

WHISTLEBLOWER POLICY

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Purpose The purpose of this policy is to encourage 'Eligible Whistleblowers' to disclose improper conduct confidentially, anonymously, and on reasonable grounds, without the fear of reprisal or detrimental action.

Policy Statement This policy details the rights of Eligible Whistleblowers, setting out a summary of the protections that are available to Eligible Whistleblowers who make disclosures under the Whistleblower protection provisions provided in the *Corporations Act 2001* (Cth) and the *Taxation Administration Act 1953* (Cth) (Whistleblower Laws).

Under the Whistleblower Laws, an Eligible Whistleblower will be entitled to certain legal protections if they report a 'Disclosable Matter' to an 'Eligible Recipient', the Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA), or the Australian Tax Office (ATO).

In contemplating the use of this policy, a person should consider whether a concern may be more appropriately raised under the following Wintringham policies:

- [Conflict and Complaint Management](#); and
- [Code of Conduct](#)

Equally, the above policies should also be read in conjunction with this policy.

Commitment Wintringham is committed to:

- Maintaining an open and transparent working environment
- Requiring all Wintringham staff to observe high standards of business and personal ethics, in the conduct of their duties and responsibilities
- Making this policy available to all staff upon commencement with Wintringham, through the employment pack and during the orientation process.

Scope This policy applies to all Wintringham and Wintringham Housing personnel, who include but may not be limited to:

- all Wintringham officers, employees and volunteers (former and current);
- all Wintringham suppliers and contractors (former and current);
- all Eligible Whistleblowers as defined under this policy and the Whistleblower Laws; and
- all Eligible Recipients as defined under this policy and the Whistleblower Law.

Wintringham encourages all people in scope to address their questions, concerns, suggestions or complaints by initially discussing the matter generally with a supervisor, or People and Culture Manager as appropriate.

However, should the person not feel comfortable in raising the issue, Wintringham will have alternative avenues for raising and reporting matters of concern confidentially.

Definitions

<p>Eligible Whistleblower</p>	<p>Under the Whistleblower Laws, an Eligible Whistleblower includes an individual who is or has been any of the following:</p> <ul style="list-style-type: none"> • a current or former officer or employee, including current and former employees who were employed on a permanent, part-time, fixed term, or temporary basis; • current or former suppliers of services or goods to the entity (whether paid or unpaid) including their employees; • an associate of the entity; and • a relative, dependent or spouse of any of the above individuals.
<p>Disclosable Matter</p>	<p>Under the Whistleblower Laws a 'Disclosable Matter' is where there is a disclosure of information by an Eligible Whistleblower, where the Eligible Whistleblower has reasonable grounds to suspect that the information:</p> <ol style="list-style-type: none"> 1. concerns misconduct (including fraud, negligence, default, breach of trust, and breach of duty), or an improper state of affairs or circumstances, in relation to the organisation or a related entity; 2. concerns misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of the organisation or an associate of the organisation; or 3. indicates that an officer or employee of the organisation or a related entity, has engaged in conduct that: <ol style="list-style-type: none"> a. constitutes an offence against, or a contravention of, a provision of specified legislation including the <i>Corporations Act 2001 (Cth)</i>; b. constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; c. represents a danger to the public or the financial system; or d. if the Eligible Whistleblower makes a 'Public Interest Disclosure' or an 'Emergency Disclosure' (see definitions below). <p>Misconduct or an 'improper state of affairs or circumstances' that may amount to examples of Disclosable Matters may include, but are not limited to:</p> <ul style="list-style-type: none"> • a breach of Wintringham policy; • illegal, unethical or improper conduct; • contravention or suspected contravention of legal or regulatory provisions; • financial malpractice, impropriety or fraud; • auditing non-disclosure or manipulation of any audit processes; • practices or information that indicates a risk to the health and safety of staff, the volunteers or the public, even if it does not involve a breach of a particular law; • serious and substantial waste of public resources;

