
Whistleblower Policy

Changes to this Policy, other than formatting, positions and names, require Board approval.

Background

EWON does not tolerate unethical or corrupt conduct and is committed to providing an environment where staff and stakeholders feel safe to speak up. EWON's policies, especially this policy; the Code of Conduct; and Workplace Behaviours aim to encourage the highest standard of professionalism including the recognition and reporting of any inappropriate behaviour. All reports about unacceptable behaviour will be considered seriously.

The *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019* requires EWON to have a Whistleblower Policy that sets out how it will respond to reports of misconduct.

This policy was developed using publicly available guidance from [Australian Securities & Investments Commission \(ASIC\)](#) and [NSW Independent Commission Against Corruption \(ICAC\)](#).

Definitions

Whistleblower: the person(s) who tells an organisation about inappropriate behaviour (as listed under 'Types of behaviour to disclose') within the organisation hoping to stop it. Whistleblowers have certain protections under legislation.

Disclosure/Protected Disclosure: when information meets the requirements of 'behaviour to disclose' it is a Disclosure. If the information does not meet requirements, it is considered a report of other behaviours and will be addressed under the appropriate policy.

Disclosure Recipient: there is a list of people who can be told about inappropriate behaviour. They are listed under 'People who can receive Disclosures' in this policy.

False disclosure: A report that is made that is known to be untrue.

Whistleblowers

The following people can make Disclosures about EWON:

- Employees or their family member
- Former employees or their family member
- Service providers of EWON (including vendors, contractors and consultants)
- Volunteers

Anyone considering making a Disclosure is encouraged to review the information for Whistleblowers on the [ICAC](#) and [ASIC](#) websites.

Anonymity

Disclosures can be made anonymously.

Confidentiality

Unless required otherwise by law, EWON will only reveal the identity of a Whistleblower with their consent, and subject to the need to conduct an appropriate investigation.

We will take all reasonable steps to ensure a Whistleblower's identity isn't revealed due to an investigation.

We cannot, and will not, force a Whistleblower to keep their Disclosure confidential. However, if a Whistleblower tells people about their Disclosure, we will make reasonable attempts but may not be able to provide them all of the protections cited in this policy.

Types of behaviour to disclose

We encourage employees and stakeholders to report any behaviours that they feel are inappropriate.

Whistleblower Disclosures should be made when there is a suspicion, on reasonable grounds, of corrupt conduct (ie deliberate or intentional wrongdoing) or unethical behaviour of an EWON employee, director, volunteer or contractor.

Disclosures can be about:

- misconduct or an improper state of affairs;
- conduct or practices which are illegal or in breach of any law, regulation or code of conduct applying to EWON (including the Corporations Act) or any breach of a contract by an employee or director of EWON (eg deliberately passing sensitive or confidential EWON information to a third party without authorisation);
- fraudulent or corrupt practices, or conduct engaged in for a fraudulent or corrupt purpose (eg misappropriation of funds, bribery, undue influence, false information, perversion of justice);
- breaches of EWON's policies or other rules of conduct (other than minor or personal workplace related grievances);
- conduct that constitutes maladministration (including conduct that involves acting on improper motives, is unreasonable, unjust, oppressive or is negligent) or amounts to an abuse of authority;
- misleading or deceptive conduct of any kind
- conduct that results in a waste of EWON's money;
- misconduct in relation to the tax affairs of EWON and the discloser considers that the information would assist with the performance of duties in relation to the tax affairs of EWON;
- any of the above conduct by a contracted service provider in connection with a contract to provide goods and services to, or on behalf of, EWON; or
- Covering up and/or knowledge of the above without reporting it.

Reports made that do not meet requirements under the legislation do not qualify for protection under the Corporations Act.

If staff members have concerns about behaviours or activities that do not meet these requirements, or are a personal work-related grievance, they should speak with their Manager, or someone in HR or on the Leadership Team.

