

THE BRIDGE

Organisational Policy - WHISTLEBLOWER POLICY

General Policy Statement:

The Bridge Inc. (**The Bridge**), promotes and supports a culture of good corporate governance and compliance, and values open communication regarding our business practices.

This Whistleblower Policy (**Policy**) has been developed to align with our values and ensure our stakeholders can raise concerns regarding Disclosable Conduct safely, securely, and with confidence that they will be protected and supported.

This Policy is available via The Bridge website and intranet.

1 PURPOSE

This Policy aims to:

- (a) encourage Disclosers (see section 2) to report an issue if they have reasonable grounds to suspect it concerns Disclosable Conduct (see section 3);
- (b) provide details about how (and to whom) a Discloser can make a report (see section 5);
- (c) provide details about how The Bridge will deal with reports of Disclosable Conduct (see sections 6 and 7);
- (d) provide details (see section 8) about the protections available to Disclosers, and how The Bridge will ensure fair treatment of those affected by a report; and
- (e) fulfil obligations under whistleblower laws in the *Corporations Act 2001* (Cth) and the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019* (Cth) (collectively, the **Whistleblower Laws**).

2 WHO DOES THIS POLICY APPLY TO?

This Policy applies to The Bridge.

This Policy applies to qualifying **Disclosers**, being persons who are, or have been, officers, employees, suppliers or associates of The Bridge, or a relative, dependant or spouse of any of such persons.

Officers include a committee or board member, secretary, persons who take part in decision-making that affects all or a large part of The Bridge's operations, persons involved in The Bridge's management, who can significantly affect The Bridge's financial standing and persons whose instructions or wishes the committee or board is accustomed to following (not including a person who gives professional advice).

A person who makes a report about alleged Disclosable Conduct but does not qualify as a Discloser under this Policy, will not qualify for protection as a whistleblower.

3 WHAT CONDUCT DOES THIS POLICY APPLY TO?

3.1 Disclosable Conduct

A Discloser can make a report in good faith under this Policy if they have reasonable grounds to suspect that information indicates there has been Disclosable Conduct.

Disclosable Conduct includes:

- (a) misconduct or an improper state of affairs or circumstances in relation to The Bridge;
- (b) conduct that breaches the Corporations Act, ASIC Act, Banking Act, Data Collection Act, Insurance Act, Life Insurance Act, National Consumer Credit Protection Act or Superannuation Industry (Supervision) Act (or regulations made under those laws);
- (c) conduct that constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- (d) conduct that represents a danger to the public or the financial system;
- (e) conduct that is otherwise prescribed by Whistleblower Laws; and
- (f) conduct that may indicate a 'systemic issue'.

However, this Policy does not apply to a disclosure to the extent that the information disclosed concerns a Personal Work Related Grievance and does not concern alleged or threatened detrimental treatment (see section 8.3).

Any reports that do not relate to Disclosable Conduct are not covered by this Policy and will not qualify for protection under Whistleblower Laws.

3.2 Practical examples of Disclosable Conduct

Practical examples of Disclosable Conduct include:

- (a) illegal conduct, such as theft, dealing in or use of illicit drugs, violence or threatened violence, and criminal damage against property.
- (b) fraud, money laundering or misappropriation of funds.
- (c) offering or accepting a bribe.
- (d) financial irregularities.
- (e) failure to comply with, or breach of, legal or regulatory requirements; and
- (f) engaging in or threatening to engage in victimisation.

However, Disclosable Conduct can include conduct that may not involve a contravention of a particular law.

3.3 What is a Personal Work-Related Grievance?

Personal Work-Related Grievances are grievances that relate to one's own employment (or former employment), and which:

- (a) may have implications for the Discloser personally.
- (b) do not have any other significant implications for The Bridge; and
- (c) do not relate to any conduct, or alleged conduct, about a Disclosable Matter.

Practical examples of Personal Work-Related Grievances include:

- (a) an interpersonal conflict between employees.
- (b) a decision that does not involve a breach of workplace laws.
- (c) a decision about the engagement, transfer or promotion of the Discloser.
- (d) a decision about the terms and conditions of engagement of the Discloser; and
- (e) a decision to suspend or terminate the engagement of the Discloser, or otherwise to discipline the Discloser.

