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2	02/11/2015	Review and update against Information Security Policy	Rebecca Matthews
3	20/12/2016	Update document onto new Policy Template	Kate Stella
4	20/8/2018	Document reviewed for accuracy and currency	Sharon Phayer
5	01/07/2019	Updated to include new Whistleblower laws	Sharon Phayer
6	29/11/2019	Updated to reflect Regulatory Guidance #270	Jackie Moriarty
7	21/5/2020	Updated to include script for receiving disclosures	Jackie Moriarty
8	01/12/2020	Rebrand	Kate Stella

Introduction

Asuria Pty Ltd (hereafter referred to as the Company) is committed to the highest possible standards of openness, honesty and accountability. By encouraging a culture of openness within our organisation, the Company is better able to address any malpractice that might arise within the business. With this commitment, we encourage our employees who have concerns, suspect, or are aware of any malpractice or wrongdoing about any aspect of our work to voice them without fear of punishment or adverse consequence. The Company is committed to ensuring full compliance with our statutory and contractual obligations and the rights of people working for the Company.

Scope

Who does this policy apply to? Who is an eligible Whistleblower?

All current and former officers or employees of the Company (including self-employed contractors, agency, temporary and voluntary workers); associates of the company; suppliers of the company; and a relative, dependent or spouse of any of the aforementioned people.

Enterprising Heart Statement

'Enterprising Heart' defines the principles that integrate our company strategy with our individual actions. Ours is a culture that beats to an Enterprising Heart. Our people balance compassion and empathy with their daily work with a drive to ensure the commercial outcomes of the organisation. Asuria employees are always open to new ideas and debate while maintaining our growth focus. We encourage our people to be imaginative and resourceful. Without exception Asuria treat everyone with dignity and respect. The DNA of 'Enterprising Heart' pushes our people and our company beyond the traditional emphasis on economic growth and promotes the integration of community to establish a value and principled-focussed organisation.

Policy

This policy is designed to provide the opportunity for eligible individuals to disclose relevant concerns and receive feedback on action taken. It is also designed to reassure employees that they are protected from dismissal, harassment, intimidation or other detrimental treatment provided that they are acting in good faith when 'whistleblowing', it does not matter if they are mistaken. Good faith means having **reasonable grounds** to suspect the information they are disclosing about the company relates to misconduct or an improper state of affairs or circumstances.

If there are matters which an employee thinks the Company should know about, they should report it in line with this policy and procedure. By knowing about malpractice at an early stage the Company stands a good chance of taking the necessary steps to safeguard the interests of employees, the public and the Company. In short, employees should not hesitate to let us know about genuine concerns.

What should be reported?

The following are issues which the Company would regard as malpractice or wrongdoing and could be raised under the whistleblowing policy. This list is not exhaustive nor limiting and employees should use discretion on other possible malpractices or wrongdoing that are not shown below:

- Falsification of records of any sort;
- Inappropriate use of external funding;
- Possible fraud, theft or corruption;
- Criminal offence(s) or a breach of law that has been committed, is being committed, or is likely to be committed;
- Leaking confidential information in respect of the Companies activities and/or records;
- Damage, or likely damage to the environment;
- Widespread serious misuse of Company assets, including computer hardware and software, buildings, phones and vehicles;
- Undertaking of undisclosed private work which may conflict with duties and responsibilities, or which are being carried out during working time;
- Concerns regarding actual or possible breaches of Workplace / Occupational Health and Safety Regulations;
- Accepting gifts or inducements in return for influencing key decisions
- Deliberately concealing information regarding any of the above matters.

What types of disclosures are protected?

The disclosures protected by the laws include disclosures where an eligible individual has reasonable grounds to suspect that the information disclosed concerns:

- misconduct or an "improper state of affairs or circumstances" regarding any of the entities covered by the laws or their related bodies corporate;

- conduct that breaches the Corporations Act 2001 or conduct that breaches the ASIC Act or a range of specified insurance, life insurance and superannuation statutes;
- conduct that relates to an offence against any law of the Commonwealth which is punishable by imprisonment for 12 months or more; or
- a danger to the public or the financial system

The disclosure must be reported to an eligible recipient of the company. There is no requirement for an eligible discloser to identify himself or herself in order for a disclosure to qualify for protection.

It is important to note that:

It is important to note that not commenting on such activity is, the wrong thing to do, however if you wish to remain anonymous when reporting a malpractice or wrongdoing, you may do so. Information on how to remain anonymous is set out under *procedure* of this document.

