



WHISTLEBLOWER POLICY AINSE Ltd

ABN 18 133 225 331

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1. OVERVIEW

Employees and others associated with AINSE are supported in raising concerns about unethical, illegal or improper conduct. AINSE is committed to supporting such reporting, and not obstructing anyone fulfilling that duty. AINSE supports a culture in which public interest disclosures are encouraged.

AINSE requires employees and officers of the Company (including but not limited to Directors and Committee members) to observe high standards of business and personal ethics in the conduct of their AINSE duties and responsibilities. Honesty and integrity must be practiced when fulfilling responsibilities and compliance with all applicable laws and regulations.

AINSE encourages any person to contact a Compliance Officer if they have information that may be considered a whistleblowing disclosure.

2. REPORTING RESPONSIBILITY

This Whistleblower Policy encourages and enables employees and officers of the Company (including but not limited to Directors and Committee members) to raise concerns so that AINSE can address and correct inappropriate conduct and actions.

It is the responsibility of all employees and officers of the Company (including but not limited to Directors and Committee members) to report allegations about violations of law or regulations that govern AINSE’s operations.

Under the Whistleblower protection legislation, an eligible Whistleblower can be someone who is or was:

- An officer or employee of the Company (including but not limited to Directors and Committee members);
- An individual or an employee of a person that supplies services or goods to the entity (including volunteers);
- An individual who is an associate of the Company;
- A relative or dependant of any of the above, or a dependant of the spouse of any of the above; or
- An individual prescribed by regulations as being an eligible Whistleblower.

An eligible Whistleblower can remain anonymous and still qualify for protection.

3. NO RETALIATION

It is contrary to the values of AINSE for anyone to retaliate against any individual who, in good faith, reports an allegation of a misconduct, or an alleged violation of law, such as discrimination, fraud or violation of any regulation governing the operations of AINSE. Bullying and harassment of any kind will not be tolerated against any individual, and this also applies to Whistleblowers.

An employee or officer of the Company (including but not limited to Directors and Committee members), who retaliates against someone who has reported an allegation in good faith, will be investigated and reported at Board level, with actions determined at Board level.

4. COMPLIANCE OFFICERS

The AINSE Compliance Officers for Whistleblower disclosures (Managing Director, President, and authorised Independent Director) are responsible for ensuring that any report of misconduct is investigated and given the opportunity for resolution. If the information is deemed an eligible disclosure, this disclosure will be escalated to the AINSE Board. The Compliance Officer involved will advise the Board of all reports and their resolution and will report to the Board on compliance activity related to this Whistleblower policy.

AINSE Managing Director
Email: privacy@ainse.edu.au
Phone: +61 2 9717 3388

AINSE President and AINSE authorised Independent Director
<https://www.ainse.edu.au/mission/>

All reports of misconduct will be assessed even if they fall outside of the Whistleblower eligibility. Preliminary inquiries and an initial assessment will be made within 28 days and the AINSE Board notified if the disclosure needs to escalate to Board level as an eligible disclosure.

5. REPORTING PROCEDURE

AINSE has an open-door policy and suggests that employees and officers of the Company (including but not limited to Directors and Committee members) share their questions and concerns with their immediate Manager. If employees are not comfortable speaking with their immediate Manager or are not satisfied with the response, they are encouraged to speak with the Managing Director or President. In the case of a Whistleblowing disclosure there are Compliance Officers (listed in Section 4 of this policy) who are authorised to receive such a disclosure.

Who is authorised to receive a Whistleblowing disclosure?

AINSE Compliance Officers are eligible to receive Whistleblowing disclosures. Any other Director may also receive disclosures, and in that event the Director must notify a Compliance Officer of the nature and content of the disclosure.

Types of disclosures are presented below but are not limited to this listing, such as:

- Illegal conduct (e.g., theft, dealing in/use of illicit drugs);
- Violence/threatened violence;
- Criminal activities;
- Offering or accepting a bribe;
- Financial irregularities;
- Failure to comply with or breach of legal or regulatory requirements;
- Unethical behaviour;
- Unsafe behaviour; and
- A matter that would have serious implications for AINSE.

In the case of a Whistleblower approaching a Compliance Officer, the Compliance Officer will seek consent to disclose this information in order to act. The Whistleblower can be kept anonymous or use a pseudonym with this disclosure process. The Compliance Officer is obligated to maintain full confidentiality in this process to protect the Whistleblower.

The below steps are recommended for a Whistleblowing disclosure which can be made by email, phone, or letter. However, Whistleblowing disclosure can be made to any of the Compliance Officers.