Personal Work-Related Grievances may qualify for protection in limited circumstances. Otherwise, Personal Work-Related Grievances should be dealt with under The Bridge's workplace policies and applicable industrial laws.

4 INTERACTIONS BETWEEN THIS POLICY AND OTHER POLICIES

In some cases, a Discloser may make a disclosure to which multiple policies or legal obligations may apply.

For example, a Discloser may make a report about a Disclosable Matter, which also raises a criminal allegation reportable to Police. The Bridge may therefore have obligations under both this Policy and under legislation.

In such instances, The Bridge will adapt the procedures set out in this Policy to ensure compliance with its statutory obligations (while also avoiding duplication or time-wasting).

5 HOW TO MAKE A REPORT?

5.1 Form of report

A report about alleged Disclosable Conduct under this Policy can be made at any time, either verbally or in writing. The Discloser has discretion over the preferred reporting procedure; however The Bridge prefers that reports be made as soon as possible.

Reports should include supporting documentation, the grounds for making the report and details of all relevant facts (background, names, dates, and places).

5.2 Reasonable grounds and false claims

A report made under this Policy may have serious consequences, including potential damage to the personal reputation and career prospects of the person(s) who are the subject of alleged Disclosable Conduct. A Discloser must therefore have **reasonable grounds** to suspect that the concerns being raised fall within the definition of Disclosable Conduct.

Prior to making a report, a Discloser can contact the WPO (see section 5.4.2 below) to obtain additional information and is encouraged to do so.

Persons who are found to have knowingly made a false report may be in breach of this Policy and be subject to appropriate disciplinary action (including termination of employment or engagement). Untrue, malicious, and vexatious allegations will also warrant disciplinary action.

5.3 Anonymity

The Bridge prefers that Disclosers put their names to allegations wherever possible. Nonetheless, Disclosers can elect to make an anonymous report and such reports remain protected by Whistleblower Laws. However, The Bridge may not be able to undertake an investigation if it is not able to contact the Discloser (e.g. if a disclosure is made anonymously and the discloser has refused to provide, or has not provided, a means of contacting them). A Discloser who wishes to remain anonymous should therefore maintain ongoing two-way communication with The Bridge, so The Bridge (or its representatives) can ask follow-up questions or provide feedback.

5.4 Who to make a report to?

Reports of alleged Disclosable Conduct may be made to any of the following persons in order to qualify for protection. The Bridge encourages all Disclosers to consider making an internal report in the first instance, as this will enable The Bridge to identify and address any wrongdoing as early as possible.

5.4.1 Internal Reporting

Eligible recipients include:

- (a) the Whistleblower Protection Officer; and
- (b) an officer, senior manager, or auditor of The Bridge.

Written disclosures to eligible recipients should be marked “strictly confidential” and be sent to the relevant eligible recipient’s The Bridge email account or by post to:

The Bridge Incorporated
PO Box 557
Dandenong VIC 3175

An eligible recipient **must** promptly forward a report to the Whistleblower Protection Officer.

5.4.2 Whistleblower Protection Officer (WPO)

Name: **Carolyn Pabst**
Position: **Workforce Relations Advisor**

Telephone: **(03) 8710 8528 (direct line)**
Email: **cpabst@thebridgeinc.org.au**

The Bridge has authorised the WPO to:

- (a) receive reports of alleged Disclosable Conduct and coordinate any necessary action by The Bridge.
- (b) keep the Discloser updated on developments.
- (a) safeguard the interests of Disclosers making reports under this Policy; and
- (b) ensure the integrity of the reporting system.

5.4.3 External Reporting

Although The Bridge's preference is that a Discloser first contact an internal eligible recipient, or the WPO, the Discloser may choose to make a report of alleged Disclosable Conduct directly to The Bridge Whistleblower Service, Stopleveline.

There are five ways that a staff member, contractor, or other concerned stakeholder can contact The Bridge Whistleblower Service, Stopleveline:

ONLINE

Make a Disclosure to The Bridge Whistleblower Service, 'Stopleveline' through the web link on The Bridge Intranet

You can use the secure web form that is provided through the web link to report a disclosure to The Bridge Whistleblower Service.

