



WHISTLEBLOWER POLICY

1. Introduction

- 1.1. We are committed to conducting our business with honesty and integrity, and we expect our officers, employees, contractors, suppliers and agents to maintain high standards in accordance with our policies. A culture of openness and accountability is essential to minimise the risk of illegal or unethical conduct and to address this conduct if it occurs. We strongly encourage those who are aware of wrongdoing to speak up and Suicide Prevention Australia is committed to providing a safe environment in which you can freely, without fear of reprisal, do so.
- 1.2. This policy sets out a process for reporting illegal, corrupt or unethical conduct occurring in our business. Your disclosure can be made anonymously and your identity will be kept confidential (except in certain permitted circumstances). We are committed to ensuring that anyone who reports such conduct is not victimised as a result.
- 1.3. There are protections available under this policy and at law provided:
 - you are one of our officers, employees, or otherwise have a connection with us, as set out at paragraph 4.1
 - you have reasonable grounds for your concern
 - your concern relates to the types of matters set out at paragraph 5
 - you raise your concern with one of the recipients set out at paragraph 6, such as our whistleblowing officer, or as set out at paragraph 7.

2. Definitions and Interpretation

In this policy, the following terms are used:

APRA means Australian Prudential Regulation Authority

ASIC means Australian Securities and Investments Commission

Corporations Act means the *Corporations Act 2001* (Cth)

Discloser means a person who makes a disclosure

Disclosure means a disclosure of improper conduct, made on reasonable grounds

Eligible Person means each of the individuals set out in paragraph 4.1

Improper conduct means the matters set out in paragraph 5

Internal Eligible Recipient means each of the individuals set out in paragraphs 6.1, 6 and 6.2

Protected disclosure means a disclosure protected by the Whistleblower Protection Laws (and includes a Public Interest Disclosure and an Emergency Disclosure as defined in the *Corporations Act*)

Protected matter means a matter protected under the Whistleblower Protection Laws

Suicide Prevention Australia means Suicide Prevention Australia Limited (ACN 164 450 882)

Tax affairs means affairs relating to any tax imposed by or under, or assessed or collected under, a law administered by the Commissioner of Taxation

TAA means the *Taxation Administration Act 1953* (Cth)

You refers to individuals to whom this policy applies as set out in paragraph 4

We, us or our refers to Suicide Prevention Australia

Whistleblower Protection Laws means the Corporations Act and the TAA, collectively.

In this policy, a reference to a paragraph is a reference to a paragraph within this policy.

3. Interaction Between this Policy and Legislative Whistleblower Protections

- 3.1. In Australia, various pieces of legislation protect whistleblowers from negative treatment including the Whistleblower Protection Laws.
- 3.2. In addition to this policy, we have published various other policies (Associated Documents). In the case of any inconsistency between any Associated Document, this policy and/or the Whistleblower Protection Laws, the order of precedence shall be the Whistleblower Protection Laws, this policy, and then the Associated Documents.
- 3.3. One of the aims of this policy is to comply with our legislative obligations to provide information about the protections available to whistleblowers, including the protections under the Whistleblower Protection Laws. This policy is to be read subject to those statutory protections.
- 3.4. For the avoidance of doubt, this policy applies to disclosures of improper conduct made in accordance with the policy, irrespective of when the improper conduct is said to have occurred.

4. Who does this Policy apply to?

- 4.1. This policy applies to Eligible Persons, being anyone who is, or has been, any of the following in relation to Suicide Prevention Australia:
 - an officer or employee
 - a consultant, secondee or volunteer, and their employees
 - an individual who is an associate
 - a contractor, supplier or agent, and their employees
 - a relative of any of the above individuals, or a dependent of any of the above individuals or the spouse of such individual.
- 4.2. All Eligible Persons are eligible for protection under this policy. As a condition of working with us, you are required to comply with any lawful directions made by Suicide Prevention Australia in respect of this policy. Subject to that, this policy is not intended to be contractually binding and does not form part of any contract you may have with us.

5. What can be the Subject of a Disclosure?

- 5.1. This policy allows reporting of information concerning the following types of improper conduct, provided you have reasonable grounds for your concern:

Type of conduct	Example/s
Misconduct in relation to Suicide Prevention Australia. Misconduct includes fraud, negligence, default, breach of trust, or breach of duty in relation to Suicide Prevention Australia.	Deliberately or negligently breaching laws in the conduct of our business.
An improper state of affairs or circumstances, in relation to Suicide Prevention Australia.	Unethical conduct, such as systemic or serious breaches of our policies [or ACNC Governance Standards]. Conduct which may cause financial or non-financial loss to Suicide Prevention Australia or be otherwise detrimental to the interests of Suicide Prevention Australia, such as financial mismanagement.
Conduct by Suicide Prevention Australia or any of its officers or employees that constitutes a breach of the <i>Corporations Act</i> or other laws administered by ASIC and APRA	Victimising a person who is, or is thought to be, a discloser. Breaching the confidentiality of a discloser.

