

WHISTLEBLOWER POLICY

POLICY AREA	Management and Governance		
POLICY NUMBER	1.7	VERSION	1
ENDORSED DATE	31 Dec 2019	NEXT REVIEW DATE	31 Dec 2021

POLICY STATEMENT

Child Inclusive Learning and Development Inc. and Children's Integrated Management Services Ltd (Child Australia) is committed to fostering a culture of ethical behaviour and good corporate governance.

Child Australia will not tolerate any corrupt, illegal or other undesirable conduct by Child Australia Employees nor condone victimisation of an individual who intends to report or has reported such conduct as a Protected Disclosure in accordance with this Policy.

This policy is intended to promote open communication and a safe environment to raise breaches of internal rules or policy, or Disclosable Conduct (referred to in this Policy as "Wrongdoing") relating to the Organisation, officers, employees or members.

PURPOSE

The purpose of this Policy is to:

- provide you with an understanding of what can be reported under this Policy;
- demonstrate the importance Child Australia places on ensuring a safe and supportive environment where our people feel confident to raise breaches of Wrongdoing relating to the organisation, its branches, officers, employees or members;
- assist to create a culture within Child Australia that encourages our people to speak up and raise Wrongdoings relating to the Organisation, officers, employees or members;
- explain the processes for reporting Wrongdoings, including what happens when you make a report; and to
- outline how you will be protected if you make a report.

In cases where people feel they need to be protected in relation to raising a matter, this Policy outlines the protections that will apply.

Any reference to Child Australia in this Policy means Child Australia and each of its subsidiaries or related entities, including Children's Integrated Management Services Ltd.

SCOPE

An eligible whistle-blower is anyone who is currently or was formerly:

- an officer of Child Australia (generally, a Director, Executive Director or Company Secretary);
- an employee of Child Australia;
- an individual who supplies services or goods to Child Australia, whether paid or unpaid (this includes contractors, interns and volunteers);
- an employee of an individual who supplies services or goods to Child Australia, whether paid or unpaid;
- an associate of Child Australia;
- A spouse, dependant or relative of any individual mentioned above; and
- an individual prescribed by the relevant regulations enacted under the whistle-blowing laws.

Any of these individuals may make a whistleblowing report under whistle-blowing laws and this Policy.

To be protected under this Policy, a whistle-blower must:

- a) be acting honestly with genuine or reasonable belief that the information in the allegation is true or likely to be true;
- b) make the disclosure in accordance with this Policy; and
- c) not themselves have engaged in the Wrongdoing.

Whilst this Policy does not cover reporting of breaches of Wrongdoing at organisations that are external to Child Australia staff are encouraged to raise issues of concern, either with Child Australia management or through the whistleblowing process at that external organisation.

REPORTING DISCLOSURES

What can be disclosed under this Policy?

Wrongdoing that may be reported under this Policy is misconduct or an improper state of affairs or circumstances. Under whistle-blowing laws, this expressly includes Child Australia or an officer or employee of Child Australia engaging in conduct that:

1. is an offence under various Commonwealth legislation and/or is punishable by imprisonment for a period of 12 months or more;
2. represents a danger to the public;
3. represents a danger to the financial system (for example, in the case of impact investing); or
4. is set-out in regulations enacted under the whistle-blowing laws.

The concept of 'misconduct or an improper state of affairs' is broad and is not limited by the list of conduct in the legislation. Below are further examples of conduct that may meet the definition of Wrongdoing under this Policy:

- dishonest, corrupt or illegal conduct;
- fraud or corruption or abuse of public trust;
- harassment, discrimination, bullying or victimisation;

- unethical conduct (e.g. altering company records, engaging in questionable accounting practices,
- misuse of company information); or
- risk to health and safety of workers
- victimizing someone for reporting Reportable conduct
- serious breach of a Child Australia code of conduct, policy or procedure.
- Any instruction to cover up or attempt to cover up serious wrongdoings.

A person making a report of an actual or suspected Wrongdoing must have reasonable grounds to believe that it is true.

Work-related grievances

Subject to the proviso below, personal work-related grievances should not be reported under this Policy, and instead should be managed in accordance with Child Australia's *Grievance Policy*.

Examples of work-related grievances include:

- an interpersonal conflict between a person and another employee;
- a decision relation to the engagement, transfer or promotion of a person;
- a decision relation to the terms and conditions of engagement of a person; or
- a decision to suspend or terminate the engagement of a person, or to discipline a person.

A personal work-related grievance will only be covered by this Policy if the information has significant implications for Child Australia or another organisation to which whistle-blowing laws apply or it concerns conduct or alleged conduct that is an offence under law, or a danger to the public or the financial system.

To whom must the disclosure be made?

The legislation sets out who is an **eligible recipient** to whom disclosures may be made. As a matter of policy, Child Australia prefers that whistleblowing reports be made to:

- verbally or in writing to their immediate supervisor or manager;
- the Whistleblowing Officer – Melissa Pember (HR & Wellness Officer);
- our external independent Whistleblowing provider Stoplevel using one of the following options:
Dedicated phone line: 1300 30 45 50 (in Australia)
Facsimile: Child Australia, C/o Stoplevel +61 3 9882 4480
Email: childaustralia@stopline.com.au
Online: <https://childaustralia.stoplinereport.com/>
Mail: Child Australia, c/o Stoplevel, Locked Bag 8, Hawthorn, Vic 3122
App: Smart phone APP (free download from the Apple iTunes store and Google Play)

Reports can also be made to:

- an officer or senior executive of the organisation
- Board members and the Company Secretary
- the Australian Securities and Investment Commission (ASIC), or any other prescribed body under the legislation.

