

## Whistleblower Protection



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| <i>Policy No.</i>             | 1.8                     | <i>Reviewed by</i> | Governance and Risk Sub Committee |
| <i>Approved date</i>          | 18 May 2022             | <i>Approved by</i> | Management Committee              |
| <i>Review frequency</i>       | Every two years         | <i>Review date</i> | May 2024                          |
| <i>Supporting Documents</i>   | •                       |                    |                                   |
| <i>Associated Legislation</i> | • Corporations Act 2001 |                    |                                   |

### 1. Policy Statement

Stepping Stone is committed to ensuring corporate compliance and promoting ethical corporate culture by observing the highest standards of fair dealing, honesty and integrity in our business activities.

Stepping Stone encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent, or undesirable conduct involving the organisation's business and provides protections and measures to individuals who make a disclosure in relation to such conduct without fear of victimisation or reprisal. Disclosures that are not about "disclosable matters" do not qualify for protection under the *Corporations Act* and should be raised using Stepping Stone's Complaints or Grievance Policies.

### 2. Scope

This policy applies to:

- Employees;
- Management Committee members;
- Clubhouse Members;
- Nominated Support Persons (NSP);
- Contractors (including sub-contractors and employees of contractors);
- Supplier (including employees of suppliers);
- Consultant;
- Students
- Volunteers
- Auditor; and
- Relative, dependant, spouse, or dependant of a spouse of any of the above.

### 3. Purpose

To provide encouragement, guidance and support to any Stepping Stone employee, Contractor or other stakeholder to report any suspected unethical, illegal, corrupt, fraudulent or undesirable conduct involving Stepping Stone business and activities.

### 4. Definitions

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| <b>Eligible Recipients</b> | Stepping Stone senior leaders and Management Committee members who can be disclosed to (if suitable): <ul style="list-style-type: none"> <li>• Chief Executive Officer</li> <li>• Strategy and Development Director</li> <li>• President of Management Committee</li> <li>• Governance and Risk Sub-Committee Chair</li> <li>• Stepping Stone Auditor (the Auditor contact details can be found in the Annual Report Financial Statement)</li> </ul> |
| <b>Reportable conduct</b>  | Conduct which is: <ul style="list-style-type: none"> <li>• dishonest, fraudulent or corrupt;</li> <li>• illegal (such as theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property);</li> </ul>   |

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|  | <ul style="list-style-type: none"> <li>• unethical including any breach of Stepping Stone policies, such as the Code of Conduct;</li> <li>• oppressive or grossly negligent;</li> <li>• potentially damaging to the organisation, its employees or a third party;</li> <li>• misconduct or an improper state of affairs;</li> <li>• a danger, or represents a danger to the public or financial system;</li> <li>• harassment, discrimination, victimisation or bullying.</li> </ul> |
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## 5. Making a disclosure

You should make a report or disclosure under this policy if you have reasonable grounds to believe that an employee, Management Committee member, member, student, contractor, supplier, consultant or other person who has business dealings with Stepping Stone has engaged in Reportable Conduct. Reports can be made:

- Within Stepping Stone – to Eligible recipients
- External to Stepping Stone – to a regulatory body, legal practitioner, or a public interest or emergency disclosure to a Parliamentarian or journalist.

For the avoidance of doubt, Reportable Conduct does not include personal work-related grievances. These personal work-related grievances should be reported to your line manager in accordance with the Grievance Policy. A personal work-related grievance is a grievance about any matter in relation to a staff member's current or former employment, having implications (or tending to have implications) for that person personally and that do not have broader implications for Stepping Stone. Examples of personal work-related grievances are as follows:

- An interpersonal conflict between the staff member and another employee;
- A decision relating to the employment, transfer or promotion of the staff member;
- A decision relating to the terms and conditions of employment of the staff member;
- A decision to suspend or terminate the employment of the staff member, or otherwise to discipline the staff member.

Stepping Stone relies on its employees and management committee members maintaining a culture of honest and ethical behaviour. Accordingly, if you become aware of any Reportable Conduct, it is expected that you will make a disclosure under this policy.

There are several ways in which you may report or disclose any issue or behaviour that you consider to be Reportable Conduct. Disclosures can be made anonymously and still be protected under this policy and under the *Corporation Act*. Making a disclosure can occur via the following methods:

### 5.1 Within Stepping Stone

Disclosures can be made to Eligible Recipients if appropriate and the conduct does not relate to that person. Where possible this should be the first step in disclosing Reportable Conduct.

### 5.2 External to Stepping Stone

Disclosures can be made to:

- Regulatory bodies and other external parties  
Disclosures can be made to ASIC or APRA if the issues are related to areas they regulate.
- Stepping Stone Auditor  
Disclosure can be made to the financial auditor of Stepping Stone. Contact details for the auditor are available in the Financial Statement within the Stepping Stone Annual Report.
- Reporting to a Legal Practitioner

You may choose to discuss your concerns with a legal practitioner for the purposes of obtaining legal advice or representation. You will be covered by the protections outlined in this policy if you have reported your concerns to a legal practitioner.

