

## Whistleblower Policy

### 1. Purpose

Starlight is committed to the highest standards of legal, ethical and moral behaviour. People who have a working relationship with Starlight are often the first to realise that there may be something seriously wrong. However, they may not wish to speak up for fear of appearing disloyal or may be concerned about being victimised or subject to reprisals for reporting wrongdoing. Starlight is committed to maintaining an environment where legitimate concerns can be reported without fear of retaliatory action or retribution.

The purpose of this policy is to encourage reporting of wrongdoing that is of legitimate concern by providing a convenient and safe reporting mechanism, and protection for people who make those reports.

### 2. Scope

This policy applies to all Starlight team members and their family members. Team members include our Board Directors, all paid team members and unpaid volunteers. This policy also applies to contractors and suppliers of goods & services to Starlight and their family members. Former Starlight team members and their family members are also able to make a disclosure under this policy.

### 3. Related Documents

- [Grievance Resolution Policy](#)
- [Safeguarding Children and Young People Reporting and Responding](#)

### 4. Related Legislation

- Corporations Act 2001
- Australian Charities and Not for-Profits Commission Act 2012
- Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019



## 5. Definitions

Whistleblower event	A report by (or for) a witness of actual or suspected wrongdoing
Whistleblower	<p>A person who reports wrongdoing in accordance with this Policy who are:</p> <ul style="list-style-type: none"><li>• Current and former Starlight team members (including Board Directors, paid team members, unpaid volunteers)</li><li>• Family members of current and former Starlight team members</li><li>• Current and former contractors and suppliers of goods &amp; services to Starlight (whether paid or unpaid)</li><li>• Family members of current and former contractors and suppliers of goods &amp; Services to Starlight</li><li>• Current and former associates of Starlight</li></ul>
Wrongdoing	<p>Conduct that:</p> <ul style="list-style-type: none"><li>• Breaches legislation, regulations or local government by-laws or is otherwise illegal (including theft, violence or threatened violence or criminal damage against property)</li><li>• Is corrupt or is an abuse of public trust</li><li>• Is dishonest or fraudulent</li><li>• Perverts the course of justice</li><li>• A serious risk to public health, public safety or the environment</li><li>• Is serious or substantial waste (including public money or public property)</li><li>• Is gross mismanagement or repeated breaches of administrative procedures</li><li>• Has financial or non-financial loss detrimental to the interests of Starlight</li><li>• Is unethical</li><li>• Is oppressive, discriminatory or grossly negligent</li><li>• Creates an unsafe work-practice</li><li>• Misconduct or an improper state of affairs</li><li>• Any instruction to cover up or attempt to cover up wrongdoing.</li></ul>



## 6. Roles and Responsibilities:

<p><b>Whistleblowers</b></p>	<ul style="list-style-type: none"> <li>• Should only report matters where they have reasonable grounds to suspect that the information concerns wrongdoing as outlined above</li> <li>• Must keep confidential any report they have made to avoid jeopardising the subsequent inquiry/investigation of the wrongdoing.</li> </ul>
<p><b>Whistleblower Protection Officer</b></p>	<p>The Whistleblower Protection Officer is an officer or senior manager appointed to receives particulars about all Whistleblower events and to support and provide protection to the Whistleblower.</p> <p>The Whistleblower Protection Officer must have a direct reporting line to the Executive Team from an area of the organisation that is independent of the line management in the area that is the subject of the report of wrongdoing.</p> <p>The Whistleblower Protection Officer will:</p> <ul style="list-style-type: none"> <li>• Co-ordinate the arranging of an inquiry/investigation into the report made by the Whistleblower</li> <li>• Be responsible for keeping the Whistleblower informed of the progress and outcomes of the inquiry/investigation (subject to considerations of privacy of those against whom a report has been made).</li> <li>• Notify appropriate government agencies about Whistleblower events where required</li> <li>• Maintain a Whistleblower register for trend analysis and to identify systemic issues requiring attention</li> <li>• Report to the Audit &amp; Risk committee on a quarterly basis</li> </ul> <p>Starlight's Whistleblower Protection Officer is the Risk and Compliance Officer</p>
<p><b>Investigator</b></p>	<p>The Investigator is appointed by the CEO or, if the report involves the CEO, by the Chair of the Audit and Risk committee and may be internal or external to Starlight.</p> <p>The Investigator must have internal independence of line management in the area affected by the wrongdoing. The internal Investigator maybe an Executive Team Member</p> <p>The Investigator will:</p> <ul style="list-style-type: none"> <li>• Conduct sufficient inquiry to be able to determine the conclusions about the disclosures made, including whether or not further investigation is required</li> </ul>

