

Whistleblower Policy

1. Policy Statement

Whistleblowing can be an effective way of uncovering fraud and other misconduct which may not be identified by internal or external controls. Uniting is committed to operating in accordance with relevant legislation and regulation, the principles of transparency and accountability, and promoting an ethical culture (aligned with the tradition of the Uniting Church in Australia).

2. Purpose

The purpose of this policy is to encourage the reporting of any suspected misconduct or an improper state of affairs, to ensure that such disclosures are properly assessed, appropriately investigated and to provide protection to a Discloser (also known as a Whistleblower) from any reprisals or victimisation.

Uniting will:

- Encourage the disclosure of information about misconduct or improper states of affairs at Uniting and take all reports seriously
- Commit to making sure that all disclosures will be treated confidentially, and appropriate protections will be available to **Disclosers**
- Ensure Disclosers are safe from any form of **detrimental action** resulting from a disclosure.
- Keep appropriate records of all disclosures, any inquiries, investigations and their outcomes, and any decisions or recommendations made, ensuring appropriate security is maintained
- Consider appropriate disciplinary action for persons who intentionally make false reports.

3. Scope

This policy is an organisational wide policy applying to all Uniting representatives, divisions and service areas.

4. Policy

4.1. Determining Eligible Whistleblower Disclosures

A **Discloser** will qualify for protection under Whistleblower Protection Laws if the following criteria is met:

- They are an Eligible Whistleblower;
- Have reasonable grounds to suspect Reportable Behaviour; and
- The disclosure was made to an Eligible Recipient.

Disclosures that do not qualify for protection are still considered important by Uniting and will be reviewed and actioned through in accordance with Uniting’s complaint and grievance management procedures.

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4.2. Who is an Eligible Whistleblower

To be eligible for protection you **must** be a current or former:

- employee of Uniting, or a related company or organisation
- officer (usually that means a director or company secretary) of the Uniting or a related company or organisation
- contractor, or an employee of a contractor, who has supplied goods or services to Uniting, or a related company or organisation. This can be either paid or unpaid, and can include volunteers
- associate of Uniting, trustee, custodian or investment manager of a superannuation entity, or an officer, employee, or a goods or service provider to a trustee, custodian, investment manager, or
- spouse, relative or dependant of one of the people referred to above.

While you must hold or have held one of these roles to access the protections, you do not have to identify yourself or your role, and you can raise your concerns anonymously.

4.3. What is Reportable behaviour

A Reportable Matter is any information that a discloser has reasonable grounds to suspect:

- concerns misconduct or an improper state of affairs or circumstances in relation to Uniting; or
- indicates that Uniting or any of its Officers or workers have engaged in conduct that:
 - breaches the Corporations Act, or other financial sector laws enforced by ASIC or APRA;
 - breaches of the Taxation Administration Act or misconduct relating to the entity's tax affairs
 - is an offence against other Commonwealth legislation and punishable by imprisonment for 12 months or more; or
 - represents a danger to the public or the financial system.

Examples of Reportable behaviour include:

- illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property
- fraud, money laundering or misappropriation of funds
- offering or accepting a bribe
- financial irregularities
- failure to comply with, or breach of, legal or regulatory requirements
- engaging in or threatening to engage in detrimental conduct against a person in relation to a disclosure or planned disclosure.

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If the information to be disclosed relates to national/commonwealth funded program Uniting will seek further legal advice to support whether notification under Public Interest Disclosure to IBAC is required.

4.4. Who is an Eligible Recipient?

Uniting encourages disclosures to be made to Uniting’s Eligible Recipients in the first instance. To be protected, disclosures can be made to these Eligible Recipients:

- Whistleblower Hotline (Stopleveline - independently managed)
- Whistleblower Protection Officer (GM Quality & Compliance)
- The Company Secretary
- The Chief Executive Officer (CEO)
- A member of the Uniting Board
- An auditor, or member of an audit team conducting an audit of Uniting
- A member of the Senior Management Group

Outside avenues for protected disclosures include:

- legal practitioners
- regulatory bodies and other external parties
- journalists and members of Commonwealth, state or territory parliaments (parliamentarians), under certain circumstances.

A Discloser can also contact the Whistleblower Protection Officer to obtain additional information before making a disclosure.

4.5. Personal Work-related grievances

Reportable behaviour will not usually include matters that are personal work-related grievances. Personal work-related grievances are those that relate to a worker’s current or former employment and has implications for the worker personally but do not:

- have any other significant implications relating to Uniting; or
- relate to any conduct, or alleged conduct, about reportable behaviour.

Disclosures that are not about reportable behaviours do not qualify for protection under Whistleblower laws. Personal work-related grievances received through Whistleblower mechanisms will be referred to People & Culture for follow-up.

4.6. How to make a disclosure

Uniting has engaged a confidential, independent provider of whistleblowing services allowing for disclosures to be made anonymously and/or confidentially, securely and outside of business hours if required. Full details will be taken of the concerns via telephone, mail, email, fax or online through a secure website. Disclosers can make a report 24/7 and choose to remain anonymous while making the disclosure, during the course of any investigation or after an investigation is finalised.

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Uniting’s WPO will also facilitate the receipt and consideration of allegations of misconduct or improper states of affairs or circumstances under this Policy.