BY APP

Contact The Bridge Whistleblower Service via free App

Search for Stopleveline in the iTunes App Store or Google Play to download the free app and submit a disclosure.

BY TELEPHONE

To report suspected misconduct by telephone, simply call: 1300 30 45 50 (Australia only) +61 3 9811 3275 (overseas – reverse charges)

You will be connected to an experienced interviewer who will ask you some questions about the conduct.

You can remain anonymous if you wish. There is no need to reveal your identity unless you choose to do so. Stopleveline do not have incoming or outgoing caller ID.

Once your call is taken, the disclosure will be reviewed and reported back to the WPO at The Bridge who will then decide what action to take about the report.

BY EMAIL

Contact The Bridge Whistleblower Service via e-mail

Alternatively, you can send an e-mail to: thebridge@stopleveline.com.au You will need to include as much information as possible about the suspected misconduct in the e-mail. While The Bridge Whistleblower Service will not provide your email address to your employer without your consent, your identity and e-mail may not be secure or confidential as e-mail records are often accessible by others including your employer.

BY POST

Contact *The Bridge Whistleblower Service by mail*

You can also send a letter to:
The Bridge Whistleblower Protection Officer
c/o The Stopline,
LOCKED BAG 8
HAWTHORN VIC AUSTRALIA 3122

You will need to include as much information as possible about the suspected misconduct in the documentation that you mail to us.

The Discloser may alternatively choose to make a report of alleged Disclosable Conduct directly to ASIC, APRA, the ATO or any other prescribed Commonwealth authority.

To access external reporting forms, please see the Australian Securities and Investments Commission's fact sheet available [here](#).

5.4.4 Reporting to a legal practitioner

A Discloser may make a report to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of this Policy or Whistleblower Laws in general. Such disclosure are protected under this Policy even if the legal practitioner concludes that the disclosure is not a Disclosable Matter.

6 STEPS FOLLOWING A REPORT

Following a report of alleged Disclosable Conduct, the WPO will assess whether:

- (a) it qualifies for protection; and
- (b) a formal, in-depth investigation is required.

If a report concerns alleged Disclosable Conduct by the WPO, or the WPO otherwise has a conflict of interest, the WPO will refer the report to the WIO.

7 INVESTIGATIONS OF DISCLOSABLE CONDUCT

7.1 Whistleblower Investigations Officer (WIO)

Name: Nadia Parzybok
Position: Workforce Development
Telephone: (03) 87108521 (direct line)
Email: nparzybok@thebridgeinc.org.au

Where a report is made, and it is determined that an investigation of the alleged Disclosable Conduct is warranted (see section 6), the WPO or WIO (in the case where a report concerns alleged Disclosable Conduct by the WPO, or the WPO otherwise has a conflict of interest, or is absent of Leave) will carry out (or delegate) the investigation.

If the alleged Disclosable Conduct concerns the Chief Executive Officer, the Chair will be regarded as the WPO for the purposes of this Policy.

7.2 Investigation procedure

Where a formal investigation is warranted, The Bridge will take all reasonable steps to ensure that the investigation is conducted in accordance with the principles of natural justice and procedural fairness.

Investigations under this Policy must be conducted as soon as is reasonably practicable. In ideal circumstances, investigations will be completed in weeks rather than months. However, this depends on the complexity of the alleged Disclosable Conduct, and the availability of witnesses and evidence.

The Discloser will be periodically updated regarding the status of the investigation if they can be contacted.

Appropriate records and documentation for each step in the investigation process will be maintained.

7.3 Persons the subject of a disclosure

The Bridge recognises that individuals the subject of alleged Disclosable Conduct must also be supported during any investigation process. Accordingly, The Bridge will provide such individuals with natural justice and procedural fairness, and details of The Bridge's available support services.

7.4 Outcomes

Following the investigation, findings will be made about whether or not there has been Disclosable Conduct. These findings will be communicated (subject to any conflicts of interest) to the Chief Executive Officer, the Chair of The Board, the Discloser, and any person the subject of the alleged Disclosable Conduct.

