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CITY WEST
HOUSING



WHISTLEBLOWER

GOVERNING POLICY

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DOCUMENT AND AMENDMENT HISTORY

VERSION NUMBER	BOARD APPROVAL DATE	SUMMARY OF CHANGES
1.0	19 October 2017	Public Interest Disclosure Policy
2.0	23 September 2021	Revised as Whistleblower Policy

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1. PURPOSE

City West Housing Pty Ltd and its related companies (CWH) are committed to the highest standards of conduct in all its business activities and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance and good corporate governance.

CWH encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent or undesirable conduct involving CWH businesses and provides protections and support so that those individuals can make a disclosure in relation to such conduct without fear of victimisation or reprisal and in an open, transparent and safe environment.

2. SCOPE

This Whistleblower policy applies to anyone who is or has been any of the following with respect to CWH:

- Employee;
- Officer (director or company secretary);
- Contractors (including sub-contractors and employees of contractors);
- Suppliers (including employees of suppliers);
- Consultant;
- A spouse, relative or dependent of one of the individuals referred to above.

Any of these individuals are 'disclosers' under the policy and are eligible for protection as a whistleblower or discloser under the Corporations Act 2001.

3. WHAT REPORTS ARE PROTECTED UNDER THIS POLICY?

To be eligible for the legal protections outlined in this policy, all of the following must apply:

- The person making the disclosure must be a 'discloser' as defined in section 2;
- The disclosure must be reported to a Whistleblower Protection Officer, another Eligible Recipient, CWH's independent external whistleblower service Your Call, or one of the other parties specified in section 5; and
- The person making the disclosure must have reasonable grounds to believe that the disclosure concerns 'Reportable Conduct' as defined in section 4.

If the disclosure meets all the above criteria, it will be a 'Protected Disclosure'. If the disclosure does not meet all of the above criteria, CWH still encourages reporting. However, only Protected Disclosures receive the legal protections outlined in this Policy.

4. REPORTABLE CONDUCT

A report or disclosure under this policy may be made, by a discloser, if they have seen or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances concerning CWH ('Reportable Conduct'). This is behaviour that is:

- Criminal; dishonest; unethical; fraudulent; misleading; deceptive or corrupt;
- Illegal;
- An offence against, or contravention of, the Corporations Act 2001, the Australian Securities and Investment Commission Act, the Banking Act 1959, the Financial Sector (Collection of Data) Act 2001, the Insurance Act 1973, the Life Insurance Act 1995, the National Consumer Credit Protection Act 2009, the Superannuation Industry (Supervision) Act 1993 or any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- is prescribed by regulation; or

- is about misconduct or an improper state of affairs or circumstances in relation to the tax affairs of CWH or an associate of CWH which may assist to perform the functions or duties in relation to the tax affairs of CWH.
- A serious risk to public health, public safety, the environment or the financial system;
- Deliberate conduct or otherwise, that may cause material financial, non- financial or reputational risk to CWH; or
- Systemic, wilful or serious breach of the Code of Conduct and Ethics or other CWH policies.

Some examples include:

- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
- Fraud, money laundering or misappropriation of funds;
- Offering or accepting a bribe;
- Financial irregularities;
- Serious breach of our policies;
- Serious misuse of information;
- Substantial waste of company resources;
- Causing substantial financial or non-financial loss or detriment to our organisation;
- Failure to comply with, or breach of, legal or regulatory requirements; and
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made or be planning to make a disclosure of Reportable Conduct.

Reportable Conduct can include the conduct of a third party such as a supplier or a service provider.

A discloser is not required to prove their concerns but they must have reasonable grounds to suspect Reportable Conduct. If a discloser has reasonable grounds to suspect Reportable Conduct, but the Protected Disclosure turns out to be incorrect, the discloser still has the legal protections outlined in this Policy.

For the avoidance of doubt, Reportable Conduct does not include matters that relate solely to personal work-related grievances. These grievances should be reported to an employee's manager in accordance with the *Workplace Complaint Handling and Resolution Policy*. A personal work-related grievance is a grievance about any matter in relation to an employee's current or former employment, having implications (or tending to have implications) for that person personally and that do not have broader implications for CWH.

