

Whistleblower

Overview

At the SGCH Group, accountability and integrity are some of our core values and we encourage people to report any genuine concerns about misconduct within our companies. We expect behaviour to align with our Code of Conduct and will not tolerate corrupt or illegal behaviour or other misconduct.

This policy is an important tool for helping us identify and respond to misconduct. It explains how people can report concerns, how we will manage reports, how we will protect people who make reports, and how we will meet our legal duties.

This policy does not prevent you from doing anything that is permitted or required by law and is not intended to change any protections that are available to you at law.

Scope

This policy applies to St George Community Housing Limited and its subsidiaries (we, our and us) and our people (including employees, contractors, volunteers, and suppliers).

While we encourage people to report concerns, not all concerns are covered by this policy. The following types of concerns are generally not covered under this policy:

Customer complaints

If you are a customer, you can appeal a decision, make a complaint or provide feedback to us by email, letter, telephone or by completing a form available on our [website](#) or from our offices.

Personal Work-Related Grievances

A personal work-related grievance is an issue that impacts you personally and does not relate to misconduct in relation to our companies.

If you are a current or former team member and you have a personal work-related grievance, you can make a complaint under our other policies. For example, issues with your terms and conditions of employment are managed under our Staff Grievance policy and concerns about workplace behaviour such as bullying, discrimination, and harassment are managed under our Workplace Behaviour policy.

There may be times when a personal work-related grievance is protected under this policy, including:

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- If the grievance relates to misconduct in relation to our companies
 - If a person suffers detriment or is threatened for making a report under this policy
 - If the grievance is part of a problematic pattern or systemic issue
 - If the grievance is associated with illegal activity or another protected disclosure
 - If information is provided to a legal practitioner for advice or representation in relation to whistleblower protections.

Purpose

The purpose of this policy is to:

- Encourage people to report [misconduct](#).
- Help us to identify and deter misconduct.
- Make sure that people who report misconduct can do so safely, knowing that they will be protected and supported.
- Make sure that reports are dealt with appropriately and on a timely basis.
- Provide transparency about how we receive, handle, and investigate reports.
- Support our values, vital behaviours, and Code of Conduct.
- Protect our companies, brand, and reputation.
- Meet our legal and regulatory obligations and make sure that our approach aligns with relevant standards.

What reports are protected under this policy?

To be eligible for the legal protections outlined in this policy, you must:

1. Be an **eligible whistleblower**
2. Report your concerns to an **eligible recipient**
3. Have **reasonable grounds** to suspect **misconduct or an improper state of affairs** in relation to our companies

If your report meets the above these criteria, it is a Protected Report.

If your report doesn't meet the above criteria, we still encourage you to raise your concerns with us. However, only Protected Reports receive the legal protections outlined in this policy.

Who are eligible whistleblowers?

You are an eligible whistleblower if you are currently, or were previously:

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- an officer of our companies (e.g., a director or company secretary)
 - an employee of our companies (including permanent, part-time, fixed term or temporary team members)
 - a person who supplies goods or services to us (whether paid or unpaid) (e.g. contractors, consultants, service providers and business partners)
 - an employee of a person that supplies goods or services to us whether paid or unpaid (e.g. employees of contractors, consultants, service providers and business partners)
 - an associate of our companies
 - a relative or a dependant of any of the above people, or a dependant of their spouse (e.g. a relative, dependant or a spouse of a current and former employee, director, contractor, consultant, service provider, supplier and business partner)

Who are eligible recipients?

Eligible recipients include:

- Your Call (our external whistleblower reporting service)
- our Whistleblower Protection Officers (WPOs):
- a Director, the CEO or Company Secretary, or an Executive
- Other eligible recipients such as our auditors, the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), another Commonwealth body prescribed by the regulations, a legal practitioner (see below note), or any other person authorised by law.

Note: If you make a report to a legal practitioner to get legal advice or representation, you are protected for releasing the information to them even if they determine that the report is not about misconduct related to our companies.

In certain circumstances, a 'public interest disclosure' or 'emergency disclosure' may also be made to a journalist or member of parliament (see below for more information). However, the report must meet specific criteria for the person making the report to receive the legal protections outlined in this policy. For this reason, we encourage you to get independent legal advice before making a 'public interest disclosure' or 'emergency disclosure'.