	<ul style="list-style-type: none"> • practices endangering the environment; • information that indicates a significant risk to the stability of, or confidence in, the financial system, even if it does not involve a breach of a particular law; or • any deliberate concealment relating to the above. <p>NOTE: A disclosable matter may include conduct that may not involve a contravention of a particular law.</p> <p>An individual who makes a disclosure may still qualify for protection even if their disclosure turns out to be incorrect.</p>
<p>Personal Work-Related Grievance</p>	<p>A disclosure will not qualify for protection under the Whistleblower Laws (e.g. will not be a Disclosable Matter) if the information disclosed concerns a 'Personal Work-Related Grievance' of the Eligible Whistleblower.</p> <p>A 'Personal Work-Related Grievance' is a grievance about any matter in relation to the Eligible Whistleblower's employment, or former employment, having (or tending to have) implications for the Eligible Whistleblower personally.</p> <p>However, the grievance will not be a Personal Work-Related Grievance if it has significant implications for Wintringham and concerns conduct or alleged conduct referred within the definition of a Disclosable Matter.</p> <p>Examples of Personal Work-Related Grievances include:</p> <ul style="list-style-type: none"> • interpersonal conflict between the Eligible Whistleblower and another employee; • decisions relating to the engagement, transfer or promotion of the Eligible Whistleblower; • decisions relating to the terms and conditions of engagement of the Eligible Whistleblower; and • decisions to suspend or terminate the engagement of the Eligible Whistleblower, or otherwise to discipline the Eligible Whistleblower. <p>A Personal Work-Related Grievance may still qualify for protection if:</p> <ol style="list-style-type: none"> 1. it includes information about misconduct, or information about misconduct includes or is accompanied by a Personal Work-Related Grievance (mixed report); 2. the organisation has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the Eligible Whistleblower's personal circumstances;



	<p>3. the Eligible Whistleblower suffers from or is threatened with detriment for making a disclosure; or</p> <p>4. the Eligible Whistleblower seeks legal advice or legal representation about the operation of the Whistleblower protections under the Corporations Act.</p> <p>Note: Complaints regarding occupational health and safety should (where possible) be made through the Wintringham’s Wellbeing, Workplace, Health and Safety procedures.</p>
<p>Public Interest Disclosure and Emergency Disclosure</p>	<p>It is important for an Eligible Whistleblower to understand the criteria for making a 'Public Interest Disclosure' or 'Emergency Disclosure', as set out below.</p> <p>An Eligible Whistleblower should consider contacting an independent legal adviser before making a Public Interest Disclosure or an Emergency Disclosure.</p> <p>A disclosure of information will remain a Disclosable Matter where the Eligible Whistleblower makes a Public Interest Disclosure or an Emergency Disclosure.</p>
<p>Public Interest Disclosure</p>	<p>means a public interest disclosure under the Whistleblower Laws, which includes that:</p> <ul style="list-style-type: none"> • the Eligible Whistleblower has already disclosed information that constitutes a Disclosable Matter to a regulatory body (ASIC, APRA, or a prescribed body); • written notice has been provided to the regulatory body who received the Disclosable Matter; • at least 90 days have passed since the Disclosable Matter was made; • the Eligible Whistleblower does not have reasonable grounds to believe that action is being, or has been, taken to address the matters to which the previous disclosure related; • the Eligible Whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest; • the Eligible Whistleblower has given written notification to the regulatory body that they intend to make a public interest disclosure; • the public interest disclosure is made to a member of Federal or a State Parliament or a journalist (as defined); and • the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the journalist or member of parliament of the misconduct, improper state of affairs or other conduct that constituted the Protected Disclosure.
<p>Emergency Disclosure</p>	<p>means an emergency disclosure under the Whistleblower Laws, which includes that:</p>

	<ul style="list-style-type: none"> • the Eligible Whistleblower has already disclosed information that constitutes a Disclosable Matter to a regulatory body; • the Eligible Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; • the Eligible Whistleblower has given a written notification to the regulatory body that includes sufficient information to identify the previous disclosure and states that the Eligible Whistleblower intends to make an emergency disclosure; • the emergency disclosure is made to a member of Federal or a State Parliament or a journalist (as defined); and • the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or member of parliament of the substantial and imminent danger.
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Responsibilities