Examples of personal work-related complaints are as follows:

- Personal disputes between employees including alleged workplace discrimination or bullying;
- A decision relating to the engagement, transfer or promotion of an employee,;
- A decision relating to the terms and conditions of engagement of an employee;
- A decision to suspend or terminate the engagement of an employees, or otherwise to discipline the employee.

However, sometimes, there are personal work-related grievances which do qualify as protected disclosures, for example, if they are part of a problematic pattern or systemic issue within CWH, or if the grievance is bundled with illegal activity or another protected disclosure for example the company has breached employment or other laws punishable by imprisonment for 12 months or more or engaged in conduct that represents a danger to the public.

5. MAKING A DISCLOSURE

CWH relies on its employees to maintain a culture of honest and ethical behaviour. Accordingly, if an employee becomes aware of any Reportable Conduct, it is expected that they will make a disclosure under this policy.



There are several ways in which any issue or behaviour which may be considered to be Reportable Conduct may be reported or disclosed by employees of CWH or any other party identified as a discloser under Section 2 of this Policy.

1. INTERNAL REPORTING

Any Reportable Conduct may be disclosed to any of the Whistleblower Protection Officers (WPO) listed below:

Title: **Compliance Manager**

Name: **Shobha Nambiar**

Phone Number: **8584 7500**

Email Address: **disclosure1@citywesthousing.com.au**

Title: **Manager, Business Transformation & Projects**

Name: **Kamal Salim**

Phone Number: **8584 7500**

Email Address: **disclosure2@citywesthousing.com.au**

If the discloser is not comfortable with the above reporting channel, a disclosure can be made to another "Eligible Recipient" within CWH as defined below:

- CEO;
- CFO/Company Secretary
- Directors; and
- Auditor or member of an audit team conducting an audit of CWH.

The Whistleblower Protection Officer or Eligible Recipient are all Disclosure Officers for the purpose of this policy and will safeguard your interests and will ensure the integrity of the reporting mechanism.

When making a disclosure, this may be done anonymously. It may be difficult for CWH to properly investigate the matters disclosed if a report is submitted anonymously and therefore CWH encourages disclosers to share their identity when making a disclosure, however this is not mandatory. The disclosure may also be done on a partially anonymous basis, where the discloser tells the person receiving the report their identity but does not consent to them sharing the identity of the discloser with anyone else (unless they are required or authorised by law to share it). Note that the identity of the discloser may need to be disclosed by CWH to lawyers, regulatory authorities or the Australian federal police.

All internal reports irrespective of who they disclose to will in the first instance be referred to the Whistleblower Protection Officer to determine whether the matter falls under this Policy.

If the Whistleblower Protection Officer determines that a report does not fall under or relate to Reportable Conduct, they will advise the person making the report and whether the matter is covered under a different Policy.

A report made that is assessed as falling within this Policy will be investigated, with the Whistleblower Protection Officer determining whether the investigation will be conducted by an internal or external investigator, depending on the nature of the report.

The Whistleblower Protection Officer will inform the reporter of the outcome of the investigation.

2. EXTERNAL REPORTING

Where a discloser does not feel comfortable making an internal report, or an internal report has been made, but no action has been taken within a reasonable time, Reportable Conduct may be disclosed to CWH's external and independent whistleblower service provider.

CWH has contracted Your Call Whistleblowing Solutions (Your Call) to receive and manage a report with impartiality and confidentiality.

This option allows the discloser to:

- Remain completely anonymous;
- Identify to Your Call only ;or
- Identify to Your Call and CWH.

Your Call enables disclosure to be made anonymously and confidentially. Whilst it is preferred that disclosers disclose their identity in order to facilitate an investigation, the discloser is not required to disclose themselves and will not be named in any report to CWH unless they have consented to their identity being disclosed.

Your Call reporting options include:

- Website 24/7 : <https://www.yourcall.com.au/report> (available 24/7)
- Telephone: 1300 790 228 (available 9am to 12am on recognised Australian national business days AEST)

Online reports can be made via the website address listed above and will need to include CWH's unique identifier code 'CWH'.

