

# Whistleblower Policy

---

**February 2023**

---

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

## 1.0 Purpose

The Women's Housing Company (WHC) is committed to maintaining a culture of good governance and corporate compliance, which includes high standards of conduct and ethical behaviour. The reporting of improper conduct is a key element in fostering an ethical culture, as well as protecting our reputation and our assets, and avoiding unsafe practices.

Our Whistleblower policy aims to:

- encourage people within and outside the organisation to come forward and raise concerns regarding actual or suspected contraventions of our ethical and legal standards, without fear of reprisal; and
- assist in ensuring serious misconduct or unethical behaviour is identified and dealt with appropriately.

## 2.0 Scope

The WHC has developed this Whistleblower Policy for all current and former Directors, managers, employees, contractors, suppliers or auditors of the WHC who wish to make a report in connection with misconduct related to the WHC. It also applies to any relative, spouse or dependents of these individuals. Any of these individuals are 'disclosers' under the policy and are eligible for protection as a Whistleblower or Discloser under the Corporations Act 2001.

While we encourage people to report concerns, not all reported concerns are covered by this policy. For example, the following concerns are not covered under this policy:

- Clients: The Whistleblower Policy does not apply to complaints or appeals about a housing decision or the provision of services, which are covered by policies relating to complaints and appeals
- Personal work-related grievances: This policy does not apply to personal work-related grievances that relate to an employee's current or previous employment or engagement that have implications for that person personally, but do not have broader implications.

Furthermore, it should be noted that disclosures that are not about 'disclosable matters' do not qualify for whistleblower protections under the *Corporations Act 2001 (Cth)* (Corporations Act) and the *Taxation Administration Act 1953 (Cth)*. Refer to the definition of protected disclosures in section 3.3.

## 3.0 Policy Statement

### 3.1 Objectives of our Whistleblower Policy

The objectives of our Whistleblower Policy are to:

- Encourage the reporting of matters that may cause financial or non-financial loss to the WHC, or damage to the WHC reputation, including all Reportable Conduct

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

- Enable the WHC to effectively deal with reports from Whistleblowers in a way that will protect the identity of the Whistleblower and provide for the secure storage of the information provided
- Establish policies for protecting Whistleblowers against reprisal by any person internal or external to the WHC
- Provide for the appropriate infrastructure including the appointment of separate individuals responsible for protecting the Whistleblower

### 3.2 Reportable Conduct: what types of conduct can be reported?

A report or disclosure under this policy may be made by a Discloser, if they have seen or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances concerning the WHC.

Reportable Conduct includes any past, present or likely future activity which:

- Is dishonest and/or unethical (either representing a breach of the Code of Conduct or more generally)
- Is gross mismanagement, serious and substantial waste, abuse of authority, or repeated instances of breaches of organisational policies and procedures
- Is fraudulent or corrupt practice (including the offering or accepting of bribes and/or secret commissions)
- Is illegal or breaches any law or regulation applicable to the WHC
- Is a significant breach of the terms of any contract that binds the WHC
- Is misleading or deceptive conduct of any kind, including conduct or representations which amount to improper or misleading accounting, or financial reporting practices either by, or affecting the WHC
- Poses a serious risk to public health, public safety, or the environment
- Poses a serious risk to the health and safety of any person at a WHC workplace
- May cause material financial or non-financial loss (including reputational damage) to the WHC, or may otherwise be detrimental to the WHC
- Any conduct that a reasonable person would consider to be serious misconduct.

Improper conduct would also include a deliberate attempt to conceal any of the above actions.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

### 3.3 Protected disclosures

To be eligible for the legal protections outlined in this policy, the following must apply:

- The person making the disclosure must be a “Discloser” as defined within section 2.0 above
- The disclosure must be made to an eligible recipient, as outlined in section 3.8
- The person making the disclosure must have reasonable grounds to believe that the disclosure concerns Reporting Conduct as defined in section 3.2.

If the disclosure does not meet all the criteria outlined above, the WHC still encourages reporting, however only reports that meet the above criteria qualify for protection under the Corporations Act.

### 3.4 Satisfaction of the truth of allegations

It is important that when an individual makes a disclosure in line with the Whistleblower Policy, they have first satisfied themselves that there are reasonable grounds to suspect that Reportable Conduct has occurred. The concerns should not be based on suspicion alone without reasonable grounds to support the suspicions. If a Whistleblower has reasonable grounds to suspect misconduct but the report turns out to be incorrect, they are still afforded the legal protections outlined in this policy.

Whistleblowers are not required to provide proof of concerns however they are encouraged to provide any documented evidence they may possess. The more evidence a Whistleblower is able to provide, the more effective the investigation will be. However, a Whistleblower should not delay making a disclosure once they are reasonably satisfied they have reasonable grounds to support their suspicions.