Disclosures can be made anonymously and still be protected under Whistleblower laws.

Phone (Stopline)	1300 30 45 50
Online Reporting Form (External Website)	https://unitingvictas.stoplinereport.com/
Online Reporting (Uniting Intranet)	Intranet: Whistleblower Information & Reporting
Whistleblower Protection Officer	Whistleblower Protection Officer Uniting (Victoria and Tasmania) Limited 130 Lonsdale Street, Melbourne Tel: (03) 9192 8100 Email: whistleblowerprotectionofficer@vt.uniting.org

4.7. Legal protections for Disclosers

Under Whistleblower laws, there are obligations for Uniting and any person gaining confidential information as part of a disclosure, to keep the identity of the Discloser and the information provided confidential, unless the Discloser provides consent or where it is necessary to disclose under any law or legal proceedings.

Protections under Whistleblower laws also include protection from detrimental acts or omissions, compensation and remedies, and include civil, criminal and administrative liability protection.

The protections can also apply if a Whistleblower report is made to a journalist or a member of the Commonwealth, state or territory parliament. However, this is only in certain limited circumstances.

4.8. Support and protection for Disclosers

Uniting will take all reasonable steps to protect Disclosers from detrimental action and will take action it considers appropriate where such conduct is identified.

Uniting strictly prohibits all forms of detrimental action against people who are involved in an investigation of a disclosure in response to their involvement in that investigation.

Disclosers will have access to the assistance of the Whistleblower Protection Officer as provided in this policy.

4.9. Handling and investigating an eligible disclosure

The Whistleblower Protection Officer will coordinate the objective investigation of allegations to ensure the safeguarding of the interests of the Discloser and ensure that any investigations follows the principles of natural justice.

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All reports will be carefully considered, and a decision will be made as to whether they should be investigated in line with Uniting’s investigation processes. This includes assessing the disclosure, appointing appropriate Whistleblower investigators (internal or external) and recommending a course of action.

If an investigation is deemed necessary, it will be conducted fairly, objectively and in a timely manner. As a first step in the investigation process, the investigator will develop a plan outlining the allegations, parties to be involved (respondents and witnesses) and the anticipated timeframe for completion of the investigation process.

The response that Uniting makes, including the investigations process it follows and the protections it implements, will depend on the nature and circumstances of the relevant disclosure and the amount of information provided.

Uniting will keep the Discloser informed of the progress and outcome of any investigation.

4.10. Ensuring fair treatment

Uniting will take appropriate steps to protect individuals who are involved in a Whistleblower investigation from reprisal and victimisation.

Under Whistleblower laws Uniting and any person gaining confidential information as part of a disclosure, is obligated to keep the identity of the Discloser and the information provided confidential, unless the Discloser provides consent or where it is necessary to disclose under any law or legal proceedings.

In addition to protecting a Disclosers identity (confidentiality), disclosers will be protected from detrimental actions or omissions including, reprisals, discrimination, harassment or victimisation as a consequence of their having made a report.

4.11. Accessibility

This policy will be published via Uniting’s document library and be accessible via the Whistleblowing Information sites (Intranet and External Website).

5. Definitions

Term	Meaning
Whistleblowing	The disclosure made by an Eligible Whistleblower of alleged misconduct or an improper state of affairs or circumstances occurring within or in relation to Uniting to persons that are authorised to investigate and effect action
Discloser	An Eligible Whistleblower who makes a disclosure with information of potential misconduct or an improper state of affairs or circumstances at Uniting. . Also known as a Whistleblower.

Term	Meaning
Eligible Recipients	Eligible Recipients are those who can receive disclosures about reportable behaviors from eligible whistleblowers. Eligible Recipients must protect the identity of the eligible whistleblower confidential and not disclose information that is likely to lead to the identification of the eligible discloser (except in limited circumstances) without their consent
Reportable Behaviors	<p>You must have reasonable grounds to suspect that the information about reportable behaviour you are disclosing concerns:</p> <ul style="list-style-type: none"> • misconduct, or • an improper state of affairs or circumstances. <p>The reportable behaviour can be about Uniting, or an officer or employee of Uniting, engaging in conduct that:</p> <ul style="list-style-type: none"> • breaches the Corporations Act • breaches other financial sector laws enforced by ASIC or APRA • breaches an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months, or • represents a danger to the public or the financial system. <p>'Reasonable grounds' means that a reasonable person in your position would also suspect the information indicates misconduct or a breach of the law.</p>
Detrimental Action	<p>Causing injury, damage or loss, intimidation or harassment, and discrimination, disadvantage or adverse treatment in relation to a person's employment, career, trade or business, including disciplinary action as a result of a public interest disclosure.</p> <p>Whistleblower laws provide protection from detrimental action in reprisal for a disclosure to anyone affected by a disclosure including a person who makes a disclosure, a witness, or a person who is the subject of an investigation.</p>

6. Related Legislation/Regulations

The Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)
Corporations Act 2001 Cth Part 9.4AAA
Taxation Administration Act 1953 (Cth)
Income Tax Assessment Act 1997 (Cth)

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7. Related Documents

Code of Conduct
Privacy Policy
Open Disclosure Protocol
Whistleblower Procedure
ASIC Regulatory Guide 270 Whistleblower policies

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