Disclosures received by Your Call are reported to the Whistleblower Protection Officer of CWH in accordance with this policy. Your Call also enables CWH to obtain further information if required and enables the discloser to receive updates.

In the event that a disclosure received by Your Call relates to the Whistleblower Protection Officer, Your Call will exclude that person from all communications and report to one of the other Disclosure Officers.

The discloser is able to securely upload any relevant documentation and/or material relevant to the disclosure.

After making a disclosure, the discloser will be provided with a unique Disclosure Identification Number (DIN) and access to a secure online Message Board.

The Message Board allows ongoing anonymous communication with Your Call and/or CWH. Your Call remains the intermediary at all times, receiving and forwarding communication between all parties. The Message Board can be used to receive updates, share further information/evidence and request support or report retaliation. If the discloser cannot access the Message Board, please contact Your Call via phone (above) for verbal updates.

National Relay Service:

- If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at www.relayservice.gov.au and request Your Call's hotline 1300 790 228.
- If you have difficulty speaking or understanding English, contact us through the Translating and Interpreting Service (TIS) 131 450 and ask for Your Call on 1300 790 228.

3. REPORTING TO REGULATORS

A disclosure of Reportable Conduct may also be made to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA) or another Commonwealth body prescribed by law. The person making the report will be covered by the protections outlined in this policy if the Reportable Conduct has been reported to one of these regulators.

4. REPORTING TO A LEGAL PRACTITIONER

A discloser may choose to discuss their concerns with a legal practitioner (at the expense of the discloser) for the purposes of obtaining legal advice or representation. The discloser will be covered by the protections outlined in this policy if concerns have been reported to a legal practitioner.

5. REPORTING TO JOURNALISTS AND PARLIAMENTARIANS

A discloser may also make a Public Interest Disclosure or an Emergency Disclosure to a member of parliament or a journalist if:

Public Interest Disclosure

- the discloser has previously made a Protected Disclosure to ASIC, APRA or another Commonwealth body prescribed by regulation;
- at least 90 days have passed since the previous Protected Disclosure was made and the discloser does not have reasonable grounds to believe that action is being, or has been, taken to address the misconduct in the previous Protected Disclosure;
- the discloser has reasonable grounds to believe that making a further disclosure of the misconduct forming the basis of the Protected Disclosure would be in the public interest;
- the discloser notifies the body to whom they made the Protected Disclosure (eg ASIC, APRA or other Commonwealth body) in writing, including sufficient information to identify the previous Protected Disclosure, and states that discloser intends to make a public interest disclosure to a member of parliament or a journalist; and
- the extent of the information disclosed in the public interest disclosure is no greater than is necessary to inform the recipient of the misconduct or the improper state of affairs or circumstances.

Emergency Disclosure

- the discloser has previously made a Protected Disclosure to ASIC, APRA or another Commonwealth body prescribed by regulation;
- the discloser has reasonable grounds to believe that the information in the Protected Disclosure concerns a substantial and imminent danger to the health or safety of one or more persons or the natural environment; and
- the discloser notifies the body to whom they made the Protected Disclosure (eg ASIC, APRA or other Commonwealth body) in writing, including sufficient information to identify the previous Protected Disclosure, and states that discloser intends to make an emergency disclosure to a member of parliament or a journalist; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient of the substantial and imminent danger.

A disclosure may only be made to a parliamentarian or a journalist in the circumstances described above. The discloser should seek independent legal advice before making a public interest disclosure or an emergency disclosure to member of parliament or a journalist.

6. FALSE OR MALICIOUS REPORTING

Making false or vexatious reports undermines the effectiveness of the policy. If a report is found to be malicious, deliberately misleading or vexatious, CWH may take disciplinary action against the discloser.

6. INVESTIGATION

CWH will investigate all matters reported under this policy as soon as practicable after the matter has been reported. When a disclosure is received, CWH will assess the information provided to determine whether it is a Protected Disclosure and whether an investigation is required. If a disclosure is received that is not a Protected Disclosure, CWH may manage it under another relevant policy (such as the Workplace Complaint Handling and Resolution Policy).

The Whistleblower Protection Officer will investigate the matter, consider conflicts of interest in managing or investigating the report 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 Officer or external investigator will contact the discloser to discuss the investigation process and any other matters that are relevant to the investigation.