### 3.5 False or malicious reporting

Whistleblowing is not about airing a grievance; it is about reporting real or perceived malpractice. When making a disclosure, you will be expected to have reasonable grounds to suspect that the information you are disclosing is true. You must not make a report you know is not true, or is misleading. Where it is found that you knowingly made a false report, this may be a breach of the Code of Conduct and may be considered a serious matter that may result in disciplinary action.

### 3.6 Allocation of resources

In support of our commitment to developing a culture of corporate compliance and ethical behaviour, the WHC has allocated the following resources necessary to protect a Whistleblower:

- An independent reporting line to the CEO or Board Directors
- Regular training for Directors and staff
- Engagement of an external hotline service provider
- A mechanism for appeals.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

### 3.7 How does a Whistleblower make a report

If you have reasonable grounds to believe that any employee, volunteer, contractor or Director has breached the law, organisational policy or otherwise engaged in Reportable Conduct, this should be reported. Any such report should where possible be in writing and should contain details of the nature of the alleged conduct, including:

- who was involved in the alleged misconduct
- the nature of the misconduct that is believed to have occurred
- where and when the alleged misconduct took place
- the nature and whereabouts of evidence to support or substantiate the allegations, including the name of any witnesses.

Evidence to support the allegations should be brought forward at this time if it exists. The absence of evidence will be taken into account in the consideration of whether to open an investigation into the matter.

Any person reporting a breach should be informed that:

- as far as possible, the Whistleblower will not be disadvantaged for making such a disclosure
- if the Whistleblower wishes to retain their anonymity, this will be honoured except insofar as it may be overridden by the due process of law
- the reporting of a breach does not necessarily absolve the Whistleblower from the consequences of any involvement on their own part in the misconduct complained of.

### 3.8 Eligible Recipients

Whistleblowers should make their disclosures to one of the following eligible recipients:

- WHC's external whistleblowing service - STOPLINE
- an Executive Manager (i.e. a member of the Executive Management Team)
- the CEO; or
- A WHC Director.

A disclosure from an eligible Whistleblower to one of the above parties regarding Reportable Conduct will trigger the whistleblower process. In the event that none the above parties are an appropriate recipient, reports can be made to other eligible recipients such as:

- the company auditor (or a member of the audit team)
- a legal practitioner (at the expense of the Discloser)
- a regulatory body such as the Australian Securities and Investments Commission (ASIC) or the

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

Australian Taxation Office

- to a journalist or member of parliament, under some circumstances (e.g. a public interest disclosure or emergency disclosure). In the event that a Whistleblower is contemplating such a disclosure, it is recommended that they first obtain independent legal advice.

### 3.9 Confidential Whistleblower Service

Anyone who does not feel comfortable making disclosures via internal channels, or who wishes to remain anonymous may contact the WHC's independent and confidential whistleblower service (Stopline):

- Phone: 1300 30 45 50
- Email: [womenshousingcompany@stipline.com.au](mailto:womenshousingcompany@stipline.com.au)
- Web: <https://womenshousingcompany.stiplinereport.com>
- Post: Women's Housing Company Ltd  
c/o Stopline  
PO Box 403,  
Diamond Creek, VIC, 3089
- Fax: Women's Housing Company c/o Stopline +61 3 9882 4480

Disclosures can also be made to the whistleblower service via a smart phone application. The application is available for both iPhone and Android phones and is available from the Apple App store and Google Play.

Disclosures received by Stopline are reported to the WHC in accordance with this policy. Stopline can act as an intermediary between the Whistleblower and the WHC, facilitating the disclosure of Reportable Conduct to the WHC and reporting back to the Whistleblower.

Whilst the WHC prefers that Whistleblowers disclose their identity so that the investigation can be conducted more effectively, Whistleblowers are not required to identify themselves and will not be named in any reports to the WHC unless they have consented to the disclosure of their identity.

### 3.10 The Investigation

The Whistleblower Manager (refer to section 3.12 below, typically the WHC CEO) will appoint a Whistleblower Investigator to conduct a preliminary review of the disclosure to decide whether it meets the definition of a Protected Disclosure under this policy or whether it should be managed under another policy. In the case of Protected Disclosures, the Whistleblower Investigator will make an assessment as to whether the allegations raised should be investigated. Not all disclosures will lead to an investigation. For

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

example, it may be decided that the allegations were investigated previously and that a new investigation will not be undertaken. You will be advised of the decision whether to investigate, unless the Whistleblower Investigator has no way to contact you.

