;
- f) unauthorised use of Reach's confidential information;
- g) likely to damage Reach's financial position or reputation; and
- h) concealing any Reportable Wrongdoing.

2.2 Personal work-related grievances

a) Reports of personal work-related grievances generally do not provide a whistleblower with protection.

b) Personal work-related grievances are those that relate to your current or former employment with Reach that might have implications for you personally, but do not have other significant implications for Reach or relate to any Reportable Wrongdoing. For example:

- (1) interpersonal conflicts;
- (2) decisions about promotions;
- (3) decisions that do not involve a breach of workplace laws;
- (4) terms or conditions of employment.

c) However, reports of personal work-related grievances may be protected where they include:

- (1) information about a Reportable Wrongdoing;
- (2) an allegation that Reach has broken employment laws which are punishable by imprisonment for 12 months or more, or acted in a way that is a threat to public safety; or
- (3) victimisation or harassment due to whistleblowing.

d) We encourage you to resolve personal work-related grievances by raising them with the HR Manager.

3. How do you report a Reportable Wrongdoing?

3.1 What to report

Provide as much information as possible about the events underlying the Reportable Wrongdoing, including:

- (a) date;
- (b) time;
- (c) location;
- (d) people involved;
- (e) possible witnesses to the events; and
- (f) any other information or documents that may be relevant.

3.2 Who to report to and how

(a) You can report Reportable Wrongdoing to any of the Eligible Recipients listed in the table below. The report can be made verbally or in writing.

To help ensure that your identity is protected if you are reporting a Reportable Wrongdoing, you should identify any communication as follows:

By email: "CONFIDENTIAL – WHISTLEBLOWING REPORT"

By mail: "CONFIDENTIAL - FOR ATTENTION OF [ROLE NAME & PERSON'S NAME] ONLY"

By phone: [Identify clearly and early in the call that your reason for contacting the person is to make a whistleblowing report]

Eligible Recipient Name	Contact details
CEO	<i>Sasha Lawrence</i> E: Sasha.lawrence@reach.org.au Ph: (03) 9412 0911
Chief Operating Officer	<i>Anna McCann</i> E: Anna.mccann@reach.org.au Ph: (03) 9412 0935
Director, People & Culture	<i>[Role is currently vacant – details will be updated once this role is filled]</i>
HR Manager	<i>Miranda Sowden</i> E: Miranda.sowden@reach.org.au Ph: (03) 9412 0929
Reach Chairperson <i>If your concern relates to senior executives, or any Recipient named in this Policy, you are encouraged to feel comfortable contacting the Chairperson or Chair of Audit and Risk Committee</i>	<i>Anthony Klein</i> E: anthony.klein@pwc.com
Reach Chair of Audit and Risk Committee <i>If your concern relates to senior executives, or any Recipient named in this Policy, you are encouraged to feel comfortable contacting the Chairperson or Chair of Audit and Risk Committee</i>	<i>Tom Imbesi</i> E: timbesi@deloitte.com.au

(b) Eligible Recipients will ensure the report is taken seriously by Reach and proper follow-up occurs.

(c) Eligible Recipients will also ensure you are supported and protected.

(d) We encourage you to report to an Eligible Recipient in the first instance (rather than to an external regulator), as it means Reach can address any Reportable Wrongdoing as soon as possible.

(e) You can also report any Reportable Wrongdoing to any of:

- (1) the Australian Securities and Investments Commission (ASIC);
- (2) the Commissioner of Taxation (ATO);
- (3) a legal practitioner for the purposes of obtaining legal advice or legal representation about whistleblower protections; or
- (4) a journalist or parliamentarian, providing that the report qualifies as an emergency or public interest disclosure under the Corporations Act. We recommend that you contact an independent legal adviser before making a public interest disclosure or an emergency disclosure.

(f) Please note that the whistleblower protections do not extend to reports made to the Australian Charities and Not-for-profits Commission (ACNC).

3.3 Anonymous reporting

(a) You can make an anonymous report if you do not want to reveal your identity, but we encourage you to provide your name because it will make it easier for Reach to address your report and communicate with you. However, you are not required to provide your name.

(b) If you do not provide your name, Reach will assess your report in the same way as if you had revealed your identity. However, please be aware that an investigation may not be possible where insufficient information is provided, and it may be difficult to offer the same level of practical support or protect you if Reach does not know your name.

4. How will you be protected?

4.1 Who is protected?

(a) You will be a Protected Whistleblower, and protected from harm, by law, if you:

- (1) know of, or have reasonable grounds to suspect Reportable Wrongdoing; and
- (2) report that Reportable Wrongdoing to an Eligible Recipient listed in 4.2(a) or to an external person listed under 4.2(e).

