



AHL 064 Whistleblower Policy

1. Purpose

Our Whistleblower Policy provides guidance for any person associated with Advance Housing who may wish to disclose wrongdoing that they have reasonable grounds to suspect may occur, is occurring or has occurred, and outlines our approach to protect and support whistleblowers from any detrimental conduct that may arise as a result of their disclosure.

2. Policy Statement

Advance Housing is committed to engaging ethically with all our stakeholders. We conduct our business with honesty, fairness and integrity to ensure the highest standards of ethical conduct are observed in all our activities, in accordance with our Code of Conduct and in compliance with all relevant laws. The disclosing of actual or suspected wrongdoing is a key element in maintaining our ethical culture.

3. Scope

Our Whistleblower Policy applies to current or former employees, directors, contractors or suppliers of Advance Housing and to any person associated with Advance Housing.

4. Who can Blow the Whistle?

Anyone who has reasonable grounds for suspecting that wrongdoing has occurred or may occur in relation to Advance Housing can blow the whistle.

Advance Housing is committed to providing a protective and supportive environment for any person making a whistleblower disclosure as described in section 7 of this Policy (Protection and Support for Whistleblowers). You should note that the protections provided to whistleblowers under the Corporations Act 2001 (Cth) (Corporations Act) only apply to an “eligible whistleblower”. An eligible whistleblower is an individual who is or has been:

- one of the following in relation to the Advance Housing: an officer, an employee, a supplier of services of goods or services (whether paid or unpaid) or an employee of a supplier, an associate;
- a relative of any of the individuals listed above; or
- a dependant of any of the individuals listed above, or of their spouse.

Advance Housing has extended the same protections to whistleblowers who are tenants and clients.

5. Types of Conduct to be Reported

The types of conduct that may be reported are actual or suspected wrongdoing in relation to Advance Housing that is illegal, unacceptable or undesirable. This may include conduct or behaviour (actual or attempted) that is:

- dishonest;
- unethical;
- fraudulent;
- corrupt;
- misleading or deceptive;
- a danger to the health or safety of others;
- a significant threat to the environment;
- serious misconduct or significantly serious non-compliance that may give rise to questionable accounting or auditing practices; or
- a breach of our Code of Conduct.

The protections provided to whistleblowers under the Corporations Act only apply to disclosures that contain information that the eligible whistleblower has reasonable grounds to suspect is a disclosable matter in that:

- it concerns misconduct or an improper state of affairs in relation to Advance Housing; or
- it indicates that Advance Housing or an officer or employee of Advance Housing has engaged in conduct that:
 - constitutes an offence against, or a contravention of, financial services laws;
 - constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
 - represents a danger to the public or the financial system.

The Corporations Act also specifically protects “public interest disclosures” and “emergency disclosures” in certain circumstances.

A whistleblower should not use the whistleblower service to report a personal work-related grievance or a third party complaint about a matter that does not amount to misconduct that could be effectively managed through our existing internal reporting procedures.

6. How to Make a Whistleblower Disclosure

Who to Contact:

If a person would like to make a whistleblower disclosure, they should contact one of the following Whistleblower Protection Officer's:

John McKeon
Housing Services Manager
(08) 9845 9697
john.mckeon@advancehousing.com.au
121 Serpentine Road, Albany WA 6330

Karen Marwick
Corporate Services Manager
(08) 9845 9697
karen@advancehousing.com.au
121 Serpentine Road, Albany WA 6330

A person may also provide a whistleblowing disclosure to a director or other officer, a senior manager of Advance Housing, an auditor, a member of an audit team conducting an audit, ASIC or APRA.

The protections provided to whistleblowers under the Corporations Act only apply to disclosures concerning a disclosable matter made by an eligible whistleblower to an "eligible recipient" or to ASIC or APRA.

All of the above named Whistleblower Protection Officers and the above named positions of Advance Housing are eligible recipients.

A person may provide a whistleblowing disclosure to any of the above anonymously or on the basis that your identity is disclosed to only that person and kept confidential from Advance Housing. The provision of the person making the disclosure's identity to only that recipient would assist in any subsequent investigation and allow them to follow up to seek any clarification or feedback.

Information to Provide in a Whistleblower Disclosure

A person making a disclosure will need to provide any known details about the events underlying the actual or suspected wrongdoing including:

- a description of the events or activities, including locations
- the names of the people involved and their roles
- relevant dates and times

- possible witnesses to the events
- supporting documentary evidence of the events.

In their disclosure, the person making the disclosure should include any steps they may have already taken to report the matter elsewhere or to resolve the concern.

7. Protection and Support for Whistleblowers

The protections provided by Advance Housing and provided under Part 9.4AAA of the Corporations Act are set out below.

Anonymity and Confidentiality

There is no requirement, including under the Corporations Act for an eligible whistleblower, to identify themselves. Advance Housing will, as far as reasonably possible, provide to whistleblowers the ability to make a report anonymously and will take all reasonable steps to reduce the risk that the whistleblower will be identified as a result of the investigation of their disclosure.

The whistleblower's identity and information that is likely to lead to the identification of the whistleblower will be held in the strictest confidence and will only be disclosed if:

- the whistleblower has been consulted and consents to the disclosure; or
- Advance Housing is authorised by law or compelled by law to do so.

