

# Whistleblower Policy

## Related Legislation and Codes

Corporations Act 2001 (Cth)
Taxation Administration Act 1953 (Cth)
Fair Work Act 2009
Australian Securities and Investments Commission Act 2001 (Cth)
Public Interest Disclosures Act 2022 (NSW)

## 1.0 Whistle Blower Policy

### 1. INTRODUCTION

At Lifeline Mid Coast (LLMC), we are guided by our core values, which form the foundation of how we conduct ourselves and interact with each other, our clients, volunteers, retail customers, community partners, and other stakeholders. These values reflect our commitment to compassion, integrity, and respect in all aspects of our work.

Lifeline Mid Coast is dedicated to maintaining compliance with organisational standards and promoting an ethical culture by upholding the highest levels of fairness, honesty, and integrity in all our activities.

### 2. PURPOSE

Lifeline Mid Coast is committed to fostering a culture of openness and accountability, where honesty, integrity, and ethical behaviour are embedded in everyday practice.

We encourage all staff, volunteers, and stakeholders to report any concerns that may involve unethical, illegal, or seriously improper conduct ("Reportable Conduct"). Lifeline Mid Coast is dedicated to ensuring that individuals who raise concerns can do so confidentially and without fear of intimidation, disadvantage, or retaliation.

This policy provides a clear framework for identifying and addressing instances of suspected or actual misconduct. It also offers guidance on how to safely and appropriately raise concerns, reinforcing our commitment to transparency and ethical governance.

### 3. APPLICATION

This Policy applies to all Lifeline Mid Coast workers including employees, contractors, volunteers and suppliers. It also encompasses relatives and dependents of any of the persons mentioned above.

## 4. DEFINITIONS

### Reportable Conduct

Reportable Conduct refers to any past, current, or anticipated actions that may compromise the ethical, legal, or operational integrity of Lifeline Mid Coast.

This includes, but is not limited to:

- Dishonest, corrupt, or unethical behaviour.
- Theft, fraud, money laundering, or misappropriation of funds.
- Serious, deliberate, or systemic breaches of laws or Lifeline Mid Coast's internal policies and procedures.
- Offering or accepting bribes.
- Illegal activities, such as the sale or use of illicit drugs, acts of violence or threats, and criminal damage to property.
- Conduct that poses a significant risk to the health and safety of workers or others.
- Serious mismanagement or misuse of Lifeline Mid Coast's resources.
- Victimisation of individuals who report misconduct.
- Any attempt to conceal or cover up serious wrongdoing.
- Interference with internal or external audit processes.
- Actions that pose a serious risk to Lifeline Mid Coast's reputation or financial stability.
- Obstruction of investigations related to complaints, grievances, or misconduct.

### What is Not Reportable Conduct

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

- Personal, work-related grievances such as those relating to harassment, discrimination, or disciplinary matters.
- Alleged workplace discrimination or bullying.
- Personal disputes between staff.
- Decisions regarding the engagement, transfer, or promotion of staff.

These matters will not be deemed to be Reportable Conduct and will typically be investigated or addressed separately under LLMC's Workers Grievance Policy.

### Disclosable Conduct

In circumstances where Lifeline Mid Coast is engaged under Federal or State Government contracts, Reportable Conduct may extend to include "disclosable conduct" such as conduct that:

- Perverts, or attempts to pervert, the course of justice.

- Constitutes maladministration (i.e. conduct that breaks the law, is unreasonable, unjust, or improperly discriminatory, or based wholly or partly on improper motives).
- Is an abuse of public trust.
- Results in the wastage of any public money held by the Commonwealth or corporate Commonwealth entity.
- Results in the wastage of any property (other than money) that is owned by or held by the Commonwealth or a corporate Commonwealth entity.
- Results in a danger, or a risk or danger, to the environment.

#### Detrimental Conduct

Any reprisal, discrimination, harassment, victimisation, retaliation, or threats of retaliation against a person making a report. This may include dismissal, suspension, or demotion; alteration of a person's position or duties to their disadvantage; disciplinary action; harassment or intimidation; discrimination; harm (including psychological harm) or injury; damage to the person's reputation; or damage to the person's property, business, or financial position.

#### Eligible Public Recipients

An eligible public recipient is a person that is a member of Commonwealth Parliament, a member of a State Parliament, a member of the Legislature of a Territory or a journalist.

#### Whistleblower Protection Officer

Is the Board Chair, Governance Committee Chair, Legal or Risk or a person appointed by the Board.

#### Worker

Any person performing work for Lifeline Mid Coast regardless of whether it is paid or voluntary. All Board members, Board Committee members, management, employees (including current or former employees) volunteers, students, contractors, and consultants are workers for the purpose of this Policy.

## 5. POLICY

Lifeline Mid Coast is committed to maintaining a culture of transparency and accountability. We encourage all individuals to speak up if they are aware of, have knowledge of, or reasonably suspect that Reportable Conduct has occurred or may occur.

