

WHISTLE BLOWER POLICY

OBJECTIVE

The objective of this policy is to ensure that all employees are aware of their rights in relation to disclosing any malpractice or misconduct of which they become aware; and provide protection for employees who disclose any such allegations.

The Epping Club Limited is committed to the highest standards of conduct and ethical behaviour.

SCOPE

This policy applies to all officers and employees of The Epping Club Limited. Third parties, such as contractors, suppliers, associates of the Club and relatives or dependents of officers or employees, may also use the procedures in this policy.

This policy will be made available via our Website. For further information about this policy please contact Stephen Anson, Chief Operating Officer.

POLICY

Reportable conduct

This policy applies to the disclosure of information which a person has reasonable grounds to suspect concerns misconduct, or an improper state of affairs or circumstances in relation to the Club. This would likely include:

- fraud;
- corruption;
- illegal activities or conduct (including theft, drug sale/use, violence, threatened violence, or criminal damage against The Epping Club Limited assets/property);
- discrimination, vilification, sexual harassment, harassment, bullying and victimisation;
- acts or omissions in breach of commonwealth or state legislation or local authority by-laws;
- other serious improper conduct (including gross mismanagement, serious and substantial waste of The Epping Club Limited resources, or repeated breaches of administrative procedures);
- unsafe work-practices;
- any other improper conduct which may cause financial or non-financial loss to The Epping Club Limited or be otherwise detrimental to the interests or reputation of The Epping Club Limited, or any of its employees; or
- the deliberate concealment of information tending to show any of the matters listed above.

Please see the Club's *Grievance Procedure* on how personal workplace or other matters that are not covered by this policy may be dealt with.

Protection of whistle blower

This policy is designed to give guidance so that honesty and integrity are maintained at all times by The Epping Club Limited.

Subject to this policy and the relevant legislation, a whistle blower may be protected, even if the disclosed allegations or information prove to be incorrect (although a person who maliciously or vexatiously makes disclosures or makes false disclosures may be subject to disciplinary action).

The *Corporations Act 2001* gives special protection to disclosures about wrongdoing relating to the Club if the following conditions are satisfied:

1. The whistle blower is or has been:
 - a. A Director or Employee of the Club;
 - b. an individual who supplies goods or services to the Club or an employee of a person who supplies goods or services to the Club;
 - c. an individual who is an associate of the Club; or
 - d. a relative, dependent or dependent of the spouse of any individual referred to at (a) to (c) above;
2. The report is made to:
 - a. the people designated within this policy;
 - b. an officer or senior manager of the Club;
 - c. The Club's external auditor (or a member of that audit team);
 - d. ASIC;
 - e. APRA; or
 - f. a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the whistle blower provisions in the *Corporations Act*;
3. The whistle blower has reasonable grounds to suspect that the information being disclosed concerns misconduct, or an improper state of affairs or circumstances in relation to the Club. This may include a breach of legislation including the *Corporations Act*, an offence against the Commonwealth punishable by imprisonment for 12 months or more, or conduct that represents a danger to the public or financial system.

No detriment

The Club will not take any adverse action against a whistle blower because they have made a disclosure which meet the above-mentioned conditions, unless the whistle blower is a participant in the prohibited activities with respect to which the complaint is made.

If a disclosure qualifies for protection under the applicable legislation, the protection afforded to the discloser overrides any provision of their employment contract, including any confidentiality clause.

If the whistle blower was involved in the conduct which was the subject of the disclosure, the fact that the whistle blower has made the disclosure may be taken into account in determining the severity of the disciplinary measures, if any, that may eventually be taken against such whistle blower.

PROCEDURE

Reporting

The Club has several channels for reporting wrongdoing. In the first instance, any person who has reasonable grounds to suspect that a breach of a law or other standard of behaviour has occurred, is encouraged to report that suspicion to Stephen Anson, Chief Operating Officer or Helena Lorenzon, Human Resources Manager.

If this is considered inappropriate, the person should raise the concern with Chief Operating Officer or Human Resources Manager, by phone or email, or in writing. You may also raise the matter with a Manager of the Club. This includes a director, or a senior manager in the Club 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 Club's financial standing.

If neither of these channels are deemed appropriate, disclosures may be made to the Club's auditor John Cheadle of WL Browne & Associates via:

- Email: John@wlbrowne.com.au
- Telephone: 0414 280 546

Where an allegation of wrongdoing relates to the Club's tax affairs, a person may qualify for protection by disclosing the allegation to additional recipients; the Commissioner of Taxation or a registered tax agent or BAS agent (this may be the Club's accountant).

All disclosures should provide specific, adequate and pertinent information with respect to, among other things, dates, places, persons, witnesses, amounts, and other relevant information, in order to allow for a reasonable investigation to be conducted. If the whistle blower discloses his or her name, the person receiving the disclosure will acknowledge having received the disclosure and may initiate a follow-up meeting. However, if the disclosure is submitted on an anonymous basis, there will be no follow-up meeting regarding the disclosure and The Epping Club Limited will be unable to communicate with the whistle blower if more information is required, or if the matter is to be referred to external parties for further investigation.

Please remember that all disclosures received will be dealt with on a confidential basis and whistle blowers are encouraged to disclose their identities, to obtain the protection afforded to them at law.

Confidentiality

The Epping Club Limited recognises that maintaining appropriate confidentiality is crucial in ensuring that potential whistle blowers come forward and make disclosures in an open and timely manner and without fear of reprisals being made against them.

The Club will take all reasonable steps to protect the identity of the whistle blower and will adhere to any statutory requirements in respect of the confidentiality of disclosures made. In appropriate cases, disclosure of the identity of the whistle blower, or the allegation made by them, may be unavoidable, such as if court proceedings result from a disclosure pursuant to this policy.

Investigation

Once a disclosure has been received from a whistle blower, the Club will consider the most appropriate action. This might include an investigation of the alleged conduct.

Any investigation in relation to a disclosure will be conducted promptly and fairly, with due regard for the nature of the allegation and the rights of the persons involved in the investigation. A report will not be investigated by a person who is implicated in the concern.

The Epping Club Limited will ensure that, provided the disclosure was not made anonymously, the whistle blower is kept informed of the outcomes of the investigation of his or her allegations, subject to the considerations of privacy of those against whom allegations are made.

BREACH OF POLICY

Any reprisals against a whistle blower are a serious breach of this policy and may result in disciplinary action, including dismissal. Where the Club becomes aware of any reprisals against a whistle blower for complying with this policy or the legislation, the Club will take steps to either overturn, or deem void, the decision or action. This protection applies to anyone providing information related to an investigation pursuant to this policy.