If the Whistleblower Investigator decides that the allegations will be investigated, the Investigator will either conduct or commission the investigation.

Investigations will follow a fair process and will be conducted in as timely a process as the circumstances allow. The Whistleblower Investigator will provide you with feedback on the progress and expected timeframes for the investigation.

Persons against whom an allegation has been made will be informed of the allegation and will have the opportunity to respond, unless there is a reasonable basis for not doing so.

At the conclusion of an investigation, the Whistleblower Investigator may produce a report which includes the findings and a summary of the evidence. Any such report remains the property of the WHC and will not be shared with you or the person against whom the allegations were made. To the extent permitted under law, the Whistleblower Investigator will inform you and/or the person against whom the allegations were made of the findings of the investigation.

If there is a case to answer, the actions taken may include disciplinary action against the person/s who are the subject of the investigation. The exact nature of any disciplinary action will remain confidential.

A Whistleblower is entitled to be accompanied by a support person throughout the procedure when reporting concerns.

### 3.11 Appeals

If you are unsatisfied with the response received after any misconduct is reported to the CEO, you may report the matter to the WHC Chair. If you are unsatisfied with the response received from the Chair, you may report the matter to the appropriate external eligible recipient, including ASIC and the Commissioner of Taxation.

Nothing in this Policy is intended to restrict you from disclosing Reportable Conduct to a government agency, law enforcement body or a regulator in accordance with any relevant law or regulation.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

### 3.12 Key Roles and Responsibilities

#### 3.12.1 Role of the CEO

Given the size, nature and complexity of operations undertaken by the WHC, the WHC CEO is responsible for ensuring that the Whistleblower Policy enables:

- Effective avenues for making disclosures
- Adequate resources to support the program
- Employee awareness of the Whistleblower Policy and training to ensure employee understanding.

#### 3.12.2 Whistleblower Manager

The CEO will act as the WHC Whistleblower Manager once a Whistleblower disclosure is made. Where it is not appropriate for the CEO to manage the Whistleblower program as a result of being included in the allegations, or having a close relationship with a person against whom allegations have been made, then the Chair shall take on those responsibilities.

The Whistleblower Manager is responsible for the following:

- Receiving whistleblower disclosures, and when a whistleblower disclosure is made, then:
- Appointing an appropriate person to look after the welfare of the Whistleblower (i.e. the Whistleblower Protection Officer)
- Appointing an appropriate person from either inside or outside the WHC to investigate the allegations in the disclosure
- Ensuring the investigation is conducted in a fair and timely manner and confidentiality is maintained
- Ensuring no detriment, or victimisation is caused to the Whistleblower
- Ensuring all practicable steps are taken to protect the identity of the Whistleblower where the Whistleblower has sought anonymity
- Advising the Board of the Whistleblower disclosure but exercising discretion in revealing the Whistleblower's identity and the level of detail where it may compromise the investigation
- Involving and notifying external parties, such as NSW Police or the NSW Registrar of Community Housing, where appropriate
- Ensuring remedial action is taken, including disciplinary action, where appropriate
- Ensuring the Whistleblower is provided with information on the outcome of the investigation where reasonably practicable.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

### 3.12.3 Managers and Employees

All WHC managers and employees must:

- Ensure compliance with this policy by not taking action which would cause detriment to or victimise a Whistleblower
- In the case of managers, take active steps to prevent conduct which would cause detriment to or victimise a Whistleblower
- Maintain confidentiality where they have been given information regarding the Whistleblower or the disclosure.

### 3.12.4 Whistleblower Protection Officer

The WHC Whistleblower Manager may appoint a Whistleblower Protection Officer whose role it is to safeguard the interests of the Whistleblower. The Whistleblower Protection Officer will be independent of the investigation, and will have a direct reporting relationship to the Whistleblower Manager in protecting the Whistleblower.

An employee or Director may be appointed a Whistleblower Protection Officer for the duration of the investigation and its aftermath.

### 3.12.5 Whistleblower Investigator

Where a Whistleblower disclosure has been made, the Whistleblower Manager will appoint a Whistleblower Investigator who may be either an employee or Director, or a person external to the WHC. The appointment will be based on ensuring the Investigator has the appropriate skills to investigate the particular nature of the disclosure, and is at arm's length from the parties involved in the disclosure.

The role of the Whistleblower Investigator is to investigate the substance of the complaint, to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made.

The Whistleblower Investigator will be responsible for:

- The conduct of a fair, professional and timely investigation
- Maintaining confidentiality
- Reporting their findings to the Whistleblower Manager.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

### 3.13 Protection for Whistleblowers

The WHC will take all practicable action to ensure a Whistleblower is not disadvantaged by having made a report of misconduct where they have reasonable grounds to do so. Protections offered to eligible Whistleblowers include:

- protection from legal action
- protection from detriment
- confidentiality and anonymity
- immunity from disciplinary action.

