

## Whistleblower Protection Policy

<b>Policy Version</b>	1.1
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# 1. Purpose

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Guide Dogs NSW/ACT (GDN) is committed to the highest standards of legal, ethical and moral behaviour. GDN will not tolerate unethical, unlawful or undesirable conduct. The purpose of this policy is to ensure GDN maintains an environment in which employees, volunteers, clients and contractors are able to report, without fear of retaliatory action, concerns about any serious instances of wrongdoing that they believe may be occurring within GDN.

## 2 Scope

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This policy covers:

Matters or reports of alleged or suspected wrongdoing which is **serious in nature**. Generally, such reports would be regarded as being in the public interest.

Legitimate whistleblowing (i.e. reportable conduct) issues applicable under this policy may include, but is not limited to:

- unlawful conduct, including suspected or actual knowledge of a criminal offence
- the breach of a legal obligation
- a miscarriage of justice
- fraud and corruption
- substantial mismanagement of funds or resources
- a danger to the health or safety of any individual
- damage to the environment
- a serious breach of privacy
- unethical conduct including conflict of interests
- undesirable conduct
- deliberate covering up of information tending to show circumstances of this kind

This policy does **not** cover:

- Trivial or vexatious matters
- Grievances in the workplace
- Performance Management

This policy applies to all volunteers, contractors, clients and employees of GDN.

## 3 Role and Responsibilities

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### 3.1 Employees

- Promptly report matters within the scope of this Policy.

- Adhere to confidentiality requirements.

### 3.2 Managers

- Investigate whistleblower cases as required
- Escalate matters as required
- Adhere to confidentiality requirements

### 3.3 HR Operations Manager

- Point of contact for receipt of whistleblower reports
- Conduct or arrange for the investigation of whistleblower cases
- Escalate matters as required
- Adhere to confidentiality requirements

### 3.4 Head of Legal and Governance

- Point of contact for receipt of whistleblower reports
- Adhere to confidentiality requirements

### 3.5 CEO/Head of People and Culture

- Point of contact for receipt of whistleblower reports
- Ensure all matters are promptly and properly investigated and dealt with
- Adhere to confidentiality requirements
- Determine the appropriate course of action upon receipt of the investigation report

## 4 Policy

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This policy complements normal reporting and communication channels within GDN and provides an alternative means of reporting alleged or suspected wrongdoing where the usual channels appear to have failed or may be inappropriate.

This policy aims to:

- help detect and address wrongdoing and protect persons who report (anonymously or not) actual or suspected wrongdoing; and
- help provide employees, volunteers, clients and contractors with a supportive work environment in which they feel able to raise issues of legitimate concern to them and to GDN; and
- provide suitable avenues for reporting of matters that may cause loss to GDN or damage GDN's reputation.

### 4.1 Safety & Confidentiality

GDN is committed to the protection of genuine whistleblowers. GDN recognises that a whistleblower usually only decides to express a concern after a great deal of thought and provided

the concern is raised in good faith, the person/s raising a concern will not be at risk of losing their job, or services, or suffering any form of repercussion for coming forward. It does not matter whether the suspicion proves to be unfounded or real.

If a person raises a false or vexatious matter, they will be dealt with through appropriate channels e.g. if a member of staff maliciously raises a matter which they know to be untrue, this will be regarded as misconduct and will be dealt with through disciplinary procedures.

GDN recognises that the whistleblower may not wish to be identified during the course of an investigation. In such circumstances, GDN will do everything possible to protect the whistleblower's identity. In some cases, it may not be possible to ensure complete confidentiality, for example, if legal proceedings take place at a later stage.

#### 4.2 Reporting a matter

Any person (whistleblower) who detects or has reasonable grounds for suspecting wrongdoing is encouraged to raise any concerns in writing to:

- First or second line manager;
- Human Resources; or
- Head of Legal and Governance.

Reports implicating any of the above, should be addressed to the CEO.

If you are not comfortable or able to report misconduct internally, you may report it to Guide Dogs NSW/ACT external and independent whistleblowing service provider.

Guide Dogs NSW/ACT has contracted Your Call Whistleblowing Solutions ("Your Call") to receive and manage your report with impartiality and confidentiality.