What is misconduct or an improper state of affairs in relation to our companies?

Misconduct or an improper state of affairs can include:

- fraud or misappropriation of funds
- negligence

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- wilful default of obligations and duties of the employee or on our behalf
 - breach of trust or duty
 - financial irregularities
 - offering or accepting a bribe
 - corrupt conduct, maladministration, and waste of resources
 - offences under the *Corporations Act 2001* (Cth), the *ASIC Act 2001* (Cth)
 - an offence against any other Commonwealth law that is punishable by imprisonment for 12 months or more, or where relevant to our companies' operations and practices, illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property
 - failure to comply with any legal or regulatory obligations
 - unethical or other serious improper conduct, including serious breaches of company policies and procedures
 - engaging in, or threatening to engage in, [detriment](#) (see below)
 - systemic issues that a relevant regulator should know about

What are reasonable grounds?

The protections offered under this policy apply where you have reasonable grounds to suspect misconduct. You are not required to prove your concerns but there must be more than just a suspicion that misconduct has occurred or is occurring. If you have reasonable grounds to suspect misconduct but your Protected Report turns out to be incorrect, you are still given the legal protections outlined in this policy.

What happens if I make a false report?

If we find that you have intentionally made a false report (for example, if you know a report is untrue and you report it to harm, annoy, or cause distress to someone), we may take disciplinary action against you, which may include termination of your employment or engagement with us.

What protections do eligible whistleblowers receive?

Protections offered to eligible whistleblowers include:

- **confidentiality**
- protection from **detriment**
- access to **compensation and remedies** if they suffer detriment

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- **protection from any civil, criminal, or administrative liability** (including disciplinary action) for making the Protected Report.

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

What is confidentiality?

If you make a Protected Report your identity will be kept confidential unless you consent to your identity being released or we are permitted or required by law to disclose your identity. It is illegal for a person to identify you unless you give consent, or it is permitted or authorised by law.

During an investigation, it will be necessary for us to tell the respondent/s (the people who are believed to be involved in the misconduct) about the alleged misconduct. This is essential in ensuring a fair investigation and gives the respondent/s an opportunity to respond to the allegations. Although we will not tell the respondent/s your identity unless you give consent, it is possible that the details of the Protected Report may lead the respondent/s to believe that they know the identity of the whistleblower.

Before providing information to the respondent/s we will:

- Make sure that the information does not include your identity.
- Make sure we have taken all reasonable steps to reduce the risk that you will be identified from the information.
- Only provide information that is reasonably necessary for investigating the issues raised in the Protected Report.

Ways that we will help to protect your identity include:

- Removing your personal information or other details that may identify you.
- Referring to you in gender-neutral terms e.g. using they instead of him or her or via a pseudonym.
- Contacting you (where possible) to work out any details that may identify you.
- Storing Protected Reports securely, where they are only able to be accessed by those who are responsible for managing or investigating the Protected Report.
- Making people who are involved in managing or investigating Protected Reports aware of the legal obligations and protections and any changes to Whistleblower laws.

What happens if there is a breach of confidentiality?

If you believe that your confidentiality has been breached (other than where you have given consent or we are permitted or authorised by law to share this information), you should immediately report your concerns to Your Call, a WPO, or alternatively to the CEO or another eligible recipient. You may also make a complaint to a regulator such as ASIC, APRA or the ATO for investigation.

Any breach of confidentiality is a serious matter and will be investigated. If we determine that the breach is misconduct, the relevant person/s may be subject to disciplinary action, which may include termination of their employment or engagement with us.

Breaches of whistleblower confidentiality are also an offence under the *Corporations Act 2001* (Cth) and serious penalties apply for both individuals and corporations.

What is detriment?

Examples of what may be considered detriment include:

- Dismissal, suspension, demotion, or termination of your employment or engagement with us
- Changes to your employment, position, or duties to your disadvantage
- Discrimination or bias
- Harassment or intimidation
- Harm or injury to you (including psychological harm)
- Damage to your property, reputation, business, or financial position
- Any other retaliatory or harmful action to you
- Threats of any of the above

What isn't considered detriment?

