

ECH WHISTLEBLOWER MANAGEMENT POLICY

JUNE 2022



POLICY: WHISTLEBLOWER MANAGEMENT

1. Purpose

The purpose of this policy is to outline the management and investigation of whistleblower reports received from a staff member, contractor, supplier, volunteer or member of the public (which includes ECH consumers) who detects or has reasonable grounds for suspecting illegal and unethical conduct associated with ECH operations.

The processes defined are supported by the significant new whistleblower laws for the private sector that includes amendments to the *Corporations Act 2001* following the passing of the *Treasury Laws Amendment (Enhancing Whistleblower protections) Bill 2018*. Key elements of the new legislation include establishing a whistleblower protection regime to protect individuals who make a report, allowing anonymous reports and expanding the types of reports or disclosures that will be protected under the legislation.

2. Scope

This policy applies to all staff and other persons including volunteers and contractors, or members of the public and ECH consumers.

3. Policy

The Board recognises that whistleblowers play an important role in helping an organisation to identify, detect and prevent illegal, unethical activity as an integral part of good corporate governance and management practice. They also understand that the proper management and investigation of whistleblower reports are required under legislation and failure to comply with this requirement is a criminal offence.

Accordingly, the Board will:

1. Act in accordance with legislative requirements when written reports and disclosures are received by any member of the board or by the ECH nominated authorised officers or received through a third party agency
2. Take all reasonable steps to protect, support and respect the legislative rights of a person who in good faith reports breaches of law and organisation policy, unethical behaviour and corrupt conduct relating to ECH operations
3. Nominate authorised staff to act as 'whistleblower officers' who can receive reports and disclosures if a whistleblower chooses to report to an authorised officer rather than a member of the board
4. Authorise ECH nominated officers to commence an investigation if the report meets the requirements under the legislation or dismiss the allegation if it is considered to be not made in good faith and is trivial or fanciful and notify the person making the report of this decision
5. Respect the legislative rights of a whistleblower to make an anonymous report to the board or to an authorised officer
6. Guarantee all investigations are conducted in a fair and independent manner whilst observing the principles of natural justice. This includes maintaining strict confidentiality and security of information
7. Take necessary disciplinary action for any individual who makes a false report knowing it to be false or reckless

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8. Respect the legislative rights of a whistleblower who makes a report to an external organisation such as the Australian Securities and Investments Commission (ASIC) or who makes a public interest disclosure to the Australian Prudential Regulation Authority (APRA) or to the Commonwealth Ombudsman
9. Provide for the education and training of the board, authorised officers and staff about the new whistleblower protection regime. This education will include disseminating the ECH whistleblower procedure document to staff so they know how to make a report or disclosure and know their rights and protections that apply to protected disclosures
10. Provide relevant information to consumers, volunteers, contractors and suppliers.