Any complaints that an employee may have with regards to their own personal circumstances should be raised in accordance with the company Internal Complaints Grievance Dispute Resolution Policy and Procedure.

Disclosures about personal work-related grievances are not generally protected by the laws. This includes disclosures about:

- matters pertaining to a discloser's employment that impact upon the employee personally;
- interpersonal conflict between a discloser and another employee;
- decisions relating to promotions, demotions, terms and conditions of employment; and
- decisions about taking disciplinary action against a discloser (including decisions about suspension and termination of employment).

Your protection as a Whistleblower:

If you raise a genuine concern in good faith under this policy, you will not be at risk of losing your job, suffering any form of retribution, detrimental treatment or negative or adverse consequences as a result. This applies even if you are mistaken on what you reported. You must however reasonably believe that the information that you have tends to show some malpractice. **This assurance does not apply to someone who maliciously raises a matter which they know is untrue.**

As per the company Anti-Bullying and Anti-Discrimination (including harassment, sexual harassment and victimisation) Policies, the company will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. The company will maintain strictest confidentiality when dealing with any concerns raised and if you ask us to keep your identity confidential, we will not disclose your identity without your consent.

Whilst employees are able to report a malpractice or wrongdoing anonymously, it is important that they note that without telling us who they are, it will be much more difficult for the Company to look into the matter, to protect the employees' position, or to give them feedback on any investigation resulting on the matter.

Compensation and Remedies:

- If an individual or company breach the confidentiality of a Whistleblower's identity, fines of up to \$1.05m apply to individuals and up to \$10.5m apply to companies engaged in the breach.
- If an individual or company victimises or threatens to victimise a Whistleblower (that is, treat them detrimentally), fines of up to \$1.05m apply to individuals or up to \$10.5m apply to companies engaged in the breach.

Civil, Criminal and Administrative Liability Protection:

An eligible individual is protected from the following in relation to an eligible disclosure:

- Civil liability (e.g. legal action against the discloser for breach of an employment contract, duty of confidentiality or any contractual obligation)
- Criminal liability (e.g. attempted prosecution of the discloser for unlawfully releasing information, or other use of the disclosure against the discloser in a prosecution – other than for making a false disclosure)
- Administrative liability (e.g. disciplinary action for making the disclosure)

The above protections do not grant immunity for any misconduct a discloser has engaged in that is revealed in their disclosure.

Procedure

Reporting internally:

If an employee has not reported using anonymous forms and wants to raise a matter 'in confidence', they must say so at the outset of the reporting process so appropriate arrangements can be made.

1. Where the employee is able to do so, any concerns should be raised in the first instance with their immediate line manager, preferably in writing, setting out the background and history of the concern. Where available, the reporter should provide names of those concerned, dates and places, and the reasons why they are particularly concerned about the situation.

If the employee has any documentary evidence in support of their allegations, they should also include copies of any and all such evidence.

2. If the employee is unable to raise the matter with their immediate line manager (for examples where allegations refer to act(s) and/or omissions by them) the concerns should be raised with the next level of management or Human Resources.

Alternatively, the Company has set up a confidential email account which employees can raise their concern directly. This account is monitored by Human Resources. The email is: confidential@asuria.com.au

Reporting anonymously:

If an employee would prefer to report the concern anonymously, they have two methods in which they can do this.

It is important to note that employees who chose to report this way will limit the Company's ability to investigate the concern as they are not able to follow up with the employee who reported for more information. This also means that the Company is not able to provide feedback on the status of the investigation as it is unknown who reported it.

For this reason, the Company requests that any employee reporting through this method provides as much information as possible to allow the Company the best chance at taking necessary steps to safeguard the interests of employees, the Company and the public.

1. "Contact Us" on the website.
Employees may report anonymously via "The Contact Us" section on the Company website.
To submit via this method, the website will require text entered into all fields, including name and email. To maintain confidentiality, the Company suggests

employees complete the 'Name' field with: Whistleblower, and the 'Email' field with: whistleblower@asuria.com.au

The free text field will allow the Whistleblower to provide as much as information as possible, in accordance with this policy.

2. Via Post.

In the event that the employee reporting the issue does not want to report online or has additional documentary evidence that they are not able attach using the website, they are encouraged to post the information to their direct Line Manager (at the branch address) or the HR Manager (address below) for investigation, including all attachments/documentary evidence.

Post to:

Confidential
HR Manager
Level 7, North Tower
1-5 Railway Street
Chatswood NSW 2067

Reporting Externally:

The main purpose of the Whistleblower policy is to give employees the opportunity and protection they need to raise concerns internally. The company would expect that, in almost all cases, raising concerns internally would be the most appropriate action to take.