Making a Report

The Whistle-blower must provide as much information as possible relating to the Wrongdoing (e.g. date, time, location, name of person(s) involved, evidence such as documents or emails, possible

witnesses, and any steps that may have been taken to report the matter elsewhere to try to resolve the concern).

You do not need to disclose your identity. A Whistle-blower who reports anonymously still qualifies for protection under the Policy.

A Whistle-blower may seek legal advice or representation prior to reporting a Wrongdoing. If the legal advice or representation is sought to understand the law, any information disclosed to the legal practitioner will also qualify for protection under the Policy.

INVESTIGATION AND OUTCOMES

Reports of Wrongdoing received will be referred to Child Australia's Whistleblowing Officer for investigation, with the objective of obtaining evidence to substantiate the reported Wrongdoing. If the Whistleblowing Officer concludes that there is insufficient information or evidence to warrant further investigation, the Whistle-blower will be notified as soon as possible. The Whistleblowing Officer will use internal or external resources as needed.

Once the Whistleblowing Officer reaches their conclusion regarding the reported Wrongdoing, the Investigator will provide a report to the Senior Executive Team or Chairman of the Board in the case of the allegation involving a member of the Senior Executive Team.

Where the investigation confirms a reported Wrongdoing, the matter will be dealt with in accordance with established policies and procedures. For employees, this may result in disciplinary action, including termination of employment. Reported Wrongdoings that are substantiated may be reported to regulators, the police and other bodies as appropriate.

WHISTLE-BLOWER PROTECTION

Child Australia provides a supportive environment for Whistle-blowers, including keeping their identity confidential to the extent allowed by law and protecting them from retaliation, discrimination, harassment or victimisation.

Role of Whistleblowing Officer

The Whistleblowing Officer will help protect the Whistle-blower from personal disadvantage that might otherwise result reporting a Wrongdoing. The Whistleblowing Officer will provide mentoring and protection to the Whistle-blower as required, and keep the Whistle-blower informed of the progress and outcome of the investigation, subject to privacy considerations in relation to the person who is the subject of the reported Wrongdoing.

Disciplinary action

Child Australia will not take any disciplinary action against a Whistle-blower where a reported Wrongdoing is unable to be substantiated or is found to be untrue, provided the Whistle-blower had reasonable grounds to believe that it was true. However, reported Wrongdoings that are found to be unsubstantiated and made maliciously, or knowingly false, may result in disciplinary action, including termination of employment.

Confidentiality

Child Australia will endeavour to protect a Whistle-blower's identity and will not reveal the Whistle-blower's identity except in limited circumstances, including where:

- the Whistle-blower provides consent;
- reporting to the Australian Federal Police, regulators and/or government authorities is required; or
- it is required by law or regulations.

Records associated with the reported Wrongdoing and investigation will be kept securely and accessed by authorised persons only. Unauthorised disclosure of the identity of a Whistle-blower or these records will result in disciplinary action, including termination of employment.

A reported Wrongdoing will usually have to be disclosed to the person who is the subject of the report. The source of the report may or may not be obvious to the person who is the subject of the report.

Retaliation

Child Australia is committed to protecting a Whistle-blower from retaliation because of reporting a Wrongdoing. Retaliation may include actual or threatened termination of employment, demotion, discrimination harassment or bias. Actual or threatened retaliation against a Whistle-blower, that person's family members or team members will result in disciplinary action, including termination of employment.

Victimisation

It is an offence if a person engages in conduct that actually causes or threatens detriment to another person because the victimiser believes or suspects that a protected disclosure has been made. Where a Whistle-blower is subject to victimisation due to reporting a Wrongdoing, a Court may order that:

- compensation be paid;
- an injunction be granted to prevent, stop or remedy the effects of the victimising conduct;
- an apology be made; and
- the person's employment be reinstated if it was terminated.

Protections under the Law

If a person makes a disclosure that qualifies for protection under the whistle-blowing laws:

- they cannot be subject to civil, criminal or administrative liability due to reporting a Wrongdoing;
- no contractual or other remedy may be enforced against the person on the basis of the disclosure; and
- information provided as part of a reported Wrongdoing cannot be used as evidence against the person in a prosecution.

These protections only apply to reporting individuals covered by the legislation, and not reporting by external stakeholders to whom Child Australia extends the principles in this Policy.

Support

The Whistleblowing Officer can initiate or coordinate support for employees who have or are in the process of making a report. As a first step, employees can contact Child Australia's employee assistance provider. If you are unsure of how to access this, please speak with our HR & Wellness Officer who will be able to provide you with these details.

HOW DOES THIS POLICY APPLY TO THE PERSON WHO IS SUBJECT OF THE REPORTED WRONGDOING?

Child Australia is also committed to supporting a person who is the subject of a reported Wrongdoing during the investigation and treating that person fairly. If it is concluded that there is insufficient information or evidence to warrant further investigation, the Whistleblowing Officer has the discretion to decide whether to notify the person that a Wrongdoing was reported. Factors considered in making the decision include preserving the integrity of the person, protecting the Whistle-blower and workplace harmony.

If there is sufficient information or evidence for the investigation to proceed, the person who is the subject of the reported Wrongdoing will be notified. Child Australia will endeavour to protect the persons identify from being revealed. Before an investigation is finalised, the person will be given a chance to respond to the reported Wrongdoing, will be informed of comments that may be included in the investigation report and have their response included in the investigation report.