POLICY: Whistleblower Protection

Policy number:	**BRD011**
Date adopted:	**April 2020**
Authorised by:	**Chief Executive Officer**
Date last reviewed:	**May 2025**
Reviewed by:	**Board**
Review Frequency:	**Triennial**

Policy context:

Quality Framework: **Standard**

Other standards: N/A

Legislation or other requirements

From 1 July 2019, the whistleblower protections in Part 9.4AAA the Corporations Act 2001 (Corporations Act) were expanded to provide greater protections for whistleblowers who report misconduct about companies and company officers. The reforms to the regime were contained in the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019, which received Royal Assent on 12 March 2019.

Documents related to this policy

- ORG001 Code of Conduct
- ORG048 Feedback and Complaints Policy

Forms or other organisational documents

- Hope Feedback form
- HOPE Confidential Feedback form
- HOPE Report A Risk form

Table of Contents

BACKGROUND 3
OBJECTIVES 3
SCOPE 3
PURPOSE 3
WHAT CAN BE DISCLOSED 3
HOW TO MAKE A DISCLOSURE 3
CONFIDENTIALITY 4
PROTECTION AGAINST REPRISAL 4
INVESTIGATION OF DISCLOSURES 5
FALSE OR MISLEADING DISCLOSURES 5
REVIEW AND COMMUNICATION 5
Appendix 1: Whistleblower Protection Officer Procedure for Managing a Claim 6
Appendix 2: Whistleblower Protection - Procedure for Making a Claim 7

BACKGROUND

Whistleblowing can be an effective way of uncovering fraud and other misconduct which may not be identified by internal or external controls within an organisation. HOPE is committed to the principles of transparency and accountability and views whistleblowing as an opportunity to enforce legal and statutory obligations, reflect upon organisational procedures and promote an ethical culture.

Where a governing body member, director, employee, volunteer, contractor, supplier or associate of the organisation believes, on reasonable grounds, that another person associated with the organisation has been involved in illegal, improper or unethical conduct, they are encouraged and supported to report the conduct without reprisal or consequence.

OBJECTIVES

Hope is committed to ethical conduct, integrity, and transparency. This policy outlines our commitment to supporting individuals who report suspected misconduct or serious wrongdoing in good faith. It explains how such disclosures are managed, how individuals are protected, and how we comply with the Corporations Act.

SCOPE

This policy applies to all persons associated with the organisation, including:

- Managers, employees and volunteers, and relatives or spouse of one of these individuals;
- Board and committee members; and relatives or spouse of one of these individuals;
- Contractors and consultants;
- Any individual who has a working relationship with the organisation.

PURPOSE

The purpose of this policy is to:

- Encourage the reporting of unlawful, unethical, or improper conduct;
- Provide clear procedures for making a disclosure;
- Ensure disclosures are handled appropriately and confidentially;
- Protect individuals who make disclosures in good faith from retaliation or victimisation.

WHAT CAN BE DISCLOSED

Disclosures may relate to any conduct that is:

- Illegal (e.g., fraud, theft, or corruption);
- Dangerous to the health or safety of individuals;
- A misuse of public or organisational funds or resources;
- A breach of organisational policy or code of conduct;
- An attempt to cover up any of the above.

It is noted that whistleblower laws do not apply to personal work-related grievances. However, if you are unsure whether your concern qualifies, you are encouraged to report it regardless. The matter will be assessed appropriately.

HOW TO MAKE A DISCLOSURE

Disclosures can be made in writing or verbally to any of the following:

- Your direct supervisor or manager;

- The organisation's designated Whistleblower Protection Officer;
- The CEO;
- The Board Chair or Deputy Chair
- The Chair of the Finance and Audit Committee or;
- An external authority such as the WA Ombudsman, if appropriate.

Contact Details of the Whistleblower Protection Officer:

Name: Chief of People and Culture Officer (Rachel Emer)
Phone: 0437 875 750
Email: reportableconduct@hopecs.org.au
Mail: For the attention of the Whistleblower Protection Officer
139 Newcastle St, Perth WA 6000

Anonymous reports are permitted; however, providing contact details can assist with effective follow-up and investigation.

