

<b>Category</b>	<b>Governance</b>
<b>Section and Number</b>	<b>Section 5: PC-21</b>
<b>Title</b>	<b>Whistleblower Policy</b>
<b>Approved</b>	<b>Safe Steps Board 31 May 2023</b>

## 1. Policy Statement

Safe Steps is committed to the highest standards of conduct and ethical behaviour, and to promoting and supporting a culture of honest and lawful behaviour, compliance, and good corporate governance. Safe Steps encourages the reporting of any instances of suspected unethical, illegal, fraudulent, or undesirable conduct involving Safe Steps, and will ensure that those persons who Speak Up shall do so without fear of intimidation, disadvantage, or reprisal.

This Policy details the framework for receiving, investigating, and addressing allegations of Potential Misconduct.

## 2. Definitions

- **Eligible Recipients** are individuals eligible to receive reports and who are required to handle the reporting of Potential Misconduct in accordance with this Policy.
- **Policy** means this Whistleblower Policy.
- **Potential Misconduct** means any suspected or actual misconduct or improper state of affairs or circumstances in relation to Safe Steps. It also means (but is not limited to) a breach of law or information that indicates a danger to the public or to the financial system.
- **Speaking Up** means informing (verbally and/or in writing) the appropriate person identified in the Policy if you have reasonable grounds to suspect that potential wrongdoing has occurred or is occurring in relation to Safe Steps.
- **“Whistleblower”** means the person Speaking Up.
- **Whistleblower Investigation Officer (WIO)** means the person who has responsibility for investigating the report of Potential Misconduct.
- **Whistleblower Protection Officer (WPO)** means the person who has specific whistleblower responsibility under this Policy including the protection and safeguarding of the interests of the person Speaking Up. This will be the Chief Executive Officer (CEO) or the Company Secretary.

### 3. Objectives of the Policy

The objectives of this Policy are to:

- a. encourage disclosures of Potential Misconduct,
- b. help deter Potential Misconduct, in line with Safe Steps' risk management and governance framework,
- c. ensure that individuals who disclose Potential Misconduct can do so safely, securely and with confidence that they will be protected and supported,
- d. ensure that disclosures are dealt with appropriately and on a timely basis,
- e. provide transparency around Safe Steps' framework for receiving, handling, and investigating disclosures; and
- f. meet Safe Steps' legal and regulatory obligations.

### 4. Who the Policy applies to

Anyone with information about Potential Misconduct is encouraged to Speak Up.

This Policy applies to an individual who is:

- a. a current or former Safe Steps employee, including employees who are permanent, part-time, fixed term or temporary,
- b. a current or former officer or associate of Safe Steps, for example a board member or company secretary,
- c. a service provider or contractor (e.g., current and former contractors, consultants, and service providers) who is providing, or has provided goods or services to Safe Steps, whether paid or unpaid (e.g., volunteering) including their employees, and
- d. a relative, dependent, or spouse of an individual identified in (a) to (c) above.

### 5. What matters can be reported under the Policy?

#### 5.1 Examples of Potential Misconduct

Safe Steps encourages Speaking Up about Potential Misconduct. You should provide as much information as possible, including details of the Potential Misconduct, people involved, dates, locations and any additional evidence that may exist.

When Speaking Up, you will be expected to have reasonable grounds to suspect the information you are disclosing is true and accurate from first-hand knowledge, but you will not be penalised if the information turns out to be incorrect. However, you must not make a report that you know is untrue or misleading. Deliberate false reporting will not be covered by this Policy and will not be a protected disclosure. Where it is found that the person Speaking Up has knowingly made a false report, this may result in disciplinary action.

Examples of Potential Misconduct include but are not limited to:

- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property,
- Fraud, money laundering or misappropriation of funds,

- Offering or accepting a bribe,
- Financial irregularities,
- Failure to comply with, or breach of, legal or regulatory requirements, and
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure of a Potential Misconduct,
- A serious breach of Safe Steps' Code of Conduct or other Safe Steps policies, standards or codes;
- Improper access or usage of client files or data,
- Conflicts of interest, including those relating to outside business interests, relationships, improper payments, and donations, and
- Conduct endangering the health and safety of any person or persons.

## 5.2 Personal work-related grievances

Disclosures that relate solely to personal work-related grievances, and do not relate to detriment or threat of detriment to the person Speaking Up, are not covered by this Policy.

Personal work-related grievances are those that relate to your current or former employment and only have, or tend to have, implications for you personally, but do not:

- Have any other significant implications for Safe Steps; or
- Relate to any conduct, or alleged conduct, about Potential Misconduct.

Examples of personal work-related grievances include:

- an interpersonal conflict between you and another employee,
- a decision that does not involve a breach of workplace laws,
- a decision about your engagement, transfer, or promotion,
- a decision about your terms and conditions of employment, or
- a decision to terminate your employment, or any other employment disciplinary action.

