



Whistle Blower Policy

Scope

This policy applies to Brook RED Community Members/NDIS Participants, Nominated Support People, board members, employees, volunteers, and students on placement.

Purpose

To promote and support a culture of honest and ethical behaviour, corporate compliance and sound corporate governance.

Principles

Brook RED is committed to ensuring the highest standards of conduct and ethical behaviour in all business activities.

Policy

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

What is Reportable Conduct?

A report may be made under this policy if you have reasonable grounds to suspect that a Brook RED manager, employee, or other person who has business dealings with Brook RED has engaged in conduct (Reportable Conduct) which:

- a. is dishonest, fraudulent or corrupt, including bribery;
- b. is illegal activity (such as theft, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);
- c. is unethical or in breach of Brook RED's policies (such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching Brook RED's Code of Conduct or other policies or procedures);
- d. is potentially damaging to Brook RED, a Brook RED employee or a third party, such as unsafe work practices, environmental damage, health risks or abuse of Brook RED property or resources;
- e. amounts to an abuse of authority;
- f. may cause financial loss to Brook RED or damage its reputation or be otherwise detrimental to Brook RED's interests;
- g. involves harassment, discrimination, victimisation or bullying, other than personal work-related grievances as defined in the Corporations Act 2001 (Cth) (Corporations Act); or
- h. involves any other kind of misconduct or an improper state of affairs or circumstances.

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Making a Report

Brook RED has several channels for making a report if you become aware of any issue or behaviour which you consider to be Reportable Conduct. For the purposes of this policy, to ensure appropriate escalation and timely investigation, we request that reports are made to any one of our Protected Disclosure Officers, listed below:

Eschleigh Balzamo
General Manager
Eschleigh@brookred.org.au
0422 512 750

Kristyn Bagguley
Business Services Manager
Kristyn@brookred.org.au
0409 616 264

Reports may also be posted to Brook RED 88 Norton Street, Upper Mount Gravatt, QLD 4122 (marked to the attention of one of the Protected Disclosure Officers). Reports may be made anonymously, and whistleblowers will be afforded the same protections under the Corporations Act.

While it is Brook RED's preference that you raise reports with the Protected Disclosure Officers, it is important to note that under the Corporations Act, you may also raise the matter with any director or senior manager defined in the Corporations Act as 'a director or a senior manager in the company who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the company, or who has the capacity to affect significantly the company's financial standing'.

Investigation of reportable conduct

Brook RED will investigate all matters reported under this policy as soon as practicable after the matter has been reported. A Protected Disclosure Officer may appoint a person to assist in the investigation of a report. Where appropriate, Brook RED will provide feedback regarding the progress of the investigation 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 Conduct and the circumstances.

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, a Protected Disclosure Officer or investigator will contact the person making the report 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, Brook RED will conduct the investigation and its enquiries based on the information provided to it.

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Protection of whistleblowers

Brook RED 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.

a. Protection against detrimental conduct

Detrimental conduct includes dismissal, demotion, threat to job security, harassment, discrimination, disciplinary action, bias, threats or other unfavourable treatment connected with making a report. If you are subjected to detrimental conduct as a result of making a report under this policy, you should:

- i. inform a protected disclosure officer, officer or senior manager within your relevant division/business unit immediately under the divisional whistleblower policy; or
- ii. raise it in accordance with paragraph 2 of this policy (Making a Report).

b. Protection of your identity and confidentiality

Subject to compliance with legal requirements, upon receiving a report under this policy, Brook RED will only share your identity as a whistleblower or information likely to reveal your identity if:

- i. you consent;
- ii. the concern is reported to the Australian Securities and Investments Commission (ASIC), the Australian Prudential Regulation Authority (APRA), the Tax Commissioner or the Australian Federal Police (AFP); or
- iii. the concern is raised with a lawyer for the purpose of obtaining legal advice or representation.

If Brook RED needs to investigate a report, it may disclose information that could lead to your identification, but it will take reasonable steps to reduce this risk. Any disclosures of your identity or information likely to reveal your identity will be made on a strictly confidential basis.

c. Protection of files and records

All files and records created from an investigation will be retained securely. Unauthorised release of information to someone not involved in the investigation (other than senior managers or directors who need to know to take appropriate action, or for corporate governance purposes) without your consent as a whistleblower will be a breach of this policy.

Whistleblowers are assured that a release of information in breach of this policy will be regarded as a serious matter and will be dealt with under Brook RED's disciplinary procedures.

The Corporations Act gives special protection to disclosures about breaches of that Act, provided certain conditions are met. The Taxation Administration Act 1953 (Cth) (Taxation Administration Act) also gives special protection to disclosures about breaches of any Australian tax law, provided certain conditions are met.

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Duties of employees in relation to reportable conduct

It is expected that employees of Brook RED who become aware of actual or suspected on reasonable grounds, potential cases of Reportable Conduct will make a report under this policy or under other applicable policies.

Reporting procedures

The Protected Disclosure Officers (as appropriate) will report to the Brook RED Board on the number and type of whistleblower incident reports annually, to enable Brook RED to address any issues. These reports will be made on a 'no names' basis, maintaining the confidentiality of matters raised under this policy.

The Brook RED Board will receive copies of all whistleblower reports, and whistleblower reports from Protected Disclosure Officers (as appropriate). In addition, serious and/or material Reportable Conduct will be considered by the Protected Disclosure Officers for immediate referral to the Chair of Brook RED.

References

The Corporations Act

The Taxation Administration Act 1953 (Cth)

Document Control and Record of Changes

Version	Effective Date	Approved by	Summary of Change	Date of Next Review
Version 01	August 2021	Eschleigh Balzamo	Introduction of new policy	June 2023

The General Manager has overall responsibility for this policy. If there are any questions regarding this policy, please direct these to the Business Services Manager or General Manager.