

DVConnect Ltd

Whistleblower Protection Policy

Policy number: Number (Version) 1 Date adopted: 19 August 2019

Previous Version/s: NA

Authorised by: DVC Board

Date last reviewed: 19 August 2019

Reviewed & Created by: Chief Executive Officer

Date of next review: 19 August 2020

Policy context: This policy relates to:

Quality and Accreditation References

HSQF Standard 1
HSQF Standard 5

Other standards

Legislation or other requirements

Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019

1. Purpose

The purpose of this policy is to demonstrate DVConnects' commitment to high standards of ethical and accountable conduct and encourage a culture of speaking up without fear of reprisal. We acknowledge this policy is aligned to our organisational values of Respect, Safety, Equality, Accountability and Empowerment.

2. Scope

This policy applies to former and present Directors, Board Committee members, staff, volunteers and contractors (and their employees) of DVConnect and extends to all the entities that DVConnect owns. This policy also applies to the relatives and dependents of each of these people.

3. Policy statement

1. DVConnect encourages a culture of speaking up and coming forward if they are aware of, or suspect, a Disclosable Matter. The Board acknowledges that people who report Disclosable Matters are helping to promote integrity, accountability and good management of DVConnect.
2. "Disclosable Matters" are matters where individuals have reasonable grounds to suspect:
 - any misconduct or improper state of affairs or circumstances – however excludes matters as detailed below in point 3.
 - a suspected breach of certain Commonwealth laws e.g. a breach of the Corporations Act 2001 (Cth), or a breach that constitutes an offence under a Commonwealth law punishable with imprisonment of 12 months or more;
 - conduct that represents a danger to the public or financial system.
3. A Disclosable Matter is **not**:
 - inter-personal disputes between staff;

- decisions relating to the engagement, transfer or promotion of staff;
 - unsafe work practices;
 - personal grievances including harassment, discrimination or disciplinary matters
 - unjust or unfair staff behaviour; or
 - acts of workplace discrimination or bullying, unless such behaviour reasonably appears to have arisen from a Disclosable Matter. Such matters, which do not fall within the scope of this policy, will be sent directly to the Manager, Corporate Services, People & Culture.
 - On the above matters the Complaints and Grievance Handling Policy will apply
4. The Company Secretary is the designated Whistleblower Protection Officer (**WPO**). A disclosure may be made by calling, writing to or e-mailing the WPO at whistleblowing@dvconnect.org
 5. A Disclosable Matter may also be made to the:
 - a) Board
 - b) Individual Director
 - c) Chief Executive Officer
 - d) Senior Manager, or
 - e) DVConnect external auditor.
 6. Such disclosures will be forwarded to the WPO (which will be the Company Secretary, unless the subject matter of the disclosure is the Company Secretary, in which case it will be another person appointed by the Board). However, at all times, the whistleblower's identity or information that is likely to identify them will not be disclosed unless their express consent has been sought or otherwise where permitted by law. For example, when DVConnect seeks legal advice or is disclosing to the Australian Federal Police.
 7. Depending on the severity of the disclosure, the WPO will escalate a disclosure to the CEO and/or Chair (unless the Disclosable Matter relates to the CEO or Chair, as applicable) and they will assess the allegation together.
 8. If an investigation is deemed necessary, the WPO will appoint a Whistleblower Investigations Officer (**WIO**) and they will be charged with the responsibility for conducting an investigation in a manner that is confidential, fair and objective.
 9. A whistleblower will be kept informed of what action is being taken in response to their report subject to any privacy and confidentiality obligations. This includes the progress and the outcome of any investigation. In cases where the WIO has not substantiated the allegations, an appropriate explanation will be made to the whistleblower, subject to any privacy and confidentiality rights. Due regard to the reputation of persons involved as well as procedural fairness will be the cornerstones of such an investigation. To this end, DVConnect is committed to ensuring fair treatment, including protecting the identities and reputation, of whistleblowers and every individual who is subject of a Disclosable Matter.
 10. Reports are submitted to the Board on Disclosable Matters.
 11. Several protections are available to individuals reporting a Disclosable Matter. Any person who relies on this policy to report a Disclosable Matter will be protected from reprisals of any form, and will not be disadvantaged by dismissal, demotion,

harassment, discrimination, current or future bias or face any other detriment, on account of or as a consequence of the report. Other protections at law are:

- a) Protection from civil, criminal or administrative liability for reporting the Disclosable Matter;
- b) No enforcement of any contractual or other remedy against the whistleblower on the basis of reporting the Disclosable Matter;
- c) Compensation or such other orders from the courts where the whistleblower has experienced any detriment or victimising conduct, including threat of such conduct, as a consequence of reporting the Disclosable Matter.

12. False reporting is a serious matter and any person found to be making a false or vexatious complaint will be subject of disciplinary proceedings.

13. Training will be provided to staff and managers.

14. This policy will be made available via DVConnect internal policy hub and on the DVConnect website. This policy will be periodically reviewed to check that it is operating effectively and whether any changes are required to the policy.

Documents related documents to this policy	
Related documents	Complaints & Grievance Handling Policy Code of Conduct
Forms or other organizational documents	Whistleblower Disclosure Form