### How Workers Can Report

Workers (including staff and volunteers) may report concerns by contacting Lifeline Mid Coast directly and speaking with:

- Human Resources
- The Chief Executive Officer (CEO)
- The Board Chair
- The Chair of the Finance, Audit & Risk Committee

They may also submit a report via the LLMC website: [www.lifelinemidcoast.org](http://www.lifelinemidcoast.org)

Additionally, reports can be made to:

- The Australian Securities and Investments Commission (ASIC)
- A legal practitioner for advice on whether whistleblower protections apply

### How Non-Workers Can Report

Individuals who are not employed or volunteering with Lifeline Mid Coast can report concerns by:

- Emailing the Lifeline Mid Coast CEO or Board Chair (contact the office on 6581 2800 for details)
- Speaking with an auditor or a member of the audit team conducting an audit of Lifeline Mid Coast (auditor details available upon request)

### What to include in your Report

Reports may be made verbally or in writing and can be submitted anonymously. To assist in a thorough investigation, reports should include as much detail as possible, such as:

- Description of the misconduct
- Names of individuals involved
- Relevant dates and locations
- Any supporting evidence

Reports must be made in good faith. False or vexatious claims are not protected under this policy and may result in disciplinary action for Workers found to have knowingly made such claims.

### Anonymous Reporting

Lifeline Mid Coast supports anonymous reporting and ensures that individuals who choose to remain unidentified can still access the protections outlined in this policy. However, it's important to note that anonymity may limit our ability to fully investigate the reported concerns. Where possible, Lifeline Mid Coast encourages individuals to disclose their identity to help facilitate a thorough investigation and to allow us to monitor their wellbeing and safeguard them from retaliation or disadvantage.

### Confidentiality

All reports and any confidential information obtained during an investigation will be treated with the highest level of confidentiality. Subject to legal obligations, Lifeline Mid Coast will not disclose the identity of a person making a report, or any information that could reasonably identify them, without their prior consent, except in limited circumstances.

Disclosure without consent may occur only where necessary and may involve sharing information with:

- Lifeline Mid Coast's legal advisors
- The Australian Securities and Investments Commission (ASIC)
- The Australian Charities and Not-for-profits Commission (ACNC)  
State or Federal Police
- Other authorised third parties, where a public authority or investigator determines that disclosure is essential for effective investigation or is in the public interest (e.g., in relation to government contracts).

### Protection from Detrimental Conduct

Lifeline Mid Coast recognises that reporting misconduct can be a difficult decision. We are committed to creating a safe environment where individuals feel supported in raising concerns. Anyone who makes a report under this Policy will have their identity protected and will be safeguarded from any form of detrimental conduct, including retaliation, disadvantage, or mistreatment.

Any act of detrimental conduct against a person who reports Reportable Conduct will be treated as serious wrongdoing. These protections apply even if the report is later found to be unsubstantiated or made in error, provided it was made in good faith.

If a person experiences detrimental conduct after making a report, they are encouraged to notify the Board. The Board will ensure the matter is investigated promptly, either by the Chair of the Finance, Audit & Risk Committee or by an external investigator. If it is determined that retaliation or disadvantage occurred, disciplinary action may be taken against the responsible party, up to and including dismissal.

Lifeline Mid Coast also acknowledges that individuals named in a report may face serious implications. We are committed to ensuring fair treatment for all parties involved and will extend appropriate protections to those individuals throughout the investigation process.

### What happens to a Whistleblower Report

Lifeline Mid Coast's Board is responsible for reviewing all reports received under this policy. Upon assessment, the Board will determine whether the matter qualifies as Reportable Conduct.

All Whistleblower Reports made under this Policy will be:

- received and treated seriously and with the utmost sensitivity;
- assessed to ensure it is a qualifying disclosure and warrants investigation;
- investigated, internally or externally, as appropriate depending on the nature of the reported wrongdoing; and
- dealt with fairly and objectively, in a timely manner.

If a report is found not to fall within the scope of this Policy, the Board will inform the individual who submitted the report and advise them of the appropriate alternative policy or process under which the matter will be addressed.

### Investigating Reportable Conduct

When a report is assessed as falling within the scope of this Policy, Lifeline Mid Coast will initiate an investigation.

The process will include:

- The Board determining whether the investigation will be conducted internally or by an external investigator.
- The appointed Investigator commencing the investigation promptly and conducting it in accordance with Lifeline Mid Coast's Workplace Investigations Manual.
- The Investigator assessing any potential conflicts of interest and referring the matter elsewhere if necessary.
- Ensuring the investigation is conducted objectively, fairly, and without bias, with all individuals involved given a reasonable opportunity to respond to any allegations.
- Completion of a formal investigation report, including findings and recommendations aligned with the original Terms of Reference.
- The Board reviewing the report and determining appropriate actions.
- Communicating the outcomes and any resulting actions to relevant parties

### Immunity

If a LLMC worker makes a Whistleblower Report which involves their own conduct or of which they may be implicated, Lifeline Mid Coast will consider providing that employee with immunity from disciplinary proceedings and immunity against civil liability, to the extent permitted by law

### Liability for own conduct

An employee who is found to have provided false information to the CEO or Board Chair in an investigation or who has made a Whistleblower Report vexatiously or in bad faith, may be subject to disciplinary action, including and up to termination of employment.