Support and protection from detriment for Whistleblowers

We acknowledge that blowing the whistle can be challenging. We are committed to:

- Receiving anonymous Disclosures
- Protecting the identity of a Whistleblower
- Ensuring the Whistleblower is not victimised

In addition, we are committed to the following for Whistleblowers who are staff members:

- Ensuring the Whistleblower is not demoted or prevented from promotion, or an alteration to their position or duties to their disadvantage, threatened, harassed, excluded or humiliated
- Providing support services such as counselling through the Employee Assistance Program
- Providing special leave or a change in duties while an investigation is completed.

Legal protections available to a Whistleblower

Whistleblowers are protected under the Corporations Act from:

- Civil liability
- Criminal liability
- Administrative liability.

People who make false Disclosures do not get these protections. A false Disclosure is a report that is made that is known to be untrue.

People who can receive Disclosures

Disclosures can be made to an officer who is a Board director, senior manager or our auditors. A list of preferred Disclosure Recipients is below. Preferably, Disclosures involving the Ombudsman should be made to the Board Chair or EWON's auditor.

Whistleblowers can also make Disclosures directly to regulatory bodies and should refer to their websites for process advice via [ASIC](#) and [ICAC](#).

There is no required format for Disclosures ie they can be by phone, email, mail or face to face.

Ombudsman	Phone	02 8218 5256
	Email	janiney@ewon.com.au
	Post	PO Box A2436 South Sydney NSW 1235
Deputy Ombudsman/Company Secretary	Phone	02 8218 5225
	Email	helenf@ewon.com.au
	Post	PO Box A2436 South Sydney NSW 1235
General Manager Investigations	Phone	02 9078 6911
	Email	adrianb@ewon.com.au
	Post	PO Box A2436 South Sydney NSW 1235
General Manager Finance & Corporate Services	Phone	02 8218 5203
	Email	bernadetteo@ewon.com.au
	Post	PO Box A2436 South Sydney NSW 1235
EWON Board Chair Mail sent to the PO Box should be marked Confidential and for the Chair only.	Email	chair@ewon.com.au
	Post	PO Box A2436 South Sydney NSW 1235
EWON's auditor Deloitte	Email	gimperley@deloitte.com.au
	Post	Grosvenor Place 225 George Street Sydney NSW 2000

Review and investigation of Protected Disclosures

A triage team comprising three Disclosure Recipients who have no conflicts with the matter to be reviewed, will determine if the Disclosure meets the requirements of a Protected Disclosure (ie is consistent with 'Types of behaviours to disclose' in this policy'). The Disclosure Recipient will keep the Whistleblower(s) informed of progress throughout the investigation.

If the Disclosure does not meet the requirements, it will be managed under appropriate EWON policies such as the Code of Conduct or Complaints about EWON. The Whistleblower will be advised of the approach taken and the reasons for that approach.

If the triage team determines that the Disclosure meets the requirements of a Protected Disclosure it will arrange for it to be appropriately investigated and advise the Whistleblower.

Investigations will be fair, and free of judgement and may consist of an:

- In house investigation by an appropriate officer (such as Ombudsman, Deputy Ombudsman, a General Manager, HR Manager, Finance Operations Officer, or Privacy Officer); or
- External investigation.

Protection of people identified in Disclosures

EWON is committed to the fair treatment of anyone named in a Disclosure or to whom a Disclosure relates.

EWON is as required by the legislation to:

- Protect the identity of the employee(s) named in a Disclosure
- Ensure the named employee(s) are not victimised
- Ensure the named employee(s) have full right of reply including having a support person accompany them to any meetings about the Disclosure
- Provide support services such as counselling through EAP.

Publication and awareness of this policy

This policy is published on the EWON intranet and website and reviewed no less than every three years. It is included as part of EWON's staff induction process and is part of the First Principles revision training requirements for all staff. It will be provided to service providers who enter into ongoing contractual arrangements with EWON.

Effective Date	Next Review	Owner
12 December 2019	No later than September 2022	EWON Board