Connectivity
Traumatic Brain Injury Australia

JUNE, 2022

WHISTLEBLOWER POLICY

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Whistleblower Policy

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Next review	June 2024	
Related Policies	Code of Conduct	

1. Introduction

Connectivity Traumatic Brain Injury Australia Limited (Connectivity) is committed to providing and maintaining best practice in corporate governance, compliance and ethical behaviour.

This policy addresses Connectivity's commitment to provide an open environment and a defined framework in which board members, employees (whether full-time, part-time or casual), contractors, and service providers are able to raise concerns regarding unethical, unlawful or undesirable conduct without fear of retaliation.

This policy is consistent with Connectivity's Code of Conduct Policy on Connectivity's corporate website.

2. Effective Date

October 2020

3. Purpose

The purpose of this policy is to ensure that people can raise concerns in good faith regarding actual or suspected improper conduct by an employee or someone who works with Connectivity without fear of reprisal. The Board encourages people to report any genuinely suspected improper conduct as it gives Connectivity an opportunity to take corrective measures to remedy it.

The policy aims to:

- encourage employees to report an issue in good faith if they genuinely suspect improper conduct
- outline how Connectivity will deal with all reported suspected cases of misconduct; and
- assist in ensuring that serious misconduct is identified and dealt with appropriately

4. Who does this policy apply to?

This policy applies to all Board members, Committee members, management and employees at Connectivity, whether full time, part time or casual at any level of seniority, including contractors as well as service providers and volunteers.

5. What sort of concerns should be reported?

Employees are encouraged to report any matters of serious misconduct that they honestly believe contravene Connectivity's Code of Conduct, Connectivity policies or the law.

Some examples of the type of wrongdoings that can be reported are listed in the definitions section below.

6. Who can you make a report to?

If you become aware of any matter which you think contravenes the Connectivity Code of Conduct, policies or the law then you have the option of reporting it internally through your line manager or Company Secretary.

7. Internal Reporting Procedure

Internal reporting of a suspected wrongdoing can be made to any one of the designated people below:

1. take the matter up with your immediate supervisor or their manager;
2. report the matter directly to the Company Secretary; or
3. report it to the Chair of the Connectivity Board

Refer to Appendix A for contact details of the abovementioned people.

8. Roles and Responsibilities

Anyone making a report must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a wrongdoing. While reports can be anonymous, any allegations which prove to have been made maliciously or knowingly to be false will be investigated and viewed as a serious disciplinary offence. No action will be taken where the report was made in good faith but no wrongdoing was identified.

9. What happens to you as a Whistleblower?

The Connectivity Board encourages you to identify yourself when you report a breach of Corporations Act (Section1317AE) since that enables you to qualify for protection under the law as a whistleblower. If you do not want to reveal your identity, you can still report anonymously.

Whistleblowers have protections under the Corporations Act and in the tax whistleblower regime under Part IVD of the Taxation Administration Act 1953 (Taxation Administration Act).

Once a report is made, and if you have disclosed your identity, it becomes a "Protected Disclosure" which means your identity will remain confidential and, provided you have acted in good faith, you cannot be discriminated against or victimised or disadvantaged in your employment with Connectivity.

Whistleblowing is not about airing a grievance. It is about reporting a real or perceived malpractice. If your report is not made in good faith or is found to be malicious, deliberately misleading or frivolous, you may be subject to adverse action or disciplinary action including dismissal.

10. Consent and Confidentiality

Connectivity may have to disclose the information you have provided to regulatory authorities without your consent.

11. What happens after a report is made?

The investigation and resolution of the suspected improper conduct may have to be delegated to another employee of the company in which case you consent to the report and any information contained therein being revealed to the person who will carry out the investigation. In case you object to this, it may not be possible for Connectivity to conduct the investigation.

Any Connectivity employee related to the allegation will be specifically excluded from conducting the investigation. All reports will be the subject of a thorough investigation with the objective of locating evidence that either substantiates or refutes the claims made by you. Investigations will be fair and independent. Once the investigation is completed, and if you have chosen to identify yourself as the whistleblower, feedback will be provided to you as to the outcome of the investigation. Once the report has been received by Connectivity, a copy will be forwarded to the Finance, Risk & Audit Committee (FRAC). The FRAC must be kept informed of the progress of the investigation and the final outcome. Once the investigation is complete, the FRAC will review this incident and consider remedial action in relation to Connectivity's regulatory obligations. Their recommendations will be then forwarded to the Board for review and implementation

12. Related Policies and Documents:

For more detailed information on your obligations, refer to the following policies and documents:

- Corporations Act 2001
- Australian Securities and Investment Commission Act 2001
- ASX Corporate Governance Principals (Principal 7 Recognise and Manage Risk)
- Australian Charities and Not-for-profits Commission legislation
- Fair Work Act 2009
- Code of Conduct Policy

13. Definitions

13.1. Whistleblowing

For the purpose of this policy, whistleblowing is defined as: "the deliberate, voluntary disclosure of individual or organisational malpractice by a board member, employee (whether full-time, part-time or casual), contractor, and service provider or any member of Connectivity who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control".

13.2. Whistleblower

For the purpose of this policy, whistleblower is defined as: "Board members, employees (whether full-time, part-time or casual), contractors, and service providers or any member of Connectivity who, whether anonymously or not, makes or attempts to make a disclosure as defined above".

13.3. Wrongdoing

For the purpose of this policy, examples of wrongdoing include, but are not limited to:

- fraudulent activity (e.g. financial fraud and accounting fraud)
- violation of laws and regulations (e.g. Corporations Act, Australian Securities and Investment Commission Act 2001, Australian Charities and Not-for-profits Commission legislation.)
- breach of Connectivity policies or practices (e.g. bullying, harassment)
- unethical or unlawful behaviour (e.g. illegal drug use, deceptive conduct)
- endangerment to public health, safety and the environment
- negligence of duty

These wrongdoings if proven may constitute:

i. a criminal offence
ii. reasonable grounds for disciplinary action, dismissing or otherwise terminating the services of the person (or persons) who was, or is, engaged in that conduct.

13.4. Good Faith

Good faith is evident when a report is made without malice or consideration of personal benefit and the person has a reasonable basis to believe that the incident is true. A report does not have to be proven to be made in good faith. However good faith is lacking when the disclosure is known to be malicious or false.

13.5. Adverse Action

For the purpose of this policy, adverse employment action includes but is not limited to, demotion, suspension, termination, transfer to a lesser position, denial of promotions, denial of benefits, threats, harassment as a result of a person's report of wrongdoing. Adverse

action includes any manner of discrimination against a person in the terms and conditions of employment as outlined in the Fair Work Act 2009.

14. Version Control

Version	Date	Updated by	Comments on changes to version
1	October 2020	Business Manager	Document created. Approved at 11 Dec 2020 board meeting.
2	June 2022	Business Manager	Company name changed. Protections under law added. Contact details amended.

15. Appendix A

Connectivity Internal Contact Details	
Julie Tomas, Connectivity Company Secretary	julie@connectivity.org.au (08) 6457 0513
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