



# HumanAbility Ltd

## Whistleblower Policy

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## 1. Purpose

HumanAbility Ltd (HumanAbility) is committed to a culture of corporate compliance and ethical behaviour.

## 2. Objectives

The objectives of this Policy are to ensure:

- a) That HumanAbility has sound procedures to allow whistleblowers to identify and report genuine concerns about illegal conduct or any improper state of affairs pertaining to HumanAbility, without fear of reprisals; and
- b) That workers and officers of HumanAbility are aware of the protections available under the Whistleblower Policy (this Policy) and whistleblower laws.

## 3. Policy

### 3.1. Whistleblower protection

- a) In this Policy, 'whistleblower' means and includes current or former employees, officers, contractors, associates, suppliers (and employees of suppliers), as well as their spouses, dependants, and other relatives of any of these.
- b) The types of disclosures which are protected are those where the whistleblower has reasonable grounds to suspect that the information disclosed concerns misconduct, or an improper state of affairs (wrongdoing), in relation to HumanAbility.

### 3.2. Reportable conduct

- a) The types of disclosable matters that can be reported under this Policy include the following types of wrongdoing:
  - i) dishonesty or financial irregularities
  - ii) fraud, money laundering or misappropriation of funds
  - iii) corruption
  - iv) offering or accepting a bribe
  - v) illegal activities (including theft, drug sale/use, violence, threatened violence, or criminal damage against the HumanAbility's assets/property)
  - vi) acts or omissions in breach of Commonwealth or State legislation or local authority by-laws



- vii) engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure; or is planning to make a disclosure; or is suspected of having made a disclosure; or
  - viii) the deliberate concealment of information tending to show any of the matters listed above.
- b) Personal work-related grievances made under HumanAbility's employment policies are excluded from this Policy as they are not disclosable matters and do not qualify for protection.
  - c) All employees should be aware that, if an employee makes a false report, deliberately, maliciously, and/or for personal gain, that employee may face disciplinary action.

### **3.3. Protection of Whistleblowers**

- a) The above disclosures, including anonymous disclosures, qualify for protection under the Corporations Act 2001, even if the disclosure turns out to be incorrect.
- b) A whistleblower is protected against adverse employment actions (dismissal, demotion, suspension, harassment, or other forms of discrimination) for making a disclosure. HumanAbility considers any reprisal against a whistleblower to be a serious breach of this Policy.
- c) A whistleblower is protected from civil liability (legal action for breach of contract), criminal liability and administrative liability.

### **3.4. Confidentiality**

- a) HumanAbility will protect the confidentiality of the whistleblower's identity and cannot disclose the identity or information that is likely to lead to identifying the whistleblower without prior consent. HumanAbility cannot engage in conduct that causes or threatens to cause detriment to a whistleblower in relation to the disclosure.
- b) HumanAbility will take all reasonable steps to protect the identity of the whistleblower and will adhere to any statutory requirements in respect of the confidentiality of disclosures made. Disclosure of the identity of the whistleblower, or the allegation made, may be unavoidable in legal proceedings in connection with this Policy.

### **3.5. Reporting a Disclosure:**

- a) A whistleblower can report disclosable matters to HumanAbility's Whistleblower Officer. The Whistleblower Officer is the Company Secretary. In instances where the Whistleblower Officer is conflicted, the Board will conduct the investigations or engage an independent third party to conduct the investigations. The role of the Whistleblower Officer is to receive and investigate disclosures that qualify for protection under the Corporations Act 2001. Disclosures made to a legal practitioner for the purpose of obtaining legal advice or representation in relation to whistleblowing are protected under the Corporations Act 2001.



- b) A disclosure can be made to the Whistleblower Officer by one or more of the following avenues.

**Telephone:** 1800 486 262  
**E-mail:** lisa.bonavia@humanability.com.au  
**Mail:** Unit 8, 2 Phillips Close, Deakin ACT 2600  
**Attention:** Whistleblower Officer (marked *Confidential*)

- c) All claims of wrongdoing should provide specific, adequate and relevant information, in order to allow for a full investigation to be conducted.
- d) The Whistleblower Officer must report the disclosure as soon as possible to the Chief Executive Officer and the Board, when appropriate (e.g. this would not be appropriate if the Chief Executive Officer is conflicted). The Chief Executive Officer and Board will then determine whether the allegation constitutes wrongdoing under this Policy.
- e) Depending upon the nature, complexity and circumstances of a disclosure, HumanAbility will:
- i) either conduct an internal investigation or engage an external expert
  - ii) conduct the investigation in an expeditious manner, whilst ensuring a full and thorough investigation which may involve interviews with other parties and witnesses
  - iii) where possible, advise of indicative timeframes for handling and investigating disclosures
  - iv) ensure confidentiality throughout the process
  - v) ensure appropriate records and documentation for each step in the process are maintained; and
  - vi) keep the whistleblower informed of the process.

### 3.6. Ensuring the Fair Treatment of Individuals Mentioned in a Disclosure

- a) HumanAbility will ensure the fair treatment of individuals mentioned in a disclosure (where applicable) by:
- i) handling disclosures confidentially
  - ii) conducting an investigation to determine whether there is enough evidence to substantiate or refute the matters reported
  - iii) conducting investigations in an objective, fair and independent way; and
  - iv) applying the principles of natural justice and procedural fairness.

## 4. Reporting

- a) At the conclusion of the investigation, the investigator will prepare a report of the findings for the Chief Executive Officer and the Board. If the final report indicates that wrongdoing has occurred, it will include recommendations for steps to be taken to prevent the wrongdoing in the future. It will



also outline any action that should be taken to remedy any harm or loss arising from the wrongdoing.

## **5. Communications to the Whistleblower**

- a) HumanAbility will ensure that, provided the claim was not submitted anonymously, the whistleblower is kept informed of the outcomes of the investigation subject to the considerations of privacy of those against whom allegations were made.