Type of conduct	Example/s
Conduct by Suicide Prevention Australia or any of its officers or employees that breaches any Commonwealth laws which is punishable by 12 months or more imprisonment.	Bribing a government official.
Conduct by Suicide Prevention Australia or any of its officers or employees that represents a danger to the public or to the financial system.	Deliberately or negligently misleading the public about the safety of particular policies or procedures.
Misconduct or an improper state of affairs or circumstances, in relation to the tax affairs of Suicide Prevention Australia, or an associate ¹ of Suicide Prevention Australia and you consider this information may assist the recipient to perform their functions or duties in relation to those tax affairs.	Information about a tax evasion scheme within the business.
Any attempt to conceal or delay disclosure of any of the above conduct.	

5.2. This policy should not be used for complaints relating to personal work-related grievances, such as:

- an interpersonal conflict between you and another person
- a decision relating to your employment or engagement (including any suspension or termination of employment or engagement) or the terms and conditions of your employment or engagement
- a decision relating to your transfer, promotion, performance or disciplining.

5.3. Concerns of that nature should be raised with:

- if you are one of our employees, officers, secondees or volunteers – with Human Resources or use the Grievance Procedure (as appropriate)
- otherwise – concerns should be raised with the Chief Executive Officer (CEO).

5.4. A personal work-related grievance can be reported under this policy if it relates to a systemic issue or it involves victimisation in breach of this policy.

5.5. Disclosures that are not about improper conduct do not qualify for protection under the Whistleblower Protection Laws, although they may be protected under other legislation, such as the *Fair Work Act 2009* (Cth).

6. How do I Make a Disclosure?

6.1. If you wish to make a disclosure about improper conduct pursuant to this policy, we encourage you to report it to our designated whistleblowing officer. Our whistleblowing officers are authorised to receive disclosures and have received special training to handle disclosures.

¹ Associate in this context means an individual who is an associate of Suicide Prevention Australia within the meaning of the Corporations Act. This includes directors and company secretaries of Suicide Prevention Australia, and may also include a range of individuals with whom Suicide Prevention Australia acts in concert or is otherwise associated in a formal or informal way.

They can be contacted on:

- **Contact:** Company Secretary
- Phone: 02 9262 1130
- Email: disclosure@suicidepreventionaust.org
- Mail: PO Box 219, Sydney NSW 2001

The Company Secretary and Finance Manager will both be designated as authorised whistleblowing officers.

It is our preference that disclosures about improper conduct are made through the designated whistleblowing officers. However, you may also make an internal disclosure to:

- your manager
- the CEO
- the Chair of the Audit and Risk Committee
- another member of the Board
- an auditor or a member of an audit team conducting an audit of Suicide Prevention Australia.

- 6.2. If the disclosure relates to improper conduct in our tax affairs, internal disclosures may also be made to a registered tax agent or BAS agent providing tax agent or BAS services to Suicide Prevention Australia.
- 6.3. You may also be able to report your concern externally. Please read paragraph 7 if you are considering this. Additionally, should you wish to seek additional information before formally making a disclosure, you may contact Suicide Prevention Australia's whistleblowing officer listed above.

7. Can I Report my Concern Externally?

- 7.1. This policy is intended to facilitate internal disclosures of improper conduct as defined in this policy. Nothing in this policy is intended to prevent any person from reporting possible breaches of laws to relevant government agencies or authorities.
- 7.2. In addition to being reportable under this policy, disclosures about protected matters (as defined in the Whistleblower Protection Laws) can be reported directly to ASIC, or (for a protected disclosure under the TAA). [The ACNC is not approved for this purpose]
- 7.3. The *Corporations Act* enables you to make a public interest disclosure or an emergency disclosure about a protected matter to a journalist or a member of parliament in certain limited circumstances and subject to following strict statutory requirements. We recommend you contact our Internal Eligible Recipients and seek independent legal advice before making an external report.
- 7.4. You may wish to seek independent legal advice (at your own cost) for the purpose of obtaining advice or representation in relation to making a disclosure. A disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in the *Corporations Act* is protected.

8. Can I Make a Disclosure Anonymously?

- 8.1. You can make a disclosure of improper conduct anonymously and still be protected under the *Corporations Act*. Disclosers are encouraged to provide their name when making a disclosure, so improper conduct can be fully investigated.