#### 3.13.1 Protection from legal action

If a Whistleblower makes a protected disclosure under the Whistleblower Protection Laws, these laws provide that:

- they cannot be subject to any civil, criminal or administrative liability, for making a protected disclosure;
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised against the Whistleblower on the basis of the disclosure; and
- if the disclosure is made to ASIC, APRA, the Commissioner of Taxation, or is an Emergency Disclosure as permitted under the Corporations Act, the information is not admissible in evidence against the Whistleblower in criminal proceedings, or in proceedings for the imposition of a penalty, except for proceedings in respect of providing false information, however, they may be subject to civil, criminal or administrative liability for conduct that is revealed by their disclosure.

Whistleblowers are encouraged to seek independent legal advice regarding Whistleblower Protection Laws as they relate to their specific circumstances.

#### 3.13.2 Protection against Detrimental Action

A Whistleblower who has made a disclosure of Reportable Conduct in accordance with this policy will be protected from any Detrimental Action. Detrimental Action includes:

- action causing injury, harm, loss or damage (including psychological harm);
- damaging a person's property, reputation, business or financial position;
- intimidation, bullying or harassment;
- discrimination or other adverse treatment in relation to the Whistleblower's employment, career, profession, trade or business, including dismissal or demotion;

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

- current or future bias;
- action that constitutes the making of a threat to cause any such Detrimental Action to another person; or
- any conduct which incites others to subject the Whistleblower to any of the above conduct.

Where a Whistleblower believes that they are suffering from Detrimental Action, they should advise the Whistleblower Manager. The Whistleblower Manager will investigate, or arrange an investigation into, the matter.

An employee who is found to have subjected a Whistleblower to Detrimental Action will be subject to disciplinary action. WHC may terminate the contract or engagement of non-employees or take other corrective action. The Whistleblower Protection Laws also prohibit victimisation and Detrimental Action.

The Whistleblower (or any other employee or person) can seek compensation and other remedies through the courts if they suffer loss, damage or injury because the WHC failed to take reasonable precautions and exercise due diligence to prevent detrimental conduct after a disclosure. If a court finds victimisation has occurred, civil penalties and/or imprisonment may result.

Regardless of the protections documented, nothing in this policy prevents the WHC from raising and addressing with a Whistleblower any matters that arise in the ordinary course of their employment or contractual relationship (for example, any separate performance management or misconduct concerns).

### 3.13.3 Anonymity and Confidentiality

You are encouraged to share your identity when making a disclosure, as it will make it easier to address your concerns, however you are not required to do so. Where a Whistleblower requests anonymity, the WHC will, as far as is reasonably possible, protect the person's identity unless they are legally required to disclose it.

Information received from a Whistleblower will be held in the strictest confidence and will only be disclosed to a person not connected with the investigation if:

- The Whistleblower has been consulted and consents in writing to the disclosure
- The WHC is legally required to do so.

The Whistleblower will be advised if matters change in a way that affects the ability of the WHC to protect the person's identity. The WHC will give the person as much warning as reasonably possible if it appears likely that the Whistleblower's identity will become known.

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026

The non-identifying content of your disclosure may need to be shared in order to report a matter of significance to the WHC's governance bodies such as the Board of Directors and the Board Audit and Risk Committee.

All files created with respect to a Whistleblower disclosure and investigation must be kept securely.

### 3.13.4 Immunity from Disciplinary Action

To promote a culture that encourages Whistleblower reports, it is WHC policy that where a Whistleblower has reasonable grounds to suspect that the information they are disclosing is true, the individual involved has not engaged in serious misconduct.

## 4.0 Policy Administration

This policy will be published on the WHC website.

The WHC is committed to training staff with respect to the importance of reporting corrupt and illegal practices. Training in regard to our Whistleblower Policy and processes is provided to all new staff as part of their induction and on an ongoing basis, as required. Eligible recipients will also be trained in dealing with disclosures.

## 5.0 Other Relevant Policies

Code of Conduct

Conflict of Interest Policy

Fraud and Corruption Policy

Privacy Policy

Gifts and Benefits Policy

## 6.0 Related legislation

*Corporations Act 2001 (Cth)*

*Taxation Administration Act 1953 (Cth)*

<b>Policy Name:</b>	Whistleblower Policy		
<b>Version:</b>	V3.0		
<b>Approved by:</b>	Board of Directors	<b>Issue Date:</b>	February 2023
		<b>Review Date:</b>	February 2026