Where the discloser has chosen to remain anonymous, identity will not be disclosed to the investigator or to any other person (unless CWH is required to do so by law or for the purposes of obtaining legal advice) and CWH will conduct the investigation based on the information provided to it.

Where possible, the Whistleblower Protection Officer will provide feedback on the progress and expected timeframes of the investigation to the discloser. 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 Officer may inform the discloser and/or a person against whom allegations have been made of the findings. The receipt of a Protected Report and the findings from an investigation may also be reported to the Board. Any report will remain the property of CWH and will not be shared with the discloser or any person against whom the allegations have been made.

7. PROTECTION OF WHISTLEBLOWERS

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

PROTECTION FROM LEGAL ACTION

Any person disclosing Reportable Conduct 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.

The protections offered under this policy do not prevent individuals from being liable for any involvement in the misconduct.

PROTECTION AGAINST DETRIMENTAL CONDUCT

It is a criminal offence to cause detriment or threaten to cause detriment to a person because they or someone else, may have made, or propose to make a disclosure which qualifies as Protected Disclosure. CWH (or any person engaged by CWH) will not engage in 'Detrimental Conduct' against anyone making a disclosure if 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;
- Change of position or duties;
- Discrimination;
- Harassment, bullying or intimidation;
- 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.

Detrimental Conduct does not include administrative action that is reasonable for the purpose of protecting a discloser from detriment (eg relocating the discloser to another location to prevent

Detrimental Conduct). It does also not include management of unsatisfactory work performance of a discloser in accordance with CWH's performance management framework.

CWH will take all reasonable steps to protect anyone who has made a Protected Disclosure under this policy from Detrimental Conduct and will take necessary action where such conduct is identified.

CWH 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 the discloser is subjected to Detrimental Conduct as a result of making a disclosure under this policy or participating in an investigation, they should inform the Whistleblower Protection Officer or Eligible Recipient in accordance with the reporting guidelines outlined above. A discloser may also seek independent legal advice or contact ASIC or APRA if they believe that they have suffered detriment from making a Protected Disclosure.

Remedies may be sought including compensation, civil penalties, or reinstatement where the discloser has been subject to any Detrimental Conduct.

PROTECTION OF CONFIDENTIALITY

All information received from the discloser will be treated confidentially and sensitively.

Under this policy, the identity (or any information which would likely to identify the discloser) will only be shared if:

- Consent has been given by the discloser 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); or
- The concern is reported to the Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA); or
- Where it is necessary to disclose information for the effective investigation of the matter, and this is likely to lead to identification, all reasonable steps will be taken to reduce the risk that the discloser will be identified.

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 CWH's Access Employee Assistance Program (EAP) which is a free and confidential counselling service by calling 1800 818 728 or using the website <https://www.accesseap.com>.

Where appropriate, CWH may also appoint an independent support person to deal with any ongoing concerns.

Access is also available to third party support providers such as Lifeline (13 11 14) and Beyond Blue (1300 22 4636) for support.

9. OTHER MATTERS

FURTHER INFORMATION

Additional information about making a disclosure or the support and protection available, can be obtained in confidence from the Whistleblower Protection Officer. Note: In the event that a person does not formally make a disclosure CWH may nevertheless be compelled to act on the information provided during the discussion if the information reasonably suggests misconduct has or may occur. A discloser may also choose to seek legal advice if they are unsure what protections apply. A discloser may also contact ASIC for further information, but ASIC will only be able to provide general guidance.