9. Confidentiality of Disclosures

- 9.1. We will keep a discloser's identity (or information likely to lead to a person being identified as a discloser) confidential, except disclosures:
- to ASIC, APRA, or a member of the Australian Federal Police (within the meaning of the *Australian Federal Police Act 1979 (Cth)*), or if the report relates to a tax matter, the Commissioner of Taxation
 - with consent in writing from the discloser
 - during the investigation process as reasonably necessary for the purposes of investigating the disclosure so long as the information does not include the discloser's identity. We will take reasonable steps to reduce the risk of the discloser being identified as a result of this disclosure
 - to a legal practitioner for the purposes of obtaining confidential legal advice or representation about the operation of the whistleblower provisions in the Corporations Act, or
 - required by law.
- 9.2. If you receive information about the identity of a discloser (whether directly or indirectly), you must keep that information confidential (except as permitted above). If you do not keep that information confidential or you disclose information likely to lead to the person being identified as a discloser (except as permitted above):
- if you are one of our employees – you will be subject to disciplinary action, which may include a formal written warning, or termination of your employment
 - if you are not one of our employees – we may terminate your engagement or appointment, or take other appropriate corrective action
 - you may be exposed to criminal and civil penalties.
- 9.3. Files and records relating to disclosures will be treated as confidential and stored securely.

10. How will we Investigate a Disclosure?

- 10.1. The approach we take in investigating a disclosure will depend on who raises the concern, the seriousness and nature of the conduct disclosed, and who receives the disclosure. The objective of an investigation is to determine whether there is evidence which substantiates the concern raised in the disclosure.
- 10.2. The usual steps in responding to a disclosure are set out below. We will endeavour to:
- investigate the disclosure within a reasonable period of time
 - ensure that any investigation is fair and objective
 - conduct a risk assessment on the likelihood of any negative treatment occurring to the discloser and to any employees mentioned in the disclosure
 - avoid conflicts of interest in carrying out any investigation
 - keep information relating to disclosures (including the identity of the discloser) confidential, except as required by law and permitted under this policy.
- 10.3. The investigation team will be coordinated by the Chair of the Audit and Risk Committee. In some cases, we may appoint external investigators such as lawyers or forensic accountants.
- 10.4. If the discloser can be contacted, the recipient of the disclosure will discuss the likely steps of the investigation with the discloser (including whether the discloser consents to their identity being disclosed) and provide the discloser with updates from time to time (where appropriate).
- 10.5. The outcome of any investigation will be reported to the Suicide Prevention Australia Board of Directors. The CEO or the Chair of the Audit and Risk Committee will report at least annually to the Audit and Risk Committee on compliance activity relating to accounting or alleged financial improprieties. Suicide Prevention Australia will notify you once an investigation has been completed but Suicide Prevention Australia may be unable to disclose particular details or the outcome of the investigation.

11. How do we Ensure Fair Treatment of Employees Mentioned in a Disclosure?

11.1. Protective actions will be undertaken with an aim to prevent detrimental treatment against employees who are the subject of a disclosure. Depending on the circumstances of the disclosure, we may action one or more of the following protective measures to ensure fair treatment of employees who are mentioned in disclosures that qualify for protection under this policy, including:

- maintain the privacy of employee(s) who are mentioned in a disclosure or to whom a disclosure relates
- conduct a risk assessment on the likelihood of any negative treatment occurring to the employee mentioned in the disclosure
- assess whether an externally appointed investigator would be more appropriate to ensure an independent assessment of the allegations
- relocating the employee mentioned in the disclosure to a different division, group or office
- addressing any issues that conflict with our workforce bullying, discrimination or victimization processes
- offering the employee mentioned in the disclosure a leave of absence or flexible workplace arrangement while a matter is investigated
- provide employees who are mentioned in a disclosure or to whom a disclosure relates with an opportunity to respond (where appropriate and subject to our requirements to maintain confidentiality)
- ensuring awareness of Employee Assistant Provider supports
- rectifying any detriment that the employee may have suffered.

12. Victimisation is Prohibited

12.1. We are committed to protecting persons from being victimised in the workplace as a result of an actual or potential disclosure. These protections are essential to creating an environment where our employees, officers and others who work with us are comfortable reporting any improper conduct. However, for practical reasons, we may not be able to extend the full range of protections to persons who are not our officers or employees.

12.2. If you consider that you have been victimised as a result of making a disclosure, or in the belief that you have made, or may make, a disclosure, you should immediately report this to the CEO. You can also report victimising conduct under this policy.