<p>Chief Executive Officer (CEO)</p>	<p>Responsible for the implementation of the Whistleblower policy. The CEO will work with the Whistleblower Protection Officers in managing the investigations of disclosures of information in accordance with this policy and the Whistleblower Laws.</p> <p>On an annual basis, the CEO will prepare a consolidated report for the Board on all disclosures of information reported to Eligible Recipients, demonstrating actions taken and outcomes reached.</p>
<p>Whistleblower Protection Officer</p>	<p>Responsible for the administration of this policy. These responsibilities include:</p> <ul style="list-style-type: none"> • receiving all disclosures of information from Eligible Recipients, and where applicable Eligible Whistleblowers, and any independent whistleblower services, and acknowledging receipt with the complainant (if possible); • reporting all disclosures of information to the CEO; • appropriately investigate all disclosures of information in accordance with the policy and the Whistleblower Laws; • ensuring that Wintringham and its officers, employees and volunteers comply with their obligations under the Whistleblower Laws; • not victimise or cause a person to suffer detriment where any person makes or proposes to make a disclosure under this policy; • ensure the principles of natural justice are applied to the respondent(s) of any disclosure of information and investigation; • report all disclosures of information to the CEO or appropriate person provided that they and the Whistleblower Protection Officer ensure they comply with their obligations under the Whistleblower Laws in relation to confidentiality of an Eligible Whistleblower's identity (as outlined in section 3).



	<p>However, if the disclosure involves any of these individuals, the appropriate escalation process would occur;</p> <ul style="list-style-type: none"> • agree appropriate investigation processes and oversee the conduct of an investigation; • provide an Investigation Report to the Finance & Audit Committee or as directed by the President (subject to escalation and the Whistleblower Laws, including in relation to confidentiality of an Eligible Whistleblower's identity); • provide quarterly consolidated reports relating to disclosures to the Finance & Audit Committee, ensuring that confidentiality obligations under the Whistleblower Laws are complied with; and • review this Policy in conjunction with the Finance & Audit Committee • ensure that all officers and employees receive training on the operation of this policy and the Whistleblower Laws.
All Officers, Employees & Volunteers	<p>Must:</p> <ul style="list-style-type: none"> • when making a disclosure of information under this policy ensure they have reasonable grounds on which to base the allegation(s); and • not victimise or cause a person to suffer detriment where a person makes or proposes to make a disclosure of information under this policy.
Officers / Senior Managers / EMT	<p>Must:</p> <ul style="list-style-type: none"> • ensure the appropriate consideration and confidentiality is applied to all disclosures under this policy; • promptly advise the Whistleblower Protection Officer of any disclosure. If they receive a Disclosable Matter, ensure that they comply with their obligations under the Whistleblower Laws in relation to confidentiality of an Eligible Whistleblower's identity (as outlined in 'What protection is available' section above); and • not victimise or cause a person to suffer detriment where a person makes or proposes to make a disclosure under this policy.
Board	<p>Responsible for:</p> <ul style="list-style-type: none"> • receiving any notification and reports of disclosures as designated under this policy; • determining an appropriate response to the outcome of any investigation including issues involving accounting and auditing matters; • taking appropriate corrective action when applicable; • undertaking periodic reviews of this policy; • ensuring that the Wintringham personnel comply with their obligations under the Whistleblower Laws; and • ensuring that the Board complies with its obligations under the Whistleblower Laws in relation to the confidentiality of an Eligible Whistleblower's identity.