Information that is likely to lead to the identification of the whistleblower may be disclosed in the course of investigating the whistleblower disclosure where all reasonable steps are taken to reduce the risk that the whistleblower will be identified.

Disclosure of an eligible whistleblower's identity or information that is likely to lead to the identification of the eligible whistleblower without consent is authorised by the Corporations Act if the disclosure is made:

- to ASIC, APRA or the Australian Federal Police;
- by ASIC, APRA or the Australian Federal Police to a Commonwealth authority, or a state or territory authority, for the purpose of assisting the authority in the performance of its functions or duties; or
- to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of whistleblower laws contained in the Corporations Act.

Otherwise unauthorised disclosure of an eligible whistleblower's identity or information that is likely to lead to the identification of the eligible whistleblower may be a contravention of the Corporations Act.

Protection from Detriment

AHL do not tolerate any actual or threatened detrimental conduct being taken against whistleblowers or any other person for reporting actual or suspected wrongdoing, including when suspicions are not substantiated following a thorough investigation. However, these protections will not apply where the investigation reveals that the person who made the disclosure knew it was false at the time they made the disclosure.

Whistleblowers will be supported and protected. Staff will not be dismissed, have their position or duties altered to their disadvantage or be discriminated against because they have or might blow the whistle. No whistleblower will be harassed, intimidated, harmed or injured (including psychological harm), or have their property, reputation, business or financial position damaged because they have, or might, blow the whistle.

If a whistleblower provides their identity when they make a whistleblower disclosure the Whistleblower Protection Officer assigned to the case will proactively monitor the workplace for signs of detrimental conduct and intervene when necessary.

A whistleblower who experiences any actual or threatened detrimental conduct should immediately report it to their Whistleblower Protection Officer. Any such conduct will be treated as serious misconduct and the perpetrator will be subject to disciplinary action.

Advance Housing may not be able to extend the full level of protections and support set out in this section to whistleblowers who are not current directors, employees or contractors of Advance Housing.

Protection From Liability for Making a Whistleblower Disclosure

Where a whistleblower disclosure qualifies for protection under the Corporations Act:

- the whistleblower is not subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure (as distinct from liability for conduct that is revealed by the disclosure)
- no contractual or other remedy may be enforced, and no contractual or other right may be exercised, against the discloser on the basis of the whistleblower disclosure
- if the disclosure was made to ASIC, APRA or a prescribed Commonwealth authority, the information contained in the disclosure is not admissible in evidence against the whistleblower in criminal proceedings, or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information.

If you have any doubt as to whether your disclosure qualifies for protection under the Corporations Act you should be aware that a disclosure by an individual qualifies for protection if it is made to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of Part 9.4AAA of the Corporations Act.

8. Investigation of Whistleblower Disclosures

Whistleblower Investigators are assigned by the Whistleblower Manager on a case-by-case basis depending on the particular circumstances of the whistleblower disclosure.

The Whistleblower Protection Officer will act independently of the Whistleblower Investigator and focus on the protection of the whistleblower during the investigation.

Whistleblower Investigators will be provided with reasonable access to independent specialist advice if required and all directors, employees and contractors will be required to assist the Whistleblower Investigator in carrying out their investigations to the maximum possible extent.

The Whistleblower Investigator will, as far as reasonably possible, follow best practice in their investigations including ensuring that all disclosures of suspected wrongdoing are investigated in a way that adheres to the principles of objectivity, procedural fairness, confidentiality and natural justice. This includes providing fair treatment to people who have been mentioned in the disclosure, by, as far as reasonably practicable, informing them of the substance of statements that have been made about them, giving them a reasonable opportunity to respond, and informing them of the substance of any adverse findings by the Whistleblower Investigator with an opportunity to have their response to any allegations set out fairly in the Whistleblower Investigator's report.

If the whistleblower's identity is known, where possible the whistleblower will receive feedback during the course of the investigation and will be informed of its outcome. In particular:

- if the whistleblower's concern was substantiated, the action that has been taken or will be taken to address the issues
- if the whistleblower's concern was not substantiated, that no further action will be taken unless further information becomes available.

9. Accessibility

Our Whistleblower Policy will be published on Advance Housing's public website and on its internal PolicyPlus site.

10. Responsibilities

It is the responsibility of:

Employees to ensure they comply with this policy.

Employees to identify and report potential issues to Management.

Employees with related tasks to ensure they have a comprehensive understanding of this Policy, related Legislation and Documents as it relates to their roles.

Team Leaders, Management, and Board to oversee compliance, monitoring and review of this Policy.

11. Related Legislation and Documents

Corporations Act 2001 (Cth)

Taxation Administration Act 1953 (Cth)

AHL 002 Advance Housing Governance Manual V2.0

AHL Staff Code of Conduct

AHL 144.1 Fraud Policy

Approval and Review Details

Approval and Review	Details
Approval Authority	Board
Administrator(s) – overall responsibility for compliance, monitoring & review	CEO
Next Review Date	August 2025

Policy History

Review Date	Doc. Version	Details	Reviewed by	Date Approved
APRIL 2018	1.0	INCEPTION	KAZ STERNBERG CEO	MAY 2018
October 2020	2.0	REVIEW & UPDATE – full redraft	John Lysaught CEO	27.10.2020
March 2023	2.1	Review and update	John Lysaught CEO	30.10.2023