BREACH OF POLICY

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

POLICY ADMINISTRATION

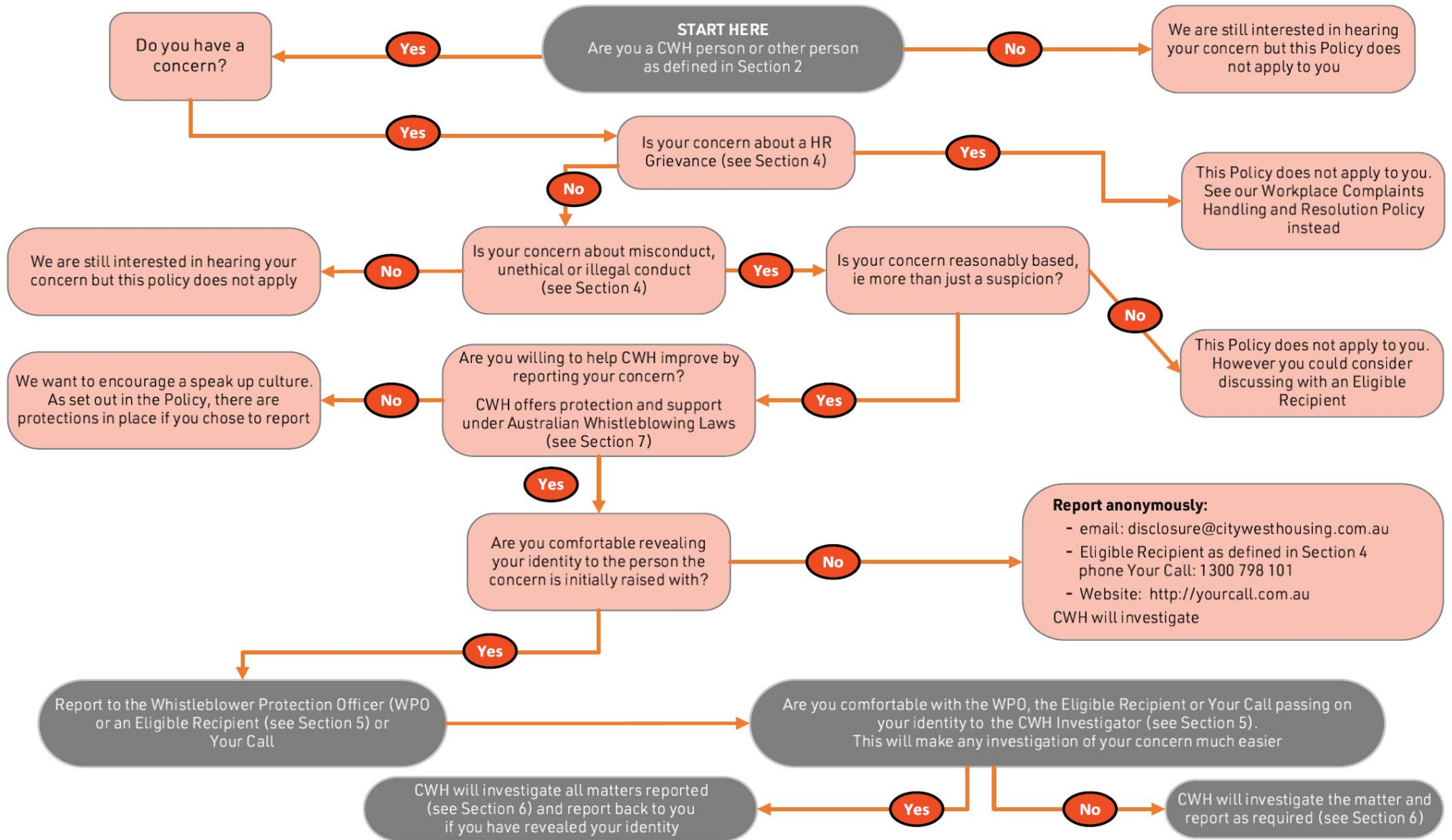
This policy is available in CWH's Policy Q drive and on the website. New employees will be provided with a copy of the policy during onboarding. CWH will provide training to eligible recipients and educate employees regarding CWH's whistleblowing policy and processes.

A flow chart is included as **Attachment 1** to summarise the process. CWH may unilaterally introduce, vary, remove, or replace this policy at any time.

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

- G1.1 Code of Conduct & Ethics
- G2.1 Governance Risk and Compliance
- G2.6 Complaints
- G2.9 Privacy
- O6.6 Discipline
- G2.10 Conflict of Interest
- G2.11 Fraud and Corruption
- O6.20 Workplace Complaint Handling and Resolution Policy

FLOWCHART FOR PEOPLE RAISING CONCERNS



FLOWCHART FOR PEOPLE RECEIVING CONCERNS