Procedure

1. Whom can Disclosures be Made to?

- 1.1 Disclosure of information that may amount to a Disclosable Matter under this policy and the Whistleblower Laws can be made to an **'Eligible Recipient'**.
- 1.2 The role of the Eligible Recipient is to receive disclosures that qualify for protection.
- 1.3 A discloser of information must make a disclosure directly to any of the following Eligible Recipients to qualify for protection as an Eligible Whistleblower under the Whistleblower Laws:
- the Whistleblower Protection Officers (as indicated below);
 - an Officer or Senior Manager of Wintringham, for example, a Supervisor or the CEO;
 - an internal or external auditor, including a member of an audit team conducting an audit, or an actuary of Wintringham or a related entity; or
 - a legal practitioner.
- 1.4 Disclosures of information to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in the *Corporations Act 2001* (Cth) are protected (even in the event that the legal practitioner concludes that the disclosure of information does not relate to a Disclosable Matter).

Disclosures of information may also be made to ASIC, APRA, or the ATO.

- 1.5 Wintringham recommends that Eligible Whistleblowers who may wish to make a disclosure of information that may amount to a Disclosable Matter, but want to obtain additional information first, contact the Whistleblower Protection Officer for further information.

2. How and Where to Make a Disclosure

- 2.1 An Eligible Whistleblower may make a disclosure directly to any of the above Eligible Recipients.
- 2.2 A disclosure of information can be made by contacting the Whistleblower Protection Officers at the following details:

Name: Tanya Atkinson
Position: Research Evaluation and Policy Manager
Telephone: 9376 1122
Email: tanyaatkinson@wintringham.org.au; or:

Name: Christina Bucci
Position: Communications Manager
Telephone: 9376 1122
Email: cbucci@wintringham.org.au

- 2.3 A disclosure of information can be made by contacting any officer or member of senior management of Wintringham.
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- 2.4 Disclosures of information can be made **anonymously** and all disclosures of information will be treated **confidentially**.
- 2.5 There is no requirement for an Eligible Whistleblower to identify themselves to otherwise be eligible to receive the protections outlined under the Whistleblower Laws.
- 2.6 However, where possible, it is preferred that disclosures of information are made in writing and contain, as appropriate, the following details:
- the nature of the alleged breach;
 - the person or persons alleged to be responsible for the breach;
 - the facts which support the complainant's belief that a breach has occurred;
 - the nature and whereabouts of any further evidence that would substantiate the allegations, if known.
- 2.7 Evidence to support such concerns should be brought forward at this time if it exists. The absence of such evidence will be taken into account in subsequent consideration of whether to open an investigation into the matter. However, absence of such evidence is not an absolute bar to the activation of Wintringham's investigative procedures. The existence of such a concern is sufficient to trigger reporting responsibilities.
- 2.8 An Eligible Whistleblower may choose to continue to remain anonymous over the course of the investigation and after any investigation is finalised. An Eligible Whistleblower may refuse to answer questions that they feel could reveal their identity at any time, including during follow-up conversations.
- 2.9 An Eligible Whistleblower who wishes to remain anonymous should nonetheless maintain ongoing two-way communication with Wintringham, so the organisation can ask follow-up questions or provide feedback.
- 2.10 Wintringham has in place the following measures which aim to protect an Eligible Whistleblower's anonymity:
- proper security of information to prevent unauthorised access to confidential information;
 - the option for Eligible Whistleblowers' to adopt a pseudonym for the purpose of making their disclosure.

3. **Legal Protections Available**

- 3.1 Where an Eligible Whistleblower makes a disclosure of information on reasonable grounds, Wintringham will act to protect them from any victimisation, adverse reaction or intimidation and ensure they will not be disadvantaged in their employment or engagement with the organisation as a result.

Eligible Whistleblowers' also have specific protections under the Whistleblower Laws, which are outlined below.