## 6. How to Speak Up

### 6.1 How to report a Potential Misconduct

Safe Steps has a confidential, secure service in place with an external, independent entity, Stopleveline. You can contact Stopleveline and make disclosures outside business hours in a number of different ways. You can also make anonymous disclosures.

#### Stopleveline

Phone (Australia)	1300 30 45 50
Email	<a href="mailto:makeareport@stopleveline.com.au">makeareport@stopleveline.com.au</a>
Post	Attention: Safe Steps Family Violence Response Centre, c/o Stopleveline, PO Box 403, Diamond Creek, VIC 3089, Australia
NRS National Relay Service	The <a href="#">National Relay Service</a> is a vital service that allows people who are deaf, hard of hearing or have a speech impairment to make and receive phone calls.
Make a report via your smartphone	<a href="https://safesteps.stoplevelinereport.com/">https://safesteps.stoplevelinereport.com/</a>

While Stopline is our preferred channel, you can also make a report directly verbally or in writing to:

Chelsea Tobin, CEO	<a href="mailto:chelsea.t@safesteps.org.au">chelsea.t@safesteps.org.au</a>	(03) 9928 9600
Company Secretary	<a href="mailto:companysecretary@safesteps.org.au">companysecretary@safesteps.org.au</a>	(03) 9928 9600

Where a disclosure to Stopline relates to the Recipients specified, a person making a disclosure may request that the disclosure is directed to the Governance Subcommittee Chair.

You can also

- Speak Up to Safe Steps' External auditors (Moore Australia) or a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower provisions.
- Speak Up to regulatory bodies (such as Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA), the Australian Charities and Not-for-profits Commission (ACNC)),
- in certain circumstances, public interest disclosures or emergency disclosures can be made to a journalist or parliamentarian.

There is a criteria for making public interest disclosures or emergency disclosures and it is strongly recommended that you contact Stopline, or obtain independent legal advice in the first instance, to ensure you understand the criteria for making a public interest or emergency disclosure.

## 6.2 Can I Speak Up anonymously?

You can make an anonymous disclosure if you do not want to reveal your identity and you will be provided the same protections under the Corporations Act given to an identified person who Speaks Up. It is noted however that it may not be possible to investigate the report if Safe Steps is unable to contact you for further information and it may make it difficult to offer you the same level of practical support if Safe Steps does not know your identity.

## 7. What protection exists if I Speak Up under the Policy?

### 7.1 Protecting your identity

Except for situations where disclosure is permissible (below) it is illegal to reveal the identity of a person who Speaks Up, or to disclose information that is likely to lead to identification of the person. This includes not disclosing the identity of the people who Speak Up to others, including to other people who Speak Up.

The Potential Misconduct that has been disclosed by the person who Speaks Up will be investigated in a way that does not identify the person who Speaks Up as the source of the information.

A person who Speaks Up's identity may be disclosed under law if the disclosure is:

- To ASIC, APRA, or the AFP,
- To a lawyer for advice about the disclosure,
- To a body prescribed by the Corporations Regulations, or
- Made with the consent of the person who Speaks Up.

Further, Safe Steps may be able to disclose information about people who speak up that can cause the person who Speaks Up to be identified as an 'investigation defence' if:

- The information disclosed is not the person who Speaks Up's identity but can lead to the person who Speaks Up being identified.

- Releasing the information was reasonably necessary for the purposes of investigating the Potential Misconduct, breach of law, or improper conduct disclosed in the Speaking Up report.
- Safe Steps takes all reasonable steps to reduce the risk that the person who Speaks Up will be identified from the information.

Safe Steps will look to protect the identity of people who Speak Up. Your identity (and any information Safe Steps has because of your report that someone could likely use to identify you) will only be disclosed if you give your consent to Safe Steps to disclose that information or in exceptional circumstances where the disclosure is allowed or required by law.

All information, documents, records, and reports relating to the investigation of a Potential Misconduct will be confidentially stored and retained in an appropriate and secure manner. Access to all information relating to the disclosure will be limited to those directly involved in managing and investigating the disclosure. Only a restricted number of people who are directly involved in handling and investigating the disclosure will be made aware of your identity (subject to your consent) or information that is likely to lead to the identification of your identity.

You can lodge a complaint with the WPO, or a regulator for investigation if you believe that there has been a breach of confidentiality under this Policy.

## 7.2 Protecting you from detriment

You will not be penalised or subject to any detriment for Speaking Up. It is unlawful to cause detriment to or victimise you or another person on the belief or suspicion that a report has been, or will be made, regardless of whether the report was made.

Examples of detrimental conduct includes (but is not limited to):

- a. dismissal of an employee,
- b. alteration of an employee's position or duties to his or her disadvantage,
- c. discriminatory behaviour towards the employee,
- d. harassment or intimidation of a person,
- e. harm and injury to a person, including psychological harm,
- f. damage to a person's property, reputation, business or financial position, or
- g. causing the person any other damage.