12.3. Victimisation is conduct that:

- causes any detriment to another person or constitutes the making of a threat to cause detriment to another person
- where the reason (or part of the reason) for that conduct is a belief or suspicion that the other person (or any other person) made, may have made, proposes to make, or could make a disclosure of improper conduct.

12.4. Detriment includes but is not limited to:

- dismissing or demoting an employee
- injuring an employee in their employment
- altering an employee's position or duties to their disadvantage
- discriminating between an employee and other employees
- harassing, intimidating or bullying a person
- harming or injuring a person, including causing psychological harm
- damaging a person's property, reputation, business or financial position or causing any other damage to a person.

12.5. If you are found to have engaged in victimisation:

- if you are one of our employees - you will be subject to disciplinary action which may include a formal written warning, or termination of your employment with us
- if you are not one of our employees – we may terminate your engagement or appointment or take other appropriate corrective action.

12.6. The Whistleblower Protection Laws prohibit victimisation. If a court decides that you have victimised another person in breach of the Whistleblower Protection Laws, the court may order you to:

- pay compensation to the person who was victimised
- pay substantial fines and/or go to jail.

12.7. Protections for Suicide Prevention Australia’s employees may also exist under the *Fair Work Act 2009* (Cth). These are enforceable as a matter of statute and do not form part of this policy.

13. What Support and Protections do we Provide for Disclosers?

13.1. A discloser must make a disclosure to an eligible recipient to qualify for protections under the Whistleblower Protection Laws and this policy.

13.2. If you are one of our employees or officers, you are entitled to support through our Employee Assistance Provider, Relationships Australia. We may explore options such as taking leave, relocation to another area of business or a secondment arrangement while the disclosure is being investigated.

14. Protections available to Disclosers at Law

14.1. If your disclosure is a protected disclosure as defined under the Whistleblower Protection Laws and related practices, these laws provide that:

- you cannot be subject to any civil, criminal or administrative liability (including disciplinary action) for making a protected disclosure
- Suicide Prevention Australia will protect the confidentiality of a discloser’s identity
- Suicide Prevention Australia will protect disclosers from detrimental acts or omissions
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against you for making the protected disclosure
- if the protected disclosure is to ASIC, APRA or the Commissioner of Taxation, or is a public interest disclosure or emergency disclosure as permitted under the Corporations Act (see paragraph 7), the information is not admissible in evidence against you in criminal proceedings, or in proceedings for the imposition of a penalty, except for proceedings in respect of providing false information.

14.2. Except as provided for in the preceding paragraph, the fact that someone has made a protected disclosure does not prevent them from being subject to any civil, criminal or administrative liability for their misconduct revealed by the disclosure.

14.3. If you have been victimised for making a protected disclosure under the Whistleblower Protection Laws, possible remedies available under the Whistleblower Protection Laws include reinstatement, compensation, an apology or an order prohibiting the victimisation.

15. What are the Consequences of a Baseless Disclosure?

15.1. You may be liable to disciplinary or other forms of appropriate corrective action if we conclude that you have made a disclosure maliciously and without having reasonable grounds to do so, for example, performance management or termination of employment. The protections under the Whistleblower Protection Laws are not available if a disclosure is made without reasonable grounds or is deliberately false.

15.2. Depending on the circumstances, it may be appropriate for Suicide Prevention Australia to take disciplinary action against any person who does not have objectively reasonable grounds for their disclosure. Such action may include the termination of employment.

16. Other Information about this Policy

- 16.1. The CEO has responsibility for this policy, including ensuring it is reviewed every 12 months.
- 16.2. This policy is located on Suicide Prevention Australia’s websites, in the Suicide Prevention Australia Board Policies and Suicide Prevention Australia Staff Policies Manual.
- 16.3. We reserve the right, at our absolute discretion, to change this policy from time to time. You are required to periodically review the policy to update yourself on any changes to the policy.
- 16.4. Training on this policy will be offered from time to time to the officers and employees of Suicide Prevention Australia.
- 16.5. If you have any questions about this policy, please contact the Company Secretary.

Document information					
Associated documents		Related documents and other links			
Delegated Authority Policy Fraud Policy Privacy Policy Risk Management Policy WHS Policy	SPA Policies and Procedures including: External Complaints Policy Anti-Discrimination Policy Media Policy Grievance Procedure	<i>Corporations Act 2001 (Cth)</i> <i>Taxation Administration Act 1953 (Cth)</i> <i>Fair Work Act 2009</i>			
Title	Whistleblower Policy	Administrator	CEO	Approver	Board
Version	Description of amendments	Consultation	Approved by	Date	Review (1yr)
2	Review	GC, ARC	Board	Apr 2023	Mar 24, Mar 25
2.1	No update	GC	Board	24 Apr 2025	Apr 2026