3.2 **Identify Protection (Confidentiality)**

- 3.2.1 A person cannot disclose the identity of an Eligible Whistleblower or information that is likely to lead to the identification of the Eligible Whistleblower, unless:
- it discloses such information to ASIC, APRA or a member of the Australian Federal Police;
 - it discloses such information to Commonwealth authority, or a State or Territory authority, for the purpose of assisting the authority in the performance of its functions or duties;
 - it discloses such information to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the Whistleblower Laws;
 - the disclosure of that information is made with the consent of the discloser; or
 - it discloses information, but not including the identity of the Eligible Whistleblower, for the purposes of investigating the conduct disclosed (see below).
- 3.2.2 Wintringham requires that where an officer or employee of the Wintringham receives a Disclosable Matter, that person must not disclose the identity of the Eligible Whistleblower or information that is likely to lead to the identification of the Eligible Whistleblower unless one of the above exceptions applies or it is for the purposes of an investigation (see below).
- 3.2.3 It is unlawful for any person to identify an Eligible Whistleblower, or disclose information that is likely to lead to the identification of the Eligible Whistleblower, outside the exceptions listed above.
- 3.2.4 Wintringham will endeavour to protect the confidentiality of an Eligible Whistleblower's identity by adopting the following measures:
- all personal information or reference to the Eligible Whistleblower witnessing an event will be redacted;
 - the Eligible Whistleblower will be referred to in a gender-neutral context;
 - where possible, the Eligible Whistleblower will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them;
 - disclosures will be handled and investigated by qualified Wintringham staff or external advisers;
 - all paper and electronic documents and other materials relating to disclosures will be stored securely;
 - access to all information relating to a 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 a disclosure will be made aware of a discloser's identity (subject to the discloser's consent) or information that is likely to lead to the identification of the discloser;
 - communications and documents relating to the investigation of a disclosure will not to be sent to an email address or to a printer that can be accessed by other staff; and
 - each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a discloser's identity may be a criminal offence.
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- 3.2.5 If an Eligible Whistleblower is concerned about a breach of confidentiality, Wintringham encourages the Eligible Whistleblower to lodge a complaint with the organisation by contacting the Whistleblower Protection Officer.
- 3.2.6 Eligible Whistleblowers may also lodge a complaint with a regulator such as ASIC, APRA or the ATO, for an external investigation.
4. **Protection from Detrimental Acts or Omissions**
- 4.1 A person cannot engage in conduct that causes detriment to an Eligible Whistleblower (or another person), in relation to a Disclosable Matter if:
- the person believes or suspects that the Eligible Whistleblower (or another person) made, may have made, proposes to make, or could make a disclosure that qualifies for protection; and
 - the belief or suspicion is the reason, or part of the reason, for the detrimental conduct.
- 4.2 A person cannot make a threat to cause detriment to an Eligible Whistleblower (or another person) in relation to a Disclosable Matter. A threat may be express or implied, conditional or unconditional.
- 4.3 Examples of conduct that is considered detrimental and that are prohibited under the law include, but are not limited to:
- dismissal of an employee;
 - injury of an employee in his or her employment;
 - alteration of an employee's position or duties to the employee's disadvantage;
 - discrimination between an employee and other employees of the same employer;
 - harassment or intimidation of a person;
 - harm or injury to a person, including psychological harm;
 - damage to a person's property;
 - damage to a person's reputation;
 - damage to a person's business or financial position; or
 - any other damage to a person.
- 4.4 Examples of conduct that is not to be considered detrimental include:
- administrative action that is reasonable for the purpose of protecting an Eligible Whistleblower from detriment (e.g. moving an Eligible Whistleblower who has made a disclosure about their immediate work area to another office to prevent them from detriment);
 - managing an Eligible Whistleblower's unsatisfactory work performance, if the action is in line with the Wintringham's performance management framework.
- 4.5 Wintringham will adopt the following measures and mechanism to protect Eligible Whistleblowers from detriment:
- the CEO will designate a Whistleblower Protection Officer to ensure that the Eligible Whistleblower suffers no detriment. This officer will be responsible for managing:
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- processes for assessing the risk of detriment against an Eligible Whistleblower and other persons (e.g. other staff who might be suspected to have made a disclosure), which will commence as soon as possible after receiving a disclosure;
- support services (including counselling or other professional or legal services) that are available to an Eligible Whistleblower;
- strategies to help an Eligible Whistleblower minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or its investigation; actions for protecting an Eligible Whistleblower from risk of detriment - for example, Wintringham could allow the Eligible Whistleblower to perform their duties from another location, reassign the Eligible Whistleblower to another role at the same level, make other modifications to the Eligible Whistleblower's workplace or the way they perform their work duties, or reassign or relocate other staff involved in the Disclosable Matter;
- processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of a disclosure, address the risks of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to, an Eligible Whistleblower;
- procedures on how an Eligible Whistleblower can lodge a complaint if they have suffered detriment, and the actions Wintringham may take in response to such complaints (e.g. the complaint could be investigated as a separate matter by an officer who is not involved in dealing with disclosures and the investigation findings will be provided to the Board, Audit or Risk Committee); and
- interventions for protecting an Eligible Whistleblower if detriment has already occurred – e.g. Wintringham could investigate and address the detrimental conduct, such as by taking disciplinary action, or could allow the Eligible Whistleblower to take extended leave, develop a career development plan for the Eligible Whistleblower that includes new training and career opportunities, or offer compensation or other remedies.

