

Whistleblower Policy

Effective: 1 March 2022
Review: December 2023
Owner: Board.

OVERVIEW

At ASA we are guided by our company values. These values are the foundation of how we conduct ourselves and interact with each other, our members, our suppliers, and other stakeholders. ASA is committed to ensuring corporate compliance and promoting ethical corporate culture by observing the highest standards of fair dealing, honesty, and integrity in all our activities.

PURPOSE

ASA encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent, or undesirable conduct involving the ASA's operations and provides protections and measures to individuals who make a disclosure in relation to such conduct without fear of victimisation or reprisal.

This policy will be made available on the ASA website and in any other ways that will ensure that it is made available to persons to whom this policy applies. It will also be made available to officers and employees of the ASA on SharePoint under Policies

SCOPE

This policy applies to any person who is, or has been, any of the following with respect to ASA:

- Employee
- Board members
- Volunteers
- Contractor
- Supplier (including employees of suppliers).
- Consultant
- Auditor
- Associate of ASA; and
- Relative, dependant, spouse, or dependant of a spouse of any of the above.

REPORTABLE CONDUCT

You may make a report or disclosure under this policy if you have reasonable grounds to believe that an ASA employee, volunteer, contractor, supplier, consultant, Board members, or other person who has business dealings with ASA has engaged in conduct ('Reportable Conduct') which is:

- Dishonest, fraudulent, or corrupt.
- Illegal (such as theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property).
- Unethical including any breach of ASA's policies such as the Code of Conduct.
- Oppressive or grossly negligent.
- Potentially damaging to the ASA, its employees or a third party.
- Misconduct or an improper state of affairs.
- A danger or represents a danger to the public or financial system.
- Harassment (including sexual harassment), discrimination, victimisation or bullying.

For the avoidance of doubt, Reportable Conduct does not include personal work-related grievances. These grievances should be reported to your manager (in the case of volunteers to their respective State Chair). 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 ASA. Examples of personal work-related grievances are as follows:

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

MAKING A DISCLOSURE

ASA relies on its employees 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 which you consider to be Reportable Conduct.

Internal Reporting

You may disclose any Reportable Conduct to the Whistleblower Protection Officers listed below:

- Title: Chairman
 - Name: **Steven Mabb**
 - Mobile: **0413 415 881**
 - Email: chair@asa.asn.au
- Title: Company Secretary
 - Name: Michael Jackson
 - Mobile Number: **0419 425 492**
 - Email: michael.f.jackson@gmail.com

If you are unable to use any of the above reporting channels, a disclosure can be made to an “eligible recipient” within the ASA network. Eligible recipients include:

- Directors of ASA
- State Chairs
- Auditor or member of an audit team conducting an audit of ASA.

The Whistleblower Protection Officers or eligible recipients will safeguard your interests and will ensure the integrity of the reporting mechanism.

Anonymity

When making a disclosure, you may do so anonymously. It may be difficult for ASA to properly investigate the matters disclosed if a report is submitted anonymously and therefore the ASA encourages you to share your identity when making a disclosure, however you are not required to do so.

Where a disclosure has been made externally to the Auditors and you provide your contact details, those contact details will only be provided to a Whistleblower Protection Officer with your consent.

Reporting to Regulators

You may also make a disclosure to the Australian Securities and Investments Commission (ASIC) in relation to a Reportable Conduct. You will be covered by the protections outlined in this policy if you have reported your concerns to ASIC.

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 for those purposes.

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.

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 may only make a public interest and emergency disclosure if:

- You have previously disclosed the information to ASIC.
- 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 which 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.
- The extent of information disclosed is no greater than is necessary to inform the recipient of the misconduct or improper state of affairs.

You will be qualified for protection where you have made a public interest disclosure if: You have previously disclosed the information to ASIC.

- 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.

INVESTIGATION

ASA will investigate all matters reported under this policy as soon as practicable after the matter has been reported. The Whistleblower Protection Officers will investigate the matter and where necessary, appoint an external investigator to assist in conducting the investigation. All investigations will be conducted in a fair, independent, and timely manner and all reasonable efforts will be made to preserve confidentiality during the investigation.

If the report is not anonymous, the Whistleblower Protection Officers or external investigator will contact you to discuss the investigation process and any other matters that are relevant to the investigation.

Where you have chosen to remain anonymous, your identity will not be disclosed to the investigator or to any other person and ASA will conduct the investigation based on the information provided to it.

Where possible, the Whistleblower Protection Officers will provide you with feedback on the progress and expected timeframes of the investigation. The person against whom any allegations have been made will also be informed of the concerns and will be provided with an opportunity to respond (unless there are any restrictions or other reasonable bases for not doing so).

To the extent permitted by law, the Whistleblower Protection Officers may inform you and/or a person against whom allegations have been made of the findings. Any report will remain the property of the ASA and will not be shared with you or any person against whom the allegations have been made.

PROTECTION OF WHISTLEBLOWERS

ASA 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.

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.

Protection against Detrimental Conduct

ASA (or any person engaged by the ASA) will not engage in 'Detrimental Conduct' against you if you have made a disclosure under this policy.

Detrimental Conduct includes actual or threatened conduct such as the following (without limitation):

Termination of employment.

- Injury to employment including demotion, disciplinary action.
- Alternation of position or duties.
- Discrimination.
- Harassment, bullying or intimidation of any kind.
- Victimisation.
- Harm or injury including psychological harm.
- Damage to 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.

ASA will take all reasonable steps to protect you from Detrimental Conduct and will take necessary action where such conduct is identified.

ASA 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 a Whistleblower Protection Officer or eligible participant 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.

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 be likely to 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 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.

SUPPORT AVAILABLE

ASA offers support through the Employee Assistance Program (EAP) by independent provider Brisbane Counselling Services. The EAP is a confidential wellbeing, coaching and counselling service available to assist ASA employees who are experiencing challenges that may adversely affect them at work or at home. The program is available at no cost to all employees.

Where appropriate, ASA may also appoint an independent support person from the Whistleblower Protection Officer's team to deal with any ongoing concerns you may have.

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

OTHER MATTERS

Any breach of this policy will be taken seriously and may result in disciplinary action, up to and including termination of employment and disbarment as a volunteer.

In so far as this policy imposes any obligations on ASA, those obligations are not contractual and do not give rise to any contractual rights. To the extent that this policy describes benefits and entitlements for employees, they are discretionary in nature and are also not intended to be contractual. The terms and conditions of employment that are intended to be contractual are set out in an employee's written employment contract.

ASA may unilaterally introduce, vary, remove, or replace this policy at any time.

Employees and volunteers are encouraged to read this policy in conjunction with other relevant Company Policies, including:

- *Code of Conduct Policy*
- *Ethics Policy*

Policy Title:	Whistleblowing Policy
Policy Level:	Board
Policy Date:	1 March 2022
Policy Category:	Governance