However, if an employee feels they cannot raise their concerns internally and they reasonably believe the information and allegations are substantially true, they can consider raising the matter with the appropriate regulator.

Protected disclosures can be made to the following persons:

- Eligible recipients within the company (officers or senior managers)
 - [The eligible recipients of the Company are the Privacy Officer, the Chief Executive Officer and the Company Secretary.](#)
- auditors of a company;
- actuaries of a company; and
- trustees of a superannuation entity.
- Australian Securities & Investments Commission
 - GPO BOX 9827 Brisbane QLD 4001
 - Or complete an online form at
 - <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/>

If a Whistleblower has taken a number of prescribed steps to previously disclose the information and has reasonable grounds to believe that action is not being taken to address the relevant issue, there is a capacity (subject to certain pre-requisites being met) to make protected disclosures to a journalist or member of State or Federal Parliament.

Responsibilities

How will the Company respond?

The Company will look into and respond to reports by assessing what action, if any, should be taken. Some reports may be resolved without the need for investigation. However, the action taken by the Company will depend on the nature and seriousness of the concern.

The matters raised may be:

1. Investigated internally;
2. Referred to the Police;
3. Reported to the funding provider where relevant;
4. Referred to external auditors; or
5. Form the subject of some independent enquiry.

If the employee has not reported the matter anonymously, the company will respond to the 'whistle-blower' by informing them who is handling the matter, how they can contact them and whether further assistance/information from the whistle-blower may be needed. If the employee is comfortable in doing so, the investigating party may request a meeting with the 'whistle-blower' to discuss the concern – this would be in strictest confidence.

The Company will always strive to handle matters fairly, properly and promptly. The Company will endeavour to complete investigations within a reasonable period of time and, where appropriate, keep the 'whistle-blower' informed of the progress of the investigation as it is being carried out and when it has been completed. It is important to note that the Company may not be able to inform the 'whistle-blower' of any matters or outcomes which would infringe the duty of confidentiality owed to others involved.

Employee Responsibilities:

All employees should raise genuine concerns relating to instances of malpractice as set out in this policy. It is important to note that not commenting on such activity is, in itself, the wrong thing to do.

Manager Responsibilities:

Managers have the responsibility to ensure that all employees are aware of this policy and the confidential reporting procedure.

Managers must also ensure that support is given to staff who report concerns under this policy and where referrals are made to HR to discuss next steps, the referral should not compromise the employee's anonymity, should they wish to report in confidence.

Managers should note that protected disclosures are often reported outside of working hours. They should be prepared for this and utilise the following script to ask the discloser:

- "What are your expectations - Is this a complaint or are you making a formal whistleblowing disclosure?"
- If the response is a complaint, advise the discloser to follow the Internal Complaints, Grievances and Dispute Resolution Policy (for employees) or to contact the Privacy Officer (for non-employees)
- If the response is a formal whistleblowing disclosure, advise the disclosure:
- "I need you to contact an Eligible Recipient":
- Or "If you feel comfortable, I can refer you to them"
- Or "If you are still not comfortable, you can go straight to the Regulator (ASIC)"

Under no circumstances should the Manager share formal disclosures with anyone other than an Eligible Recipient of the company.

Human Resources and Senior Management Responsibilities:

Human Resources and the Senior Management team will provide a confidential reporting mechanism for staff who feel that they cannot raise their concerns with their direct manager. They will also ensure that they are continuously reviewing and updating our practices with the most recent information and guidance.

This policy is to be available on the Asuria website at all times. This Policy forms part of the Cruse Competency compulsory suite of training and all employees are required to read and acknowledge the Policy.

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Ownership

Asuria is nominated as the Owner of this policy.

Disclaimer

This Policy and Procedure document is designed to assist employees of Asuria in performing their duties and responsibilities, and otherwise to set out general information in relation to certain subjects.

Complying with the law and observing Policy and Procedure is a condition of working at Asuria. Non-compliance may lead to disciplinary action up to, and including termination of employment.

Asuria may alter or withdraw this Policy from time to time, or choose not to apply any part or all of this procedure in a particular instance at its absolute discretion, unless expressly stated otherwise in this document, or in an underlying template document contained on or linked through this page. Because this policy and procedure document and any underlying policies and procedures may be changed by Asuria from time to time, this site should always be accessed to ensure that the policy and procedure being accessed is the current version. Employees should not rely on printed documents without checking the current status of this Policy and Procedure via Cruse.