### Ensuring Fair Treatment

Australia will take reasonable steps to ensure appropriate and fair treatment of those named employees.

This will include:

- keeping the matter as confidential as possible, even if the Whistleblower has consented to the disclosure of their identity;
- only informing Investigators, managers and officers of LLMC who have a need to know the information for the proper performance of their functions under this Policy, or for the proper investigation of the disclosure;
- advising the employee or officer who is the subject of a disclosure about any allegations against them, and allowing them the opportunity to respond to those allegations and provide additional information, if relevant, in the course of an investigation into those allegations (subject to the Whistleblower's right to anonymity);
- extending support and protection to individuals who are implicated in the disclosure until the investigation has concluded, and claims have been proven or dismissed. However, an employee or officer who is implicated may be temporarily transferred to another department or workplace, if appropriate in the circumstances; and
- notifying the employee or officer implicated in a report of the outcome of any investigation.

### Support

Lifeline Mid Coast will take appropriate measures to support the wellbeing of and protection of a Whistleblower and/or persons implicated in a disclosure.

This support may be in the form of:

- LLMC's Employee Assistance Provider (EAP), which is an employee confidential counselling service
- considering whether the Whistleblower can or should be allocated alternative duties;
- considering whether the Whistleblower can or should be permitted paid time off work;
- appointing an independent support person from Human Resources to deal with any ongoing concerns;

- connecting the person with third party support provider such as Beyond Blue (1300 22 4636 or [www.beyondblue.org.au](http://www.beyondblue.org.au)); and/or
- Lifeline's crisis support services (call 13 11 14 or text 0477 13 1114, or chat) and support toolkit are also available at [www.lifeline.org.au](http://www.lifeline.org.au).

Use of these support services may require the Whistleblower to consent to disclosure of their identity or information that is likely to lead to the discovery of their identity.

#### Public Interest and Emergency Disclosure Reporting

Lifeline Mid Coast encourages individuals to report concerns directly to the CEO or Board Chair in the first instance, where possible.

Reports made under "public interest" or "emergency disclosure" provisions are also protected under applicable legislation. These types of disclosures may be made to an Eligible Public Recipient, such as the Australian Charities and Not-for-profits Commission (ACNC). Individuals considering such disclosures are strongly encouraged to seek independent legal advice to ensure they meet the necessary criteria.

#### Public Interest Disclosure Protections Apply When:

- An initial report concerning Reportable Conduct has already been made to Lifeline Mid Coast
- At least 90 days have passed since the initial report
- The individual reasonably believes that no action has been taken to address the concerns raised.
- The individual reasonably believes that making a further report is in the public interest.
- Written notice is provided to Lifeline Mid Coast identifying the initial report and the intention to make a public interest disclosure.
- The subsequent report is made to an Eligible Public Recipient and contains only the information necessary to demonstrate the misconduct or improper circumstances.

#### Individuals Responsibilities

Individuals who become aware of potential Reportable Conduct are responsible for promptly reporting any past, current, or anticipated activity or behaviour that may fall under this Policy. The recipient of such a report must maintain strict confidentiality regarding the identity of the person making the report and is required to notify the Chief Executive Officer (CEO) or Board Chair via phone or email.



### Investigators Responsibilities

The Investigator appointed by the Board, is responsible for conducting a timely, thorough, and impartial investigation into the reported conduct. They must ensure confidentiality is upheld wherever practical and appropriate, and that the investigation is carried out objectively and fairly. The Officer is expected to follow Lifeline Mid Coast's Workplace Investigations Manual, provide regular updates to the Board Chair, and maintain current training and competency in investigative procedures.

### Whistleblower Protection Officer

The Whistleblower Protection Officer plays a vital role in supporting individuals who report misconduct. This includes offering mentoring, ensuring protections are applied in line with the policy, and keeping the whistleblower informed of the investigation's progress and outcomes, while maintaining confidentiality and respecting the privacy of all parties involved. The Officer also reviews whistleblower reports regularly and provides updates to the Finance, Audit & Risk Committee to identify any emerging trends or systemic issues that may require organisational action.

## **6. CONSEQUENCES OF BREACH OF THIS POLICY**

Any breach of this policy by a Lifeline Mid Coast worker may be considered misconduct and could result in disciplinary action, up to and including termination of employment or engagement, where appropriate.

In addition to internal consequences, a breach of this policy may also constitute a civil or criminal offence under Australian whistleblower protection laws, particularly those outlined in the Corporations Act and the Taxation Administration Act. Such violations may attract significant legal penalties.

## **7. ACKNOWLEDGEMENT OF LLMC'S WHISTLEBLOWER POLICY**

All workers will be required to acknowledge their receipt and understanding of this Policy by electronic acknowledgement facilitated in the Human Resources Information System (Employment Hero) and Volunteer Management System (Rosterfy).

## **8. AUTHORISATION**

Authorised by C.Vaara, CEO, on behalf of, UCA Lifeline Mid Coast.