



Whistleblower Policy

Area: People, Learning and Culture

1. Purpose

Through this policy Micah Projects emphasises the importance of reporting misconduct and the assurance of protection afforded to those who report misconduct (whistleblowers).

2. Scope

The Micah Projects' Board is ultimately responsible for the Whistleblower Policy, an essential element in Micah Projects' broader risk management and corporate governance framework.

This policy applies to all Eligible Whistleblowers who have a responsibility to report instances of activity or wrongdoing (Qualifying Disclosures) that they suspect might interfere with the organisation maintaining legal, proper, and ethical operations. This can be an activity by an individual and/or the organisation.

3. Definitions

3.1 Eligible Whistleblower:

An eligible whistleblower is someone with inside knowledge of an organisation who reports misconduct or dishonest or illegal activity that may have occurred within that organisation. This includes but may not be limited to

- a person associated with the organisation,
- an employee (including a former employee) or
- associate of a former employee and a relative or
- a dependent of an employee or former employee or
- an associate, student, volunteer, contractor, consultant or director.



3.2 Qualifying Disclosure:

A qualifying disclosure involves reporting conduct by an organisation or an officer or employee of the organisation that represents misconduct or breach of the law. This can include conduct that:

- contravenes the Corporations Act (2001), or the Australian Securities and Investments Commission Act (2001)
- constitutes an offence against any other Commonwealth legislation that is punishable by imprisonment for 12 months or more
- represents a danger to the public or the financial system.

A whistleblower is entitled to protection under the Corporations Act if they make a qualifying disclosure to an eligible recipient.

Note: Personal work-related grievances do not qualify for protection under the Corporations Act. Examples of matters that do not qualify include implementation of any performance management strategy or disputes between employees.

3.3 Eligible Recipient:

Eligible Recipients include:

- The managers employed by Micah Projects designated as eligible recipients
- An external organisation nominated by Micah Projects to receive whistleblower complaints
- The Australian Securities and Investment Commission (ASIC)
- The Australian Prudential Regulatory Authority (APRA)
- A legal practitioner (if someone is seeking legal advice about whether the protections will apply to them)
- An auditor or member of the audit team for Micah Projects
- A person that the charity has authorised to receive a disclosure (this can include a person external to the charity).

Note the ACNC is not an Eligible Recipient.

3.4 Misconduct

Examples include, but are not limited to:



- Corrupt conduct
- Fraud or theft
- Official misconduct
- Illegal activity
- Bullying and Harassment
- Unlawful discrimination
- Practices endangering the health or safety of anyone associated with Micah Projects or the public
- Practices endangering the environment.

4. Standards related to policy

- Human Services Quality Standard – Governance 1.1
- ISO9001:2015 – Clauses 4.1 (Context of the organisation) and 5.1 (Leadership and commitment)

5. Policy

Micah Projects is committed to a culture of respect and ethical conduct and recognises the value of keeping within the laws and standards that apply in our work and encourage everyone to report misconduct.

Micah Projects will not tolerate corrupt, illegal, or other undesirable conduct nor condone detrimental acts to anyone who intends to disclose or has disclosed misconduct.

Micah Projects is committed to ensuring it operates in accordance with:

- applicable legislation and regulations
- organisational policy and procedures
- established ethical principles.

and recognises that a transparent whistleblower policy is essential to good risk management and corporate governance.

The policy helps to uncover misconduct that may not otherwise be detected and may only come to light because individuals (acting alone or together) are prepared to disclose it.



Through this policy and the effective implementation of associated procedures, the organisation demonstrates a commitment to protect eligible whistleblowers and enable them to come forward (to an Eligible Recipient) to report misconduct (make a Qualifying Disclosure) without fear of retribution or personal detriment.

Whistleblowers who have reasonable grounds to suspect that the information they disclose indicates misconduct and disclose the matter to an Eligible Recipient will be protected from reprisal and not penalised in any way. It is illegal to terminate the employment, harass or discriminate against a whistleblower or potential whistleblower because someone thinks they made a disclosure.

A person who breaches a whistleblower's confidentiality or causes detriment to a whistleblower because of their disclosure will face criminal or civil penalties. Importantly, these penalties are not limited to situations with an actual disclosure. They extend to situations where the person merely believes or suspects someone made or could have made a disclosure.

The managers employed by Micah Projects designated as eligible recipients are:

- CEO - Karyn Walsh 3029 7000
- Whistleblower Protection Officer - Justin Welfare 3029 7000.

If a whistleblower feels that either of these managers is compromised in handling the matter or complicit in the activity or breach, they may contact the external Micah Projects Whistleblower provider:

- External Independent Provider - **Your Call** 1300 788 712

or any of the regulatory bodies and external entities listed as Eligible Recipients.

All reports can be made anonymously

The Whistleblower Policy is publicly available on our website; micahprojects.org.au

6. Informing Legislation

Applicable legislation that informs this policy is:

- ASIC Regulatory Guide 270 – Whistleblower policies
- Corporations Act (2001):

Policy

MICAH PROJECTS



Breaking Social Isolation
Building Community

- PART 9. 4AAA Protection of Whistleblowers
- S 1317AI (5).

7. Procedures that implement

This policy is implemented by following at least these procedures:

- Whistleblower Protection Procedure.
- Induction process

Name	Whistleblower Policy	Issued	22/09/2021
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