Victimisation means actually causing or threatening to cause a detriment (harm) to a person where the organisation, including employees has a belief or suspicion that the person has, or will, or could Speak Up, and that the belief or suspicion is the reason, or part of the reason, for the action that causes detriment to the person who Speaks Up.

Reasonable administrative or management action such as managing unsatisfactory work performance does not constitute a detriment if the action taken is consistent with Safe Steps' Managing Performance and Behaviour Policy.

An administrative action that is reasonable for the purpose of protecting you from risk of detriment is not detrimental conduct. For example, Safe Steps may ask you to perform your duties from another location, reassigning you to another role at the same level, or make other modifications to your workplace or the way you perform your work duties.

If you believe you have been subjected to a detriment because of the actual or intended disclosure, you should immediately report the matter to the WPO so that prompt action can be taken to protect against further detrimental acts or omissions. Reports of detrimental conduct will be treated confidentially. You may also seek independent legal advice or contact regulatory bodies if you believe you have suffered a detriment.

Anyone engaging in unlawful detrimental conduct may be subject to disciplinary action.

## 7.3 Protection from civil, criminal, and administrative liability

You may be entitled to protection from civil liability, criminal liability and administrative liability (including disciplinary action) in respect to the disclosure. The whistleblower protections do not however grant immunity for any Potential Misconduct you have engaged in that is revealed in the report.

## 7.4 Compensation and other remedies

Any person who has suffered a detriment because of Safe Steps' failure to take reasonable precautions and exercise of due diligence to prevent the detrimental conduct may be entitled to compensation or some other legal remedy through the courts. A person who is unsure of the protections or rights to compensation under the whistleblower laws should seek independent legal advice from a legal practitioner.

# 8. What happens once a report is made?

## 8.1 Investigating the disclosure

All reports of Potential Misconduct under this Policy will be received and treated seriously and with respect and sensitivity. They will be acknowledged promptly and dealt with objectively.

While Speaking Up does not guarantee a formal investigation, all reports will be assessed and considered by the WPO and a decision made as to whether it should be investigated. Safe Steps' response to a report will vary depending on the nature of the report and the amount of information provided.

If the WPO determines that an investigation is required, the WPO will brief the Whistleblower Investigation Officer (WIO) to undertake an investigation with the objective of locating evidence that either substantiates or refutes the claims of Potential Misconduct. The WIO may engage external professionals to assist in any investigation.

The WIO will conduct the investigation in a timely manner and will be fair and independent from any persons to whom the report relates. All employees and contractors must cooperate fully with any investigation.

The WIO will gather documents, information and evidence relating to the report, ensuring that all documentation and information relating to the report is kept secure and protected. The WIO will draw objective conclusions based on the evidence gathered during the investigation and present findings and recommendations to the WPO. The WPO will determine the appropriate response and necessary action to remediate, or act on the investigation findings.

Safe Steps is committed to implementing the findings and recommendations of any investigation with a view to rectifying any wrongdoing as far as is practicable in the circumstances.

## 8.2 Confidentiality of your identity

Safe Steps will maintain the confidentiality of your identity unless the disclosure is authorised under law, or you consent to the disclosure of your identity.

Information obtained from you will only be disclosed to the extent reasonably necessary to conduct an investigation into the matter and Safe Steps will take all reasonable steps to reduce the risk that your identity will be identified as a result of the disclosure.

## 8.3 Keeping you informed

Assuming your identity is known, and, where appropriate, you will be kept informed and updated during the following key stages of the investigation:

- when the investigation process has begun,
- while the investigation is in progress, and
- after the investigation has been finalised.

There may be some circumstances where it may not be appropriate to provide details of the outcome to you. You will not be provided with a copy of the investigation report.

## 9. Reporting

The WPO will report the findings and actions directly to the Board Chair and the Governance Subcommittee (GSC) and Finance, Audit and Compliance Subcommittee (FAC).

In cases where the CEO, or a member of the Board, GSC or FAC has been accused of Potential Misconduct, or where they have a close personal relationship with the person against whom the accusation is made, they will be excluded from the reporting process.

## 10. Review and Non-compliance

### Review

This Policy will be reviewed every two years or as otherwise required to ensure currency.

### Non-compliance

Non-compliance with this Policy may result in disciplinary action. The severity of the breach will determine the action to be taken.

## 11. Publication

This Policy will be published on Safe Step's external website

## 12. Related documents

- Safe Steps Code of Conduct
- Fraud and Corruption Prevention Policy
- Grievance Management Policy
- Privacy Policy
- Managing Performance and Behaviour Policy

References:

ASIC Regulatory Guide 270 Whistleblower policies.

Justice Connect information guidelines 2021.

Australian Institute of Company Directors guidelines.