The following actions are not considered to be detriment:

- Administrative action that is reasonable for the purpose of protecting a whistleblower from detriment (e.g. relocating them to another office to prevent detriment).
- Managing the unsatisfactory work performance of an eligible whistleblower (as per our Performance Management Framework).

What happens if a person suffers detriment?

We are committed to protecting the rights of eligible whistleblowers and will not tolerate any detriment or threats of detriment against them or any other person (e.g. suspected whistleblowers or people who participate in investigations).

We will treat any form of detriment as serious misconduct and those involved may be subject to disciplinary action, which may include termination of their employment or engagement with us.

If you believe you have suffered detriment because of a Protected Report, you should immediately report the matter to Your Call, a WPO or the CEO (if appropriate). You can also seek independent legal advice or contact regulators if you believe you have suffered detriment for making a Protected Report.

If you have made a Protected Report and you require additional support throughout the process, you can contact our WPO or the eligible recipient who received your report. Our employees and their immediate family can also access our Employee Assistance Program (EAP) for support.

Compensation or other remedies

You may be able to seek compensation or other remedies through the courts if you suffer loss, damage or injury because of a Protected Report and we failed to take reasonable precautions and exercise due diligence to prevent that detriment. If you believe that you have suffered detriment because of a Protected Report, we encourage you to get independent legal advice about possible legal solutions.

Protection from civil, criminal, and administrative legal actions

If you make a Protected Report, you are protected from any of the following legal actions for making a Protected Report:

- Civil liability (e.g. any legal action against you for breaching an employment contract, a duty of confidentiality or another contractual obligation).
- Criminal liability (e.g. legal action against you for unlawfully releasing information, or other use of the Protected Report against you in a criminal proceeding (other than for making a false disclosure)).
- Administrative liability (e.g. disciplinary action for making the Protected Report).

NOTE: You are still responsible for your own actions. These protections do not prevent you from being responsible (or liable) for your own actions if you are also involved in the misconduct forming the Protected Report.

How can I get more information?

If you want more information about this policy, you are unsure about whether your concerns are covered by this policy, or you have concerns in relation to other misconduct or inappropriate workplace behaviours which are not misconduct, you should contact Your Call (online or by phone - refer to details below) or a WPO for more information or advice on appropriate next steps.

How can I make a Protected Report?

We encourage you to report suspected or actual misconduct to us as soon as you become aware of it.

You can choose to remain anonymous. For more information on remaining anonymous, refer to the section on [confidentiality](#) below.

We encourage you to make a Protected Report using our whistleblowing service, Your Call, however, you can choose to make a Protected Report by contacting a WPO directly, or by reporting the matter to another eligible recipient.

Reporting to our whistleblowing service

Our whistleblowing service is managed by Your Call. You can make a Protected Report:

- online using Your Call's website: <https://www.yourcall.com.au/report> - You will be required to enter our unique identifier code SGCH38
- by phone using Your Call's external reporting hotline: 1300 790 228 (between 9am and 12am AEST on recognised business days)

Reporting to our Whistleblower Protections Officers (WPO)

You can make a Protected Report by contacting a WPO directly. Our WPOs are:

- [Claudia Certoma](#) - Group Executive, Legal, Governance and Risk
- [Alison Cunningham](#) – Chief Operating Officer
- [Kevin McCarthy](#) – Chief Financial Officer
- [Emma Cocilovo](#) – Head of People, Capability & Performance

If you choose to report directly to a WPO, do not report concerns to someone who you suspect may be involved in the conduct or anyone that may have a conflict of interest.

If your report involves the CEO or an Executive, you can make a Protected Report to the Chair of the Board Audit and Risk Committee or the Chair of the Board. If your report involves a director, you can make a Protected Report to the Chair of the Board. If your report involves the Chair of the Board, you can make a Protected Report to the Deputy Chair of the Board

When contacting a WPO, we recommend you tell the WPO that you wish to make a report under this Policy, so that they can make appropriate arrangements in relation to confidentiality.

Reporting to another eligible recipient

We encourage you to raise any concerns that you have using our external whistleblower service (Your Call), or by contacting a WPO. However, if you feel it is inappropriate to raise your concerns with us in the circumstances, you can report the matter to another [eligible recipient](#).