4.6 Where an Eligible Whistleblower believes they have suffered detriment, Wintringham encourages that person to seek independent legal advice or contact a regulatory body such as ASIC, APRA or the ATO.

4.7 Under the Whistleblower Laws, Wintringham has a responsibility to protect Eligible Whistleblowers from detriment. The Whistleblower Laws also make it a criminal offence for an individual to threaten an Eligible Whistleblower or cause an Eligible Whistleblower to suffer detriment, and the individual may be required to pay a civil penalty and/or compensation to the Eligible Whistleblower.

This includes where a Disclosable Matter had not actually been made, but that the would-be victimiser suspects that a Disclosable Matter may be made.

Where an Eligible Whistleblower is subject to, or concerned about, any victimisation or detriment as referred to the above, the Eligible Whistleblower should draw this negative treatment to the attention of the Whistleblower Protection Officer and the Whistleblower Protection Officer will take action they deem appropriate in the circumstances.

5. Compensation and Other Remedies

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- 5.1 An Eligible Whistleblower (or any other employee or person) can seek compensation and other remedies through the courts if:
- they suffer loss, damage or injury because of a disclosure of information; and
 - the organisation has failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

5.2 Wintringham encourages all Eligible Whistleblowers to seek independent legal advice in relation to compensation and other remedies.

6. **Civil, Criminal and Administrative Liability Protection**

- 6.1 An Eligible Whistleblower is protected from any of the following in relation to their disclosure of information:
- civil liability (e.g. any legal action against the Eligible Whistleblower for breach of an employment contract, duty of confidentiality, or another contractual obligation);
 - criminal liability (e.g. attempted prosecution of the discloser for unlawfully releasing information, or other use of the disclosure against the Eligible Whistleblower in a prosecution (other than for making a false disclosure); and
 - administrative liability (e.g. disciplinary action for making the disclosure).

6.2 The above protections do not grant immunity for any misconduct an Eligible Whistleblower has engaged in, that is revealed in their disclosure of information.

7. **Handling a Disclosure of Information**

7.1 Wintringham will consider all disclosures of information relating to improper conduct made under this policy as soon as possible, upon receipt of the disclosure of information by the Eligible Recipient.

7.2 On receiving a disclosure of information, the Eligible Recipient will advise the Whistleblower Protection Officer of the disclosure.

7.3 The CEO and the Whistleblower Protection Officers are responsible for determining the management of an investigation into a disclosure of information, and will consider whether the disclosure of information is a Disclosable Matter capable of protection under the Whistleblower Laws.

7.4 Where the Whistleblower Protection Officer and the CEO finds the disclosure of information does not constitute a Disclosable Matter under the Whistleblower Laws, the decision to dismiss the allegation will be documented and the discloser will be notified of the decision.