Who is involved in the disclosure?	Who to contact to record a Whistleblowing disclosure?
If the information does not involve the Managing Director.	Report to the Managing Director. The Managing Director to investigate and escalate to the AINSE Board if the Whistleblowing information does fall under a report eligible as a Whistleblowing disclosure.
If the information involves the Managing Director but does not involve the AINSE President.	Report to the AINSE President directly. The AINSE President to report to the Board if the Whistleblowing information does fall under a report eligible as a Whistleblowing disclosure.
If the information involves the Managing Director and the AINSE President.	Report to the authorised AINSE Independent Director. The Director to report to the Board if the Whistleblowing information does fall under a report eligible as a Whistleblowing disclosure.

Managers are required to report allegations or concerns about suspected ethical and legal violations to AINSE's authorised Compliance Officers.

Other parties eligible for Whistleblower reporting include:

- The Company Auditor;
- Australian Taxation Office (ATO), for taxation matters; and
- Australian Securities & Investments Commission (ASIC), as listed in Section 10 of this policy.

ASIC prefers to receive Whistleblower information via an [online form available at: asic.gov.au/report-misconduct](https://asic.gov.au/report-misconduct).

6. ACCOUNTING AND AUDIT MATTERS

The Compliance Officer involved shall immediately notify the Board of any allegations or concerns regarding corporate accounting practices, internal controls or auditing, and work with the Board until the matter is resolved.

7. CONFIDENTIALITY

Allegations of possible violations may be submitted on a confidential basis by the complainant. Allegations of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Any reports will be treated with respect, fairness, and transparency.

8. HANDLING OF ALLEGED VIOLATIONS

The Director involved will contact the person who submitted the disclosure and acknowledge receipt of the alleged violation. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

The investigation process will be conducted promptly in a manner that is procedurally fair, confidential, without bias, and reported to the AINSE Board. AINSE's actions may include:

- an explanation provided in relation to the disclosure;
- resolution by speaking to one or more parties;
- the disclosure is recorded, and the situation monitored going forward;
- a decision is made to investigate further (internally or externally);
- the disclosure may need to be referred to an external agency, regulator, or authority;
- or
- any combination of activities listed above.

AINSE Compliance Officers will treat a Whistleblower with respect and will ensure fair treatment to ensure the person's concerns are accurately recorded and investigated in no more than 28 days.

In the event of an eligible disclosure, the AINSE Board will need to determine the action to undertake for the disclosure. This action may require seeking assistance from external authorities as determined by the Board. An Extraordinary Board Meeting or Circular

Resolution can be used to address the disclosure if a Board Meeting is not scheduled to be undertaken within 28 days of any raised matter requiring action.

9. ACTING IN GOOD FAITH

Anyone filing a possible Whistleblowing disclosure must act in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated, and which prove to have been made maliciously or knowingly to be false, will be viewed as a serious event requiring further investigation, training options, and possible disciplinary action.

10. PROTECTIONS FOR WHISTLEBLOWERS

Whistleblowers are protected by AINSE (refer to Compliance Officers) and are also protected under the *Corporations Act. 2001* (Cth) and the *Taxation Administration Act 1953* (Cth). Whistleblowers can also make their disclosures to external parties and will be protected if they do so.

A Whistleblower is entitled to protection under the *Corporations Act 2001* (Cth) if they make a qualifying disclosure to an eligible recipient. A qualifying disclosure involves reporting conduct by a Company or an officer or employee of the Company that represents misconduct, an improper situation or circumstances, or breach of the law.

Whistleblowers, or potential Whistleblowers, can be compensated for any loss, damage, or injury they suffer. It is illegal to fire, harass or discriminate against an individual because someone thinks they made a disclosure.

If a person breaches a Whistleblower's confidentiality or causes detriment to a Whistleblower because of their disclosure, the person faces criminal or civil penalties. These penalties are not limited to situations with an actual disclosure. This extends even to a situation where the person merely believes or suspects someone made or could have made a disclosure.

Whistleblowers play an important role in identifying and calling out misconduct and harm to consumers and the community.

To encourage Whistleblowers to come forward with their concerns and protect them when they do the *Corporations Act. 2001* (Cth) gives certain people legal rights and protections as Whistleblowers. Further information can be sourced from the ASIC documentation below entitled:

[Whistleblowing | ASIC - Australian Securities and Investments Commission](#)

[Whistleblower protections for not-for-profit organisations | ASIC - Australian Securities and Investments Commission](#)

<https://asic.gov.au>