

# ORGANISATIONAL GOVERNANCE

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## Title: Whistleblower Procedure

### Scope Statement

This guide provides a way to report possible wrongdoings within the Australian Inclusion Group, which includes four separate entities. It explains how to report, the protection for whistleblowers, the steps of an investigation, and how communication and fairness are maintained during an investigation. The guide is there to make sure reporting is done in a supportive and ethical way.

### How to Report a Potential Misconduct

If you suspect any misconduct within the organisation, we encourage you to firstly speak to a Whistleblower Protection Officer (WPO). A WPO is an assigned person within the organisation. They handle whistleblower concerns under our policy. Their role is to ensure the protection and welfare of individuals who report potential misconduct.

#### Steps to Report:

1. **Identify the Issue:** Clearly understand the suspected misconduct.
2. **Choose a WPO:** Select a Whistleblower Protection Officer (WPO) under the organisations [Contact List](#) provided below to report the issue. Different WPO's are available to ensure you have different channels to raise your concerns.
3. **Report the Misconduct:** Contact the chosen WPO to report the suspected misconduct. This can be done verbally or in writing, depending on what you are most comfortable with.
4. **Legal Advice:** You may also seek legal advice or representation regarding the whistleblower requirements by speaking to a legal practitioner.
5. **Further Action:** If the potential misconduct relates to the CEO or a high-level executive, the WPO will escalate your report to the Chair of the Board for further investigation and appropriate action.

#### Contact List:

Please include a table or list of Whistleblower Protection Officers (WPO) with their contact details:

Role	Contact
CEO	Leanne Pearman – <a href="mailto:leannep@inclusiongroup.org.au">leannep@inclusiongroup.org.au</a>
Chair of Board	Gemma Nugent – <a href="mailto:chair@inclusiongroup.org.au">chair@inclusiongroup.org.au</a>

### Qualification Criteria for Whistleblower Protection

To be eligible for protection under the Act, an eligible whistleblower is an individual who is (or has been) any of the following, in relation to the organisation:

- An officer (a director, Board member or Company Secretary).
- An employee (including, but not limited to, employees who are permanent, part-time, fixed term, casual, volunteer, intern, or temporary).
- An external supplier of services or goods to the organisation (whether paid or unpaid), including their employees (this includes current and former contractors and consultants).
- A relative or dependant of one of the individuals referred to above or a dependant or spouse of one of those individuals.

To qualify for protection, an eligible whistleblower must make the disclosure directly to:

- A director of the organisation or an executive member of the organisation group, or any other person authorised under the **Contact List** to receive a disclosure.

## Whistleblower Procedure

- The Australian Securities & Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), or another Commonwealth body prescribed by regulation.

While holding or having held one of these roles is necessary for protection, it is not mandatory to disclose your identity or specific role. However, to be treated as a whistleblower, you must disclose information about the types of matters outlined in the policy. Additionally, the disclosure must be made to one of the individuals or entities listed in the policy as authorised to receive such information, refer to [Roles and Responsibilities](#) below.

### Can I Speak Up Anonymously?

You have the option to speak confidentially, anonymously, or under a pseudonym.

#### 1. Confidential Disclosure

- Your identity is known to the WPO, and relevant parties involved in the investigation and response to the Potential Misconduct.
- This is the preferred method as it allows for a thorough investigation while offering you protection and support.

#### 2. Partial Anonymity

- Only the WPO knows your identity, and a pseudonym is used for interactions with others.
- This may limit the investigation but still provides a degree of confidentiality.

#### 3. Anonymous Disclosure

- You do not disclose your identity at all.
- This is the least preferred method as it may hinder the investigation due to a lack of follow-up communication and may limit the support you can receive.
- Remember, the more information you provide, the better we can address the issue. However, we respect your choice to remain anonymous if you feel it's necessary.

### What protection will I receive under the policy?

When you decide to report a concern, your confidentiality is our priority. Here's what we do to protect your identity:

- **Consent is Key:** We'll only share your identity with your permission, or if the law specifically requires it.
- **Secure Handling and Safe Storage:** All investigation-related documents are stored securely and accessed only by those directly involved in the process.
- **Need-to-Know Basis:** Only a limited number of authorised people involved, in the investigation, will have access to your identity, and only if you allow it.
- **Report Breaches:** If you believe there's been a breach of confidentiality, you have the right to report it to the designated officer or a regulatory authority.

### Protection Against Detriment

We are committed to ensuring that you are not subject to any form of detriment for raising a concern. Engaging in detrimental conduct towards someone who has made a disclosure, or is believed to be going to make one, is against the law and our values.