CONFIDENTIALITY

All disclosures will be handled with the utmost confidentiality. The identity of the whistleblower will not be revealed without their consent, unless required by law. Information relating to the disclosure will be securely stored and only shared with those directly involved in the investigation or where required by law to be produced.

PROTECTION AGAINST REPRISAL

Anyone who makes a disclosure in good faith is protected by law. The organisation will uphold these legal protections and not tolerate any retaliation, including:

- Dismissal or demotion;
- Harassment or intimidation;
- Discrimination or disadvantage.

If you believe you are experiencing retaliation, report this immediately to the Whistleblower Protection Officer or senior management.

INVESTIGATION OF DISCLOSURES

All disclosures will be assessed fairly, promptly, and in a manner that respects the rights of all parties involved. Depending on the complexity, potential seriousness of the matter, or the position of those involved an independent, appropriately qualified person may be appointed to carry out the investigation.

Outcomes may include disciplinary action, procedural changes, or referral to external authorities. The whistleblower will be informed of the outcome where appropriate and lawful.

FALSE OR MISLEADING DISCLOSURES

Deliberately making a false or malicious disclosure is a serious offence. Individuals who make false reports may be subject to disciplinary action. However, disclosures and the individuals who raise them, made in good faith and found to be unsubstantiated remain protected under this policy.

REVIEW AND COMMUNICATION

All employees will be made aware of this policy.

This policy will be reviewed every 3 years or sooner if required by changes in law or organisational structure. It will be communicated to Board Directors and staff.

Appendix 1: Whistleblower Protection Officer Procedure for Managing a Claim

1. Identify Wrongdoing

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2. Confirm Whistleblower Eligibility

- Is the person:
  - a manager, employee, volunteer, relative or spouse of one of these individuals;
  - a Board or committee member; or a relative or spouse of one of these individuals;
  - a Contractor or consultant;
  - Any individual who has a working relationship with the organisation.
- Is the matter related to misconduct or an improper state of affairs?

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3. Disclosure Made to an Eligible Recipient

- Internal: Direct supervisor or manager, Whistleblower Protection Officer, CEO, Board Chair, Deputy Chair or the Chair of the Finance and Audit Committee
- External: WA Ombudsman, Auditor or other regulators
- Legal Practitioner (for legal advice)
- Journalists or MPs (only under emergency or public interest conditions)

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4. Acknowledge Receipt of Disclosure

- Within a reasonable time
- Provide support and protection information

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5. Assess the Disclosure

- Is it a protected disclosure?
- Does it warrant investigation?
- Maintain confidentiality

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6. Conduct Investigation

- Fair and objective
- Confidential and timely
- Keep whistleblower informed (as appropriate)

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7. Outcome and Actions

- Corrective and preventive actions including disciplinary or legal action or referral
- Systemic issues identified and addressed
- Feedback (where possible, legal and appropriate)

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8. Whistleblower Support and Protection

- Protection from retaliation or victimisation
- Maintain confidentiality
- Ongoing support (e.g., counselling, HR assistance)

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9. Recordkeeping and Reporting

- Record in secure systems
- Regular reporting to board/audit committee (anonymised)

Appendix 2: Whistleblower Protection - Procedure for Making a Claim

WHISTLEBLOWER INFO

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◇ **THE MATTER IS REPORTABLE IF:**

- Wrongful or unlawful conduct
- Improper state of affairs
- Danger to the public or the financial system

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◇ **I AM ELIGIBLE TO MAKE A REPORT IF:**

- Managers, employees and volunteers, and relatives or spouse of one of these individuals;
- Board and committee members; and relatives or spouse of one of these individuals;
- Contractors and consultants;
- Any individual who has a working relationship with the organisation.

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◇ **I CAN REPORT MY CONCERNS TO:**

- Internal: Direct supervisor or manager, Whistleblower Protection Officer, CEO or the Chair of the Finance and Audit Committee
- External: WA Ombudsman, Auditor or other regulators
- Legal Practitioner (for legal advice)
- Journalists or MPs (only under emergency or public interest conditions)

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◇ **I CAN EXPECT MY REPORT TO BE TREATED CONFIDENTIALY**

- My identity will not be disclosed without consent
- Disclosure is only allowed to regulators, legal advisers, or police
- Legal protections will apply to prevent victimisation