(b) You will still qualify for protection even if the information turns out to be incorrect, or the you were mistaken, provided the report was made honestly and you honestly and reasonably suspected the Reportable Wrongdoing. However, if you knowingly make a false report, or otherwise fail to act honestly, you may be subject to disciplinary action, including dismissal.

4.2 What is protected?

If you are a Protected Whistleblower (as defined in 5.1), Reach will:

- (a) protect your identity; and
- (b) ensure that you are not subject to harm or disadvantage in connection with the disclosure.

4.3 Identity protection

(a) As soon as you report Reportable Wrongdoing, Reach will make sure immediate steps are taken to protect your identity. This includes redacting your name and position from any written

record of the report and implementing appropriate document security.

(b) It is illegal for a person to identify a Protected Whistleblower or disclose information that is likely to lead their identification. As a Protected Whistleblower, your identity will only be shared by Reach if:

- (1) you consent in writing to the disclosure of your identity;
- (2) it is to ASIC or the Australian Federal Police;
- (3) it is allowed or required by law (for example, disclosure to a legal practitioner for the purpose of obtaining advice relating to the law on whistleblowing); or
- (4) it is necessary to prevent or lessen a threat to a person's health, safety or welfare.

(c) If you feel that your confidentiality has been breached outside the exceptions allowed by law, you can lodge a complaint with Reach, ASIC or the ATO for investigation.

4.4 Protections against unfavourable treatment

(a) It is illegal to treat a Protected Whistleblower unfavourably in connection with their reporting of Reportable Wrongdoing. Examples of unfavourable treatment include:

- (1) dismissal, demotion, bias or disciplinary action;
- (2) causing harm or injury, including psychological harm;
- (3) bullying, discrimination, harassment, threats or intimidation;
- (4) damage or threats to property, business, financial position or reputation; and
- (5) revealing the Protected Whistleblower's identity without their consent or contrary to law.

(b) Reach does not tolerate this type of behaviour. You should tell an Eligible Recipient if you or someone else is being, or has been, subject to unfavourable treatment in connection with the reporting of Reportable Wrongdoing. Any person involved in unfavourable treatment will be subject to disciplinary action, including, but not limited to, termination of employment or engagement.

4.5 Other protections

(a) Protected Whistleblowers may also be entitled to the following legal protections:

- (1) protection from civil, criminal or administrative legal action;
- (2) protection from having to give evidence in legal proceedings;
- (3) compensation or other remedies.

(b) Reach encourages you to seek independent legal advice about any compensation or other remedies that may be available to you.

5. How will Reach investigate reports of Reportable Wrongdoing?

5.1 Investigation process

(a) Reach will treat all reports made under this policy sensitively and seriously, and will deal with them promptly, fairly and objectively.

(b) The following steps will apply:

- (1) Reach will assess a report as soon as practicable after it has been made to the Eligible Recipient to determine if it is Reportable Wrongdoing.
- (2) If Reach determines that the information disclosed does not amount to Reportable Wrongdoing, you will be, if practicable, informed of that decision. This will not be possible where the report was made anonymously.
- (3) Investigations will be conducted fairly and in a timely manner.
- (4) Reach will inform the person against whom an allegation has been made and that

person will have an opportunity to respond, unless there is a restriction or reasonable basis preventing Reach from informing that person (eg public safety concerns).

- (5) Reach will conduct investigations with regard to the nature of the allegation and the rights of the people involved in the investigation. Reach recognises the importance of balancing the rights of the Protected Whistleblower against the rights of people against whom an allegation has been made.
- (6) Reach will ensure that, provided the report was not made anonymously, the Protected Whistleblower is kept informed of the outcomes of the investigation. This is subject to the privacy concerns of those against whom allegations have been made.
- (7) If the Protected Whistleblower is not an employee of Reach, the Protected Whistleblower will be kept informed of the investigative outcomes after agreeing in writing to maintain confidentiality in relation to any information provided to them regarding the disclosure made by them.

(c) If you are not satisfied with the outcome of an investigation, you can:

- (1) request a review of the investigation by Reach; or
- (2) lodge a complaint with a regulator, such as ASIC or the ATO.

(d) If you request a review of the investigation, Reach will consider your request. However, Reach is not obliged to reopen an investigation if it concludes that:

- (1) the investigation was conducted properly;
- (2) new information is either not available or would not change the findings of the investigation.

5.2 Reporting

The board will receive a summary of reports made under this policy at the next Audit & Risk Committee and Board meeting after the report is made.

6. Further information

This policy is available in the *Reach Staff & Crew* \ Policies \ Current Policies folder, and on Reach's website.

All new employees are made aware of the policy as part of their induction program.

This policy is included in Reach's periodic refresh and recommitment to organisational policies.