The method for documenting and reporting the findings will depend on the nature of the alleged Disclosable Conduct and related report. In some cases, it may not be appropriate to provide details of any outcomes to the Discloser.

8 PROTECTION OF WHISTLEBLOWERS

8.1 Anonymity of a Discloser

A Discloser can remain anonymous while making a report, over the course of any subsequent investigation, and after the investigation is finalised.

The Bridge will take active steps to protect the anonymity of the Discloser, by ensuring the safety and security of disclosed information, referring to the Discloser in a gender-neutral context and assessing the risk detriment against the Discloser. A Discloser can also refuse to answer questions that may identify themselves and may adopt a pseudonym (i.e. by not using their legal first and/or last name).

8.2 Confidentiality

All reports made under this Policy will be confidential.

A person cannot disclose the identity of a Discloser, or information that is likely to lead to the identification of the Discloser, which they have obtained directly or indirectly because the Discloser has made a report that qualifies for protection under Whistleblower Laws.

There are exceptions to this, including where the Discloser consents to their identity being disclosed. A person can also disclose information contained in a report, without the Discloser's consent, if:

- (a) the information does not include the Discloser's identity;
- (b) The Bridge has taken all reasonable steps to reduce the risk that the Discloser will be identified from the information; and
- (c) it is reasonably necessary for investigating the issues raised in the disclosure.

It is illegal for a person to identify a Discloser or disclose information that is likely to lead to the identification of the Discloser, unless an exception applies.

All files and records created during an investigation will be retained in secure files and any unauthorised release of information will be regarded as a breach of this Policy.

If a Discloser considers there has been a breach of confidentiality, they can choose to lodge a complaint The Bridge or with a regulator, such as ASIC or APRA, for investigation.

8.3 **Protections against detrimental treatment**

The Bridge is committed to protecting and respecting the rights of a Discloser, and will not tolerate any detrimental treatment (such as victimisation) against a person who has made, proposes to make, or could make a report under this Policy (or against that person's colleagues, associates, or family).

Any such treatment will be treated as serious misconduct by The Bridge and may result in disciplinary action (including termination of employment).

However, detrimental treatment does not include:

- (a) administrative action that is reasonable for the purpose of protecting a Discloser from detriment (e.g. moving a Discloser who has made a report about their immediate work area to another office, to prevent them from detriment); and
- (b) reasonably managing a Discloser's unsatisfactory conduct or work performance.

8.4 **Compensation**

Any Discloser who is subjected to detrimental treatment may be entitled to compensation and other remedies if:

- (a) they suffer loss, damage or injury because of a disclosure under this Policy; and
- (b) The Bridge failed to take reasonable precautions and exercise due diligence to prevent the detrimental treatment.

For more information, please see the Australian Securities and Investments Commission's fact sheet available [here](#).

8.5 **Protections against legal action**

Whistleblower Laws protect a Discloser against certain civil, criminal and administrative liabilities related to making a whistleblower disclosure.

However, this protection does not grant immunity to a Discloser for any misconduct they have engaged in that is revealed by the disclosure.

For more information, please see the Australian Securities and Investments Commission's fact sheet available [here](#).

9 **PROTECTIONS UNDER THE TAX WHISTLEBLOWER REGIME**

Whistleblower Laws also introduced a whistleblower regime for Disclosers in relation to tax avoidance behaviour and other tax issues concerning The Bridge. In summary, the same protections will apply for a Discloser who reports such behaviour and considers that the information will help the ATO (or the recipient) perform their duties under taxation law.

10 **GENERAL**

10.1 **Compliance**

It is a condition of any employment or engagement by The Bridge that all officers, employees and contractors comply at all times with this Policy.

However, this Policy does not form part of any agreement between any person and The Bridge, nor does it constitute terms and conditions of any person's employment or engagement with The Bridge.

10.2 **Contacts**

If you have any queries in relation to this Policy, please contact the WPO.

10.3 **Review of the Policy**

This Policy will be reviewed every three years to ensure it remains consistent with all relevant legislative requirements, as well as the changing nature of the organisation. This Policy may be amended, withdrawn or replaced from time to time at The Bridge's sole discretion.