

Whistleblower Policy

1. Introduction

Lutheran Disability Services (LDS) is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organisational Policies and Procedures), and ethically (in accordance with recognised ethical principles).

LDS encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving LDS. LDS provides protections and measures so that those persons who make a report may do so confidentially and without fear of intimidation, disadvantage or reprisal.

2. Purpose

The purpose of this Policy is to:

- a) encourage disclosures of wrongdoing
- b) help deter wrongdoing, in line with LDS risk management framework
- c) ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported
- d) ensure that disclosures are dealt with appropriately and on a timely basis
- e) support LDS values, code of conduct, service provisions with the highest standards of ethical behavior and integrity
- f) meet LDS legal and regulatory obligations

3. Scope

This Policy applies to LDS Board members, employees, paid and unpaid suppliers of services such as contractors, students and volunteers. It will also apply to protected disclosures made by former employees and a person who is a relative, spouse or dependent of any of the persons listed above.

4. Definitions

Good Faith	In this context, being honest and genuine, and motivated by wanting to disclose misconduct.
Reportable matter	<ul style="list-style-type: none"> • Conduct that is dishonest, fraudulent or corrupt • Illegal activity such as fraud, theft, violence, harassment or intimidation • Unethical breach of LDS policies such as altering company records or data, adopting questionable practices or wilfully breaching LDS code of conduct or other policies • Conduct that is potentially damaging to LDS • Abuse of authority • Activities that may cause financial loss to DS or damage its reputation or be otherwise detrimental to the interests of LDS

Whistleblower	A whistleblower is a person (being a director, manager, employee or contractor of LDS) who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with reportable conduct and wishes to avail themselves of protection against reprisal for having made the report. A person may make a report under this policy if they objectively have reasonable grounds to suspect reportable conduct.
Whistleblower Protection Officer	A person or persons being a director, manager, employee or contractor of LDS who has responsibility for protecting whistleblowers within the meaning of Australian Standard AS 8004-2003; Whistleblower Protection programs for entities.
Whistleblower Investigations Officer	A person or persons being a director, manager, employee or contractor of an entity who has responsibility for conducting preliminary investigations into reports received from a whistleblower. A person who is a Whistleblower Protection Officer should not be appointed as a Whistleblower Investigations Officer within the same entity.

5. Policy

It is LDS Policy that:

1. any person covered under this policy may raise concerns regarding any reportable matters. In order to qualify for protection, the disclosure must be made to one of the recipients prescribed by law, such as the Whistleblower Protection Officer, a Senior Manager including CEO or Board members.
2. to ensure appropriate escalation if a disclosure is made internally, and timely investigation, we request that reports are made to our Whistleblower Protection Officer. At LDS this is the Human Resources Manager who can be contacted via the LDS head office number
3. the person making their concern known shall not suffer any sanctions or penalties from LDS on account of their actions in this regard, provided that their actions:
 - a. are in good faith and
 - b. are based on reasonable grounds
4. LDS is committed to ensuring confidentiality in respect of all matters raised under this policy, and that those who make a report are treated fairly and do not suffer detriment. LDS will take seriously any such disclosure reports and follow them up whilst maintaining the confidentiality of the whistleblower
5. where an employee of LDS believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached any provision of the organisation's constitution, or its bylaws, or its policies, or its code of conduct, or generally recognised principles of ethics, that employee may report their concern.
6. LDS will investigate all reportable matters reported under this policy as soon as practicable after the reportable matter has been received. The Whistle-blower Protection Officer may, with your consent, appoint a person to assist in the investigation of a report this would be the Whistleblower Investigations Officer. Where appropriate, LDS will provide feedback to the Whistleblower regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations are made).

The investigation will be conducted in an objective and fair manner, and otherwise as is reasonable and appropriate having regard to the nature of the reportable matter and the circumstances.

If necessary, the LDS Board may nominate external persons to whom, or agencies to which, disclosures may be made under the protections offered under this Policy. Where such a nomination is made, employees and volunteers should be informed by any appropriate method.

While the particular investigation process and enquiries adopted will be determined by the nature and substance of the report, in general, as soon as practicable upon receipt of the report, if the report is not anonymous, the Whistleblower Protections Officer will contact you to discuss the investigation process, including who may be contacted and such other matters as are relevant to the investigation.

Where a report is submitted anonymously, LDS will conduct the investigation and its enquiries based on the information provided to it.

What is NOT reportable matter

This policy is not intended to apply to disclosures relating to conduct concerning a person's individual employment or former employment (other than as set out in Reportable Conduct), such as:

- an interpersonal conflict at work
- a decision relating to engagement, transfer or promotion
- a decision relating to terms and conditions of engagement or
- a decision to suspend or terminate the engagement or to discipline the person.

These matters will not be deemed to be Reportable Conduct, do not fall within the scope of this policy and will typically be investigated or addressed separately under other LDS policies.

6. Responsibilities

The **LDS Board** is responsible for:

- ensuring and adopting this Policy
- nominating the LDS Whistleblower Protection Officer
- nominating an external reporting entity
- taking actions as required under this Policy.

The **LDS CEO** is responsible for:

- implementing Whistleblower Policy
- nominating the Whistleblower Investigations Officer when required
- following up on any reporting of situations relevant to this Policy
- provide LDS Board reports in accordance with approved delegations.

Senior Managers are responsible for:

- ensuring that all employees are made aware of the Whistleblower Policy
- following up on any reporting of situations relevant to this Policy.

The **Whistleblower Protection Officer** is responsible for:

- protecting LDS whistleblowers within the meaning of Australian Standard AS 8004-2003; Whistleblower Protection programs for entities.

Whistleblower Investigations Officer is responsible for:

- conducting investigations into reports received from a whistleblower.

Employees are responsible for:

- being aware of the Whistleblower Policy and using its provisions, should an occasion warrant reporting
- employees who become aware of actual or suspect on reasonable grounds, potential cases of Reportable Conduct, will make a report under this policy or under other applicable policies.

7. Legislation

- Corporations Act 2001
- Taxation Administration Act 1953