7.5 Where the Whistleblower Protection Officer and the CEO finds that the disclosure of information is a Disclosable Matter capable of protection under the Whistleblower Laws, the CEO shall be responsible for ensuring that an investigation of the Disclosable Matter is established and will ensure that:

- an expected timeframe for the investigation is established;
- any technical, financial or legal advice that may be required to support the investigation is obtained;
- terms of reference for the investigation will be drawn up in consultation with the Whistleblower Protections Officers, to clarify the key issues to be investigated;

- an investigation plan will be developed to ensure all relevant questions are addressed, the scale of the investigation is in proportion to the seriousness of the allegation(s) and sufficient resources are allocated;
- strict security will be maintained during the investigative process;
- all information obtained will be properly secured to prevent unauthorised access;
- all relevant witnesses will be interviewed and documents examined;
- contemporaneous notes of all discussions, phone calls and interviews will be made; and
- interviews with relevant persons will be recorded, where appropriate.

8. Investigating Disclosure of Information

- 8.1 The investigation of a disclosure will be conducted in a timely and efficient manner, noting that the length of time of any such investigation will take may vary depending on the nature of the disclosure of information.
- 8.2 Wintringham will conduct the investigation of a disclosure of information in a thorough, objective and impartial manner, recognising the principles of natural justice and best practice investigative techniques.
- 8.3 Wintringham and the Eligible Recipient receiving a disclosure of information may need to disclose information in related to the disclosure to undertake an investigation into the disclosure of information. However, unless the Eligible Whistleblower gives consent otherwise, Wintringham will conduct the investigation of a disclosure in a confidential manner, that is, the organisation cannot disclose information that is likely to lead to the identification of the Eligible Whistleblower as part of its investigation process, unless:
- the information does not include the Eligible Whistleblower's identity;
 - Wintringham removes information relating to the Eligible Whistleblower or other information that is likely to lead to the identification of the Eligible Whistleblower (e.g. the Eligible Whistleblower's name, position title and other identifying details); and
 - it is reasonably necessary for investigating the issues raised in the disclosure of information.
- 8.4 Where Wintringham is unable to make contact with the Eligible Whistleblower (e.g. if a disclosure of information is made anonymously and the Eligible Whistleblower has refused to provide, or has not provided, a means of contacting them), Wintringham may not be able to undertake an investigation.
- 8.5 Where possible, Eligible Whistleblowers will be provided with regular updates during the various stages of the investigation. Where a disclosure has been made anonymously, updates will be made through anonymous channels.

9. Outcome of Investigation and Reporting

- 9.1 On the outcome of any investigation, a report will be prepared by the Whistleblower Protection Officer.
- 9.2 The method for documenting and reporting the findings will depend on the nature of the disclosure, however Wintringham intends for the report to provide:
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- a summary of the facts of the suspected reportable conduct and of the investigation;
- recommendations about whether any accusation made is substantiated or unsubstantiated;
- whether the matter should be referred to the police, other disciplinary actions that may be required; and
- if warranted, suggested actions to recover stolen funds or property, and internal control implications.

9.3 Whilst Wintringham intends to provide the Eligible Whistleblower a summary of the outcome of the investigation, there may be circumstances where it may not be appropriate to do so.

10. Fair Treatment of Individuals Mentioned in a Disclosure

10.1 Wintringham will ensure the fair treatment of its employees and other persons who are mentioned in a disclosure that qualifies for protection, including those who are the subject of a disclosure.

10.2 Wintringham will ensure the fair treatment of its employees and other persons by ensuring:

- disclosures are handled confidentially, when it is practical and appropriate in the circumstances;
 - each disclosure is assessed and will be considered for investigation;
 - the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
 - when an investigation needs to be undertaken, the process will be objective, fair and independent;
 - an employee who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness and prior to any actions being taken—for example, if the disclosure will be the subject of an investigation; and
 - an employee who is the subject of a disclosure may contact Wintringham's support services (e.g. EAP).
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Legislation	Aged Care Act 1997 NDIA Act 2013 Corporations Act 2001 Taxation Administration Act 1953 Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 Corporations Act 2001 Taxation Administration Act 1953 ASIC Regulatory Guide 270 – Whistleblower Policies
Resources	Asic.gov.au Apra.gov.au
Related Documents	PAC 1.17 Code of Conduct L_M 20 Conflict and Complaint Management System
Authorisation	This policy has been authorised by General Manager People, Culture and Engagement on November / 2022.
Review Date	November / 2025