Public interest disclosures

A public interest disclosure is protected if it meets the following criteria:

- You make a disclosure in the public interest to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist.
- You previously made a Protected Report that qualifies for protection under the Whistleblower provisions of the Corporations Act (Part 9.4 under subsection 1317AA(1)).
- At least 90 days have passed since the previous Protected Report was made.
- You do not have reasonable grounds to believe that action is being, or has been, taken to address the misconduct in the previous Protected Report.
- You have reasonable grounds to believe that making a further disclosure of the misconduct forming the basis of the Protected Report would be in the public interest.
- After the end of the 90-day period, you give the person that you made the previous Protected Report to a written notification that:
 - includes sufficient information to identify the previous Protected Report, and
 - states that you intend to make a public interest disclosure, 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 disclosures

An emergency disclosure is protected if it meets the following criteria:

- You make an emergency disclosure to a member of the Parliament of the Commonwealth, the Parliament of a State or the legislature of a Territory or a journalist.
- You previously made a Protected Report that qualifies for protection under the Whistleblower provisions of the Corporations Act (Part 9.4 under subsection 1317AA(1)).

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- You have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment.
 - You give the body to which the previous Protected Report was made a written notification that:
 - includes sufficient information to identify the previous Protected Report, and
 - states that you intend to make an emergency disclosure.
 - 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.

What information should I provide when making a Protected Report?

When making a Protected Report, you should clearly outline the following to give us enough information to respond without delay:

- the issue or concern (e.g. the type of misconduct)
- the individual(s) involved
- why you believe that misconduct has occurred
- the type and location of any evidence that may help us to investigate your report

You should ensure that your report is:

- factually accurate
- based on first-hand knowledge
- based on reasonable grounds
- doesn't leave out any important information

What happens when I make a Protected Report?

All Protected Reports will be referred to our Whistleblowing Committee. The role of the Whistleblowing Committee will include:

- Assessing the report to determine if it is a Protected Report.
- Assessing the risk of detriment to the eligible whistleblower or any other person
- Putting in place measures to protect the eligible whistleblower or any other person from detriment.
- Appointing an investigator.
- Overseeing the progress of investigations and ensuring the timely and effective management of Protected Reports.

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- Making recommendations to the CEO (or alternate WPO if there is a conflict of interest), including referrals to law enforcement and/or regulators. Confidentiality

When you make a Protected Report, you can choose to be:

- **Confidential** – this means that you tell us who you are and consent to us disclosing your identity for the purpose of investigating the matter and reporting to the relevant parties such as the Board. This is our preferred option because it allows us to fully investigate your report and provide you with protection and support.
- **Partially anonymous** – this means that you tell the person receiving your report your identity, but you do not consent to them sharing your identity with anyone else (unless they are required or authorised by law to share it). While this option is possible, it may impact our ability to investigate matters.
- **Fully anonymous** – this means that you don't tell us your identity when you make a report. This option can make it difficult for us to investigate your report, communicate with you and to protect you from detriment. If you choose to remain anonymous, we recommend that you maintain ongoing communication with us to allow us to be able to respond quickly and appropriately to your report.

If you choose to be anonymous and not tell us who you are, you will still receive the legal protections discussed in this policy, if your report meets the criteria outlined above (you are an eligible whistleblower, with reasonable grounds to suspect misconduct or an improper state of affairs related to our companies, and you report your concerns to an eligible recipient).

Regardless of which option you choose, we still may need to disclose your identity to lawyers, regulatory authorities, or law enforcement.

Will I be kept informed after I've made a Protected Report?

If you have provided us with a way of contacting you, we will keep you informed throughout the process if appropriate and permitted by law. This may include advising if the investigation has begun and providing updates about the progress and outcome of an investigation.

Whistleblowing Committee

Our Whistleblowing Committee may comprise the following members:

- Group Executive, Legal, Governance and Risk (or the role of General Counsel and Company Secretary for the organisation).
- Chief Operating Officer.
- Head of Internal Audit, Risk and Safety (or the role of chief audit executive for the organisation).

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- And any other member appointed from time to time.

There must be a minimum of two members of the Committee acting at any time. A member may be excluded from the Committee while they are conflicted. If this results in the Committee failing to have the minimum number of members, an alternative member may be appointed.

