

Whistleblower Policy

1. Purpose

- 1.1 Indigenous Consumer Assistance Network Ltd ('ICAN'), aims to provide an environment where employees and others in the workplace are treated fairly and with respect. Employees are encouraged to report any wrongdoing.
- 1.2 ICAN also aims to help provide employees, volunteers and contractors with a supportive work environment in which they feel able to raise issues of legitimate concern to them and to ICAN, without fear of victimisation, detriment or other retribution and provide suitable avenues for reporting of matters that may cause loss to or damage ICAN's reputation.

2. Commencement of Policy

- 2.1 This policy will commence from 16/05/2014. It replaces all other Whistleblower Policies (whether written or not).

3. Application of Policy

- 3.1 This policy applies to employees, volunteers, contractors and clients of ICAN in relation to reports concerning wrongdoing. This policy must not be used for trivial or vexatious matters (being matters that the reporter knows, or ought to know have no substance). This policy is not intended to replace other reporting structures such as those for dispute resolution, grievances, equal opportunity, discrimination, harassment or bullying.
- 3.2 This Policy does not form part of any employee's contract of employment. Nor does it form part of any other employee's contract for service.
- 3.3 ICAN is committed to the highest standards of legal, ethical and moral behaviour. ICAN will not tolerate unethical, unlawful or undesirable conduct. This policy documents ICAN's commitment to maintaining an environment in which employees, volunteers and contractors are able to report, without fear of retaliatory action, concerns about any serious instances of wrongdoing that they believe may be occurring in the name of ICAN.

4. Definition

- 4.1 **"Whistleblowing"** means the deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control.
- 4.2 **"Wrongdoing"** means any conduct that is dishonest, fraudulent or corrupt; illegal, such as theft, drug sale or use, violence, harassment, criminal damage to property or other breaches of state or federal legislation; unethical, such as dishonestly altering company records or engaging in questionable accounting practices or willfully breaching ICAN's code of conduct or other ethical statements; potentially damaging

to another employee or contractor, such as unsafe work practices or substantial wasting of resources; cause financial loss to ICAN or damage its reputation or be otherwise detrimental to ICAN's interests or involves any other kind of serious impropriety.

5. Reporting any wrongdoing

- 5.1 Any employee, volunteer or contractor who detects or has reasonable grounds for suspecting wrongdoing is encouraged to raise any concerns with their immediate manager through normal reporting channels. The manager will report the allegation to the CEO, who is responsible for ensuring the matter is properly dealt with. This may include appointing an independent investigator to inquire into the allegations. Alternatively, it may be appropriate to continue to be dealt with by a manager.
- 5.2 If the employee, volunteer or contractor does not believe reporting to their immediate manager through normal reporting channels is appropriate given the circumstances of the wrongdoing, the report may be made directly to Chair, the designated whistleblower protection officer.
- 5.3 Where it is shown that a person purporting to be a whistleblower has knowingly made a false report of wrongdoing, then that conduct itself will be considered a serious matter and that person may be subject to disciplinary action which may include dismissal being matters the reporter knows, or ought to know, have no substance.

6. Confidentiality of whistleblower's identity and whistleblowing reports

- 6.1 If a person makes a report of alleged or suspected wrongdoing under this policy ICAN will endeavour to protect that person's identity from disclosure. This may not occur if confidentiality is not a practical option.
- 6.2 Generally, ICAN will not disclose the person's identity unless:
- the ICAN employee making the report consents to the disclosure;
 - the disclosure is required or authorised by law, and/or
 - the disclosure is necessary to further the investigation.
- 6.3 Generally, reports made under this policy will be treated confidentially. However, when a report is investigated it may be necessary to reveal its substance to people such as other ICAN personnel, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. At some point in time it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of the report. While confidentiality is maintained, in some circumstances, the source of the reported issue may be obvious to a person who is the subject of a report.
- 6.4 Unauthorised disclosure of information relating to a report, the identity of a ICAN employee, volunteer or contractor who has made a report of wrongdoing or

information from which the identity of the reporting person could be inferred will be regarded seriously and may result in disciplinary action, which may include dismissal.

7. Protection of whistleblowers

7.1 ICAN is committed to protecting and respecting the rights of a person who reports wrongdoing in good faith. ICAN will not tolerate any retaliatory action or threats of retaliatory action against any person who has made or who is believed to have made a report of wrongdoing, or against that person's colleagues, employer (if a contractor) or relatives. For example, the person must not be disadvantaged or victimised by having made the report by:

- Dismissal
- Demotion
- Any form of harassment
- Discrimination
- Current or future bias
- Threats of any of the above.

7.2 Any such retaliatory action or victimisation in reprisal for a report being made under this policy will be treated as serious misconduct and will result in disciplinary action, which may include dismissal.

7.3 If a person who makes a report is implicated in the wrongdoing, that person must not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy.

8. Investigation

8.1 All reports of alleged or suspected wrongdoing made under this policy will be properly assessed, and if appropriate, independently investigated with the objective of locating evidence that either substantiates or refutes the claims made by the whistleblower. CEO will be responsible for ensuring the proper conduct of the investigation, which may include appropriate instruction and oversight of a third party appointed to conduct an investigation. The investigation will not be conducted by a person who may be the subject of the investigation or has inappropriate links or connections (actual or perceived) to the person(s) or practice(s) under investigation.

8.2 CEO will keep the whistleblower informed of the outcomes of the investigation to his/her report subject to the considerations of privacy of those against whom the allegations have been made.

8.3 Throughout the assessment and investigation process ICAN will treat fairly the person who is the subject of a report.

9. Variations

ICAN *reserves the right to vary, replace or terminate this policy from time to time.*

10. Associated documents

- Code of Conduct

11. Policy version and revision information

Policy Authorised by: Janine Gertz

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Title: Director

Policy Maintained by: Aaron Davis

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Title: CEO

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