#### What Constitutes Detrimental Conduct?

Detrimental conduct can include, but is not limited to:

- Termination of employment.
- Negative changes to your job role or duties.
- Discrimination, harassment, or intimidation.
- Physical or psychological harm.
- Damage to your property, reputation, or financial standing.

#### What Doesn't Count as Detriment?

Version History Table:

Version	Version Date	Authorised Officer	Amendment Notes	Next Review Date
0.0	22/04/2024	CEO – Leanne Pearman	Drafted Policy	NA
1.0	10/05/2024	CEO – Leanne Pearman	Ratified	01/05/2026

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Routine administrative and management actions, such as performance management, are not considered detrimental if they are part of our standard processes and are not a response to your disclosure.

### What If I Face Detriment?

If you feel you've been subjected to detriment due to your disclosure, report it immediately. We will take quick action to prevent any further issues. All reports of detrimental conduct are treated with the extreme confidentiality.

You also have the right to seek independent legal advice or contact regulatory bodies if you believe you have suffered from detrimental conduct.

### Post-Report Procedure: Investigation Process

- Starting the Investigation:** When a report comes in, the Whistleblower Protection Officer (WPO) will quickly and fairly check it out. If it looks like there's something to it, they'll start looking into it more.
- Doing the Investigation:** The WPO will lead the investigation, trying to find proof that either backs up or disproves the bad stuff that's been reported. They might get help from outside experts, and the CEO (or Chair) will make sure everything stays confidential.
- How the Investigation Works:** The investigation will be done quickly, fairly, and without involving anyone who's part of the problem. Everyone working for the organisation is expected to help out fully.
- Rights of Those Being Investigated:** If someone is being investigated, they'll be told what they're accused of, as long as it's legal to do so. They'll also get a chance to tell their side of the story.
- Handling Evidence:** The WPO will carefully gather and look after all the important papers and proof. They'll look at everything objectively to come to a conclusion, which will go into a report with suggestions for the CEO or Chair.
- Wrapping It Up:** The WPO will go over what they've found and decide what to do to fix any bad stuff that happened, making sure it fits with how the organisation wants to sort things out.

### Keeping You Informed

Throughout the investigation process, we will keep you updated at key stages, provided we know your identity and it's appropriate to do so. You'll be informed:

- When the investigation begins.
- During the investigation process.
- Once the investigation is concluded.

Please note, that there may be instances where it's not suitable to share specific details of the outcome with you. Investigation reports are also confidential and will not be distributed.

### Reporting

The results and any steps taken after will be told straight to the Chair of the Board. If the report is about the CEO or a Board member, or if they're close friends with the person being accused, they won't be involved in the reporting process. This is to make sure everything is fair and honest.

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# Whistleblower Procedure

## Roles and Responsibilities

Role	Responsibilities
Board	<ul style="list-style-type: none"><li>• Make decisions based on reports.</li><li>• Assign tasks to others or the Officer.</li><li>• Ensure actions are taken promptly.</li><li>• Handle disciplinary matters.</li><li>• Inform authorities of illegal acts.</li></ul>
Protected Disclosure Officer	<ul style="list-style-type: none"><li>• Look into disclosures,</li><li>• Follow procedures.</li><li>• Maintain confidentiality.</li></ul>
Discloser	<ul style="list-style-type: none"><li>• Communicate truthfully.</li><li>• Follow the Officer's guidance.</li><li>• Help with the investigation.</li><li>• Keep details private.</li><li>• Follow investigation rules.</li><li>• Don't contact others involved without permission.</li></ul>
Chief Executive Officer	<ul style="list-style-type: none"><li>• Oversee the Officer's appointment and performance.</li><li>• Report to the Board unless it's a direct Board matter.</li></ul>

## Additional Resources

For more information on whistleblower protections, you can visit the ASIC website's [whistleblowing](#) section.

## References

- [Whistleblower Policy.pdf](#)
- [Human Rights Policy.pdf](#)
- [Code of Conduct Policy.pdf](#)
- [Privacy and Confidentiality Policy.pdf](#)
- [ASIC - Whistleblowing](#)
- [Delegations of Responsibility & Authority Policy.pdf](#)
- [Internal Employee Complaints Policy.pdf](#)
- [External Complaints Policy.pdf](#)
- [Quality Management System Policy.pdf](#)
- [Child and Vulnerable People Safeguarding Policy.pdf](#)
- [Photography of Children and Vulnerable People Policy.pdf](#)

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