Using this Your Call will allow you to choose from the following alternatives:-

remain completely anonymous

identify yourself to Your Call only

identify yourself to both Your Call and Guide Dogs NSW/ACT

The Your Call reporting options include:

*Website*      <https://www.yourcall.com.au/report>  
24/7

*Telephone*    1300 790 228 relevant number  
9am and 12am, recognised business days, AEST

Online reports can be made via the website address listed above. You will be required to enter Guide Dogs NSW/ACT unique identifier code **GDN**

Your Call remains the intermediary at all times, receiving and forwarding communication between all parties. The Guide Dogs NSW/ACT Officers who will have access to your reports include:

CEO  
HR Operations Manager  
Head of People and Culture  
Head of Legal and Governance

Your Call can circumvent any of the above Officers upon your request.

You be able to securely upload any relevant documentation and/or material relevant to your disclosure.

After making a disclosure, you will be provided with a unique Disclosure Identification Number (DIN) and access to a secure online Message Board.

The Message Board allows ongoing anonymous communication with Your Call and/or Guide Dogs NSW/ACT. Your Call remains the intermediary at all times, receiving and forwarding communication between all parties. The Message Board can be used to receive updates, share further information/evidence and request support or report retaliation. If you cannot access the Message Board, you can contact Your Call via phone (above) for verbal updates.

### **National Relay Service**

If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at [www.relayservice.gov.au](http://www.relayservice.gov.au) and request Your Call's hotline 1300 790 228.

If you have difficulty speaking or understanding English, contact us through the [Translating and Interpreting Service](#) (TIS) [131 450](tel:131450) and ask for Your Call on 1300 790 228.

## 4.3 Investigating the matter

All whistleblower reports will be objectively, impartially and confidentially investigated.

The investigator will be selected depending upon the circumstances of the report. It may be appropriate for the investigation to be dealt with by a line manager or Human Resources, alternative actions may include:

- The appointment of an investigator independent of the area of operations to inquire into the allegations; or
- The appointment of an external investigator.

## 4.4 Investigation Findings

The investigation findings will be provided to the CEO, HR Operations Manager, Head of People and Culture, and Head of Legal and Governance who will determine the appropriate response.

If the investigation finds allegations made in the whistleblower report to be substantiated, action will be taken through the relevant channels and in accordance with legislation e.g. if the matter impacts a member of staff, disciplinary action may be undertaken in accordance with employment legislation and the GDN Policies & Procedures in force at the time.

# 5. Exceptions

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Not applicable.

# 6. Compliance and Enforcement

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## 6.1 Legal Requirements

The table below summarises the legislative and regulatory requirements that must be met:

Act / Regulation	Summary of Requirements
Corporations Act 2001 (Cth), section 1317AI	<p>s1317AI(5) The matters that a policy must set out for the purposes of paragraph (1)(a), (2)(a) or (3)(a) are:</p> <ul style="list-style-type: none"><li>(a) information about the protections available to whistleblowers, including protections under this Part; and</li><li>(b) information about to whom disclosures that qualify for protection under this Part may be made, and how they may be made; and</li><li>(c) information about how the company will support whistleblowers and protect them from detriment; and</li><li>(d) information about how the company will investigate disclosures that qualify for protection under this Part; and</li><li>(e) information about how the company will ensure fair treatment of employees of the company who are mentioned in disclosures that qualify for protection under this Part, or to whom such disclosures relate; and</li><li>(f) information about how the policy is to be made available to officers and employees of the company; and</li><li>(g) any matters prescribed by the regulations for the purposes of this paragraph.</li></ul>
ASIC Regulatory Guide 270 Whistleblower policies	Refer ASIC Regulatory Guide 270 , particularly Table 1 and Table 2 for a summary

## 6.2 Breaches of Policy

Breaches of policy will be dealt with under the relevant disciplinary/conduct Policies and Procedures in force at the time. This includes:

- Breaches of confidentiality
- Malicious or vexatious claims

## 7. Related Documents

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This Policy is one of a suite of policies and procedures which are focussed on supporting our core values of integrity and fairness. Please also refer to the following additional policies and procedures:

- Discipline, Termination & Redundancy Policy
- Employee Assistance Program Policy
- Grievance Resolution Policy
- Workplace Behaviour Policy

## 8. Definitions

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Term	Meaning
Whistleblower	A whistleblower is defined as: “an officer, employee, volunteer, client or contractor of GDN, who attempts to make or wishes to make a report in connection with reportable conduct under this policy and avail themselves of the protections offered by this policy”.

## 9. Version History

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NO	Date	Description of Change
1.0	Dec 2019	Establishment of policy
1.1	Seprt 2020	Addition of external Whistleblower service provide and change to escalation procedures.

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