Handling reports

After we receive a report, we will:

- Consider any conflicts of interest in managing or investigating the report.
- Assess the information provided to determine whether it is a Protected Report and whether an investigation is required.
- Assess how we can support and protect you, including assessing the risk of detriment against you or other people (e.g. people who may be suspected of making the report). This may include modifying the location where you work, reassigning you to another role at the same level, making other modifications to your workplace or the way you work, or reassigning or relocating other staff involved in the suspected misconduct.
- If we determine that an investigation is required, investigate the Protected Report.
- Keep the whistleblower informed (verbally or in writing) if appropriate and permitted by law.
- Keep appropriate and secure records for each step in the process.
- Provide support to those involved as necessary.

If we receive a report that is not a Protected Report, we may manage it under our other relevant policies (such as our Staff Grievance policy).

Investigations

If we determine that a report should be investigated, we will arrange an investigation to be done by an independent person. An independent person is someone who doesn't have an actual, potential or perceived conflict of interest in the matter. This may be an external person (someone outside of our companies).

The investigator will be required to:

- Take all reasonable steps to make sure that the investigation is fair, objective, timely and that procedural fairness is applied.
- Provide regular and timely feedback on the investigation and the outcome of the investigation to the parties involved.
- Keep appropriate and secure records.

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- Report the findings of the investigation to the person who appointed them. This person will then make recommendations about suitable actions to the CEO/Chair (as appropriate).

Generally, a Protected Report will be investigated within 60 working days from the date we receive it. However, there may be reasons why an investigation may take longer. If we think there might be a delay with the investigation, we will tell the person who made the Protected Report (where possible).

Responsibilities towards respondents

Respondents are those believed to be involved in misconduct forming the basis of a Protected Report.

We will take all reasonable steps to treat any respondent (or any other persons identified in or involved in a Protected Report) fairly and to make sure that investigations are fair. Generally, where an investigation is conducted, the respondent will be:

- Told about the allegations.
- Given a fair and reasonable opportunity to respond to the allegations before the investigation is finalised.
- Informed about the findings of the investigation and given an opportunity to respond to those conclusions before any action is taken against them.

Outcomes

Once an investigation is complete, we will decide what action will be taken based on the findings.

When we find no evidence to substantiate the report

If we find no evidence to substantiate the Protected Report, we will notify you of the outcome. The person responsible for managing the Protected Report will decide whether they advise the respondent/s of the findings.

When we find evidence that substantiates the report

The CEO or Board (as appropriate) will approve any disciplinary action before it happens. If the CEO approves disciplinary action, they may tell the Board if it is appropriate to do so.

Appeals

If you make a report, or are a respondent to a report, and you are not satisfied with the outcome, you may appeal (ask for an internal review of our decision).

Appeals will be directed to the CEO or Chair of the Board, or an alternative WPO if there is a conflict.

We may refuse to conduct an internal review if no new information is available or if the new information would not change the outcome.

If you are not satisfied with our response, you may lodge a report or complaint with a regulator such as ASIC, or the ATO in accordance with the law.

Reporting

The Head of Internal Audit, Risk and Safety will maintain a whistleblowing register and will provide de-identified details about the number and type of reports received, and trends and systemic issues identified to the CEO on a regular basis (the frequency to be determined by the CEO).

The Head of Internal Audit, Risk and Safety will also ensure that reviews of de-identified whistleblowing reports are conducted by the Board Group Audit & Risk Committee. The Group Audit and Risk Committee will review the reports received, how they were addressed and the outcomes of each case for effectiveness, compliance, and improvement. Reports from the Group Audit and Risk Committee are included in the minutes and provided to the Board quarterly.

Policy Administration

This policy will be available on our intranet and company website.

A copy of the policy will also be provided to our people as part of our onboarding process.

We will provide training to eligible recipients and educate our employees about our whistleblowing policy and processes.

Relevant laws, regulations or standards

- [Corporations Act 2001 \(Cth\)](#)

Related documents and resources

- [Policy: Code of Conduct and Ethics](#)



Policy information

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| Version: | 12 |
| Approved: | August 2021 |
| Amended: | Not applicable |
| Reviewed: | August 2021 |
| Review frequency: | 12 months |
| Responsible team/position: | Group Executive, Legal, Governance and Risk |
| Approval required | Board |