### *5.3 Public Interest and Emergency Disclosure*

In certain situations, the conduct or wrongdoing may be of such gravity and urgency that disclosure to the media or a parliamentarian is necessary. You may only make a public interest and emergency disclosure if:

- you have previously disclosed the information to ASIC or APRA;
- at least 90 days has passed since the previous disclosure was made;
- you have reasonable grounds to believe that action is not being taken to address the matters that you have disclosed;
- you have reasonable grounds to believe that making a further disclosure to a journalist or member of parliament would be in the public interest;
- you have given written notification, including sufficient information to identify the previous disclosure to the authority to which the previous disclosure was made that you intend on making a public interest disclosure; and
- the extent of information disclosed is no greater than is necessary to inform the recipient of the misconduct or improper state of affairs.

A public interest and emergency disclosure can only be made to:

- a journalist, defined to mean a person who is working in a professional capacity as a journalist for a newspaper, magazine, or radio or television broadcasting service; or
- a Member of the Parliament of the Commonwealth or of a State or Territory parliament.

You will be qualified for protection where you have made a public interest disclosure if:

- you have previously disclosed the information to ASIC or APRA;
- you have 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; and
- you have given written notification, including sufficient information to identify the previous disclosure to the authority to which the previous disclosure was made that you intend on making a public interest disclosure; and
- no more information is disclosed than is reasonably necessary to inform the recipient of the substantial and imminent danger.

## **6. Protection of Whistleblowers**

Stepping Stone is committed to ensuring that any person who makes a disclosure is treated fairly and does not suffer detriment and that confidentiality is preserved in respect of all matters raised under this policy.

### *6.1 Protection from Legal Action*

You will not be subject to any civil, criminal, or administrative legal action (including disciplinary action) for making a disclosure under this policy or participating in any investigation.

Any information you provide will not be admissible in any criminal or civil proceedings other than for proceedings in respect of the falsity of the information.

### *6.2 Protection against Detrimental Conduct*

Stepping Stone (or any person engaged by Stepping Stone) will not engage in 'Detrimental Conduct' against you if you have made a disclosure under this policy. Stepping Stone will take all reasonable steps to protect you from Detrimental Conduct and will take necessary action where such conduct is identified.

Detrimental conduct includes dismissal, demotion, threat to job security, harassment, discrimination, disciplinary action, bias, threats, or other unfavourable treatment connected with making a report.

Stepping Stone also strictly prohibits all forms of Detrimental Conduct against any person who is involved in an investigation of a matter disclosed under the policy in response to their involvement in that investigation.

If you are subjected to Detrimental Conduct as a result of making a disclosure under this policy or participating in an investigation, you should inform an Eligible Recipient in accordance with the reporting guidelines outlined above.

You may also seek remedies including compensation, civil penalties, or reinstatement where you have been subject to any Detrimental Conduct.

### *6.3 Protection of Confidentiality*

All information received from you will be treated confidentially and sensitively. If you make a disclosure under this policy, your identity (or any information which would likely identify you) will only be shared if:

- you give your consent to share that information; or
- the disclosure is allowed or required by law (for example where the concern is raised with a lawyer for the purposes of obtaining legal advice);
- the concern is reported to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), the Australian Taxation Office (ATO) or the Australian Federal Police (AFP);
- where it is necessary to disclose information for the effective investigation of the matter, and this is likely to lead to your identification, all reasonable steps will be taken to reduce the risk that you will be identified.

## **7. Handling and investigating a disclosure**

When a disclosure is made to an Eligible Recipient, they will ensure that the disclosure is:

- regarding reportable conduct;
- it's not a personal work-related grievance (if so, the discloser will be directed to the Complaints and/or Grievance Policy).

Once determined, a confidential investigation will take place, and the discloser will remain informed of the actions being taken. Following an investigation, the findings and outcome will be provided to the discloser, with their identity protected throughout.

An investigation should take no longer than two weeks, with further action identified and committed to within that period. Should an internal investigation not be undertaken, or the response not address the reportable conduct, the discloser should seek to make an external disclosure.

## **8. Support available**

Any person who makes a disclosure under this policy or is implicated as a result of a disclosure that is made, may access Stepping Stone's Employee Assistance Program (EAP), which is a free and confidential counselling service.

You may also access third party support providers such as Lifeline (13 11 14) and Beyond Blue (1300 22 4636) for support.

## **9. Compliance with this policy**

If it is identified that staff are not following this policy, supervision and performance management will be undertaken to ensure future compliance. Ongoing non-compliance with this policy can lead to disciplinary action.

If it is identified that Management Committee members are not compliant with this policy, they will be deemed to be in breach of their Management Committee obligations and their association may be terminated.

## **REVIEW OF POLICY**

This policy is to be reviewed every two years, unless changes are identified with relevant legislation, or a review is required earlier. The effectiveness of this policy, and its ongoing compliance with legal obligations will be reviewed at this time.