	<ul style="list-style-type: none"> <li>• Be responsible for ensuring the proper conduct of the investigation and for keeping the Whistleblower Protections Officer informed of the process</li> <li>• Seek additional expertise of other team members or external experts to assist in the investigation</li> <li>• Conduct investigation in a fair and independent manner</li> </ul>
<b>Starlight Board</b>	<ul style="list-style-type: none"> <li>• Monitor compliance with this policy</li> <li>• Review this policy on an annual basis to ensure that the policy is operating effectively.</li> </ul>
<b>People Managers &amp; Executive Team</b>	<ul style="list-style-type: none"> <li>• Demonstrate a commitment to a speak-up culture and encourage reporting of legitimate concerns</li> <li>• Forward all Reports from Whistleblowers to the Whistleblower Protection Officer</li> </ul>
<b>Team Members</b>	<ul style="list-style-type: none"> <li>• Responsibility to help to detect, prevent and reports instances of suspicious activity or wrongdoing</li> </ul>

## 7. Key Requirements

### Policy Statement

The aim of this policy is to make Whistleblowers feel confident about raising concerns of any suspected or actual wrongdoing, by offering a reporting and investigative mechanism that is objective, independent and protects Whistleblowers from detriment, reprisal or disadvantage. This policy is an important part of Starlight's risk management and corporate governance framework.

Under this policy:

- Whistleblowers are encouraged to report their concerns of any suspected or actual wrongdoing, whether openly or, if preferred, anonymously
- If a Whistleblower reports their concerns in accordance with this policy, they will be afforded confidentiality unless they indicate (or the law requires) otherwise
- Reports by Whistleblowers will be properly investigated with a view to establishing the truth and correcting any wrongdoing where possible
- Whistleblowers will be advised of the outcome of the investigation and any action taken
- Whistleblowers will not be victimised or adversely affected because of their action in reporting their concerns.

#### a) What is a Reportable Matter?

Protections under this policy relate to Reportable Matters only. A Reportable Matter is any concern based on reasonable grounds in relation to a Whistleblower event as defined in this policy.

Matters to be reported under this policy do not include SCYP reporting which falls under Safeguarding Children and Young People Reporting and Responding policy or personal work-related grievances such as employment-related issues (like the terms and conditions of employment or engagement) which fall under the Grievance Resolution Policy. These issues should be raised in accordance with those policies.

#### b) Making a report

A Whistleblower may report any Reportable Matter through the following reporting channels either in writing or verbally:

##### **Internal Reporting**

A report can be made to any of the following eligible recipients:

- the relevant people manager
- the Whistleblower Protection Officer, or
- an Executive Team member.

A report may be made anonymously or confidentially to any of the eligible recipients and qualify for protection pursuant to this policy.

Upon receipt of a report, the eligible recipient will identify and address any wrongdoing within a reasonable time. If the report is made verbally, the eligible recipient will make a written record of the report.

##### **External Reporting**

Where the Whistleblower does not feel comfortable making an internal report, or where an internal report has been made, but no action has been taken within a reasonable time, the Whistleblower may make a report to Starlight's independent external reporting service using any of the following methods:

- Call the hotline number 1800 992 487
- Email to [starlightreportingservice@deloitte.com.au](mailto:starlightreportingservice@deloitte.com.au)
- Visiting online [www.starlightreportingservice.deloitte.com.au](http://www.starlightreportingservice.deloitte.com.au)

This may be done outside of business hours and the external reporting service is structured to be independent of Starlight management so that an objective assessment of the disclosure can be made.

An external report maybe made anonymously and confidentially, if desired, however this may affect Starlight's ability to investigate the matter properly and to communicate with the Whistleblower about their report. If the report is made verbally, the external reporting service will make a written record of the report.

Further, a report may also be made to a regulator (such as ASIC, APRA or another body) or to the Police.

### c) Investigation

All reports of a Whistleblower event made under this policy will be properly assessed, and if appropriate, inquired into or independently investigated.

The investigation process will vary depending on the precise nature of the conduct being investigated. The purpose of the investigation is to determine whether or not the Whistleblowers concerns are substantiated, with a view to Starlight then rectifying any wrongdoing uncovered to the extent that this is practicable.

The investigation will be thorough, objective, fair and independent of the Whistleblower, anyone who is the subject of the Reportable Matter, and any business area concerned.

As part of the investigation process the eligible recipient (who is not a Whistleblower Protection Officer) who receives a report of a Whistleblower event will notify the Whistleblower Protection Officer in the first instance subject to the Whistleblower's consent. The Whistleblower Protection Officer will keep the Whistleblower informed of the outcome of the investigation arising from their report (where that report was not anonymous), subject to the privacy of anyone who is the subject of the Reportable Matter and confidentiality requirements.

The eligible recipient or Whistleblower Protection Officer may seek legal advice in relation to the operation of the whistleblower provisions. Those communications will be kept confidential and be subject to legal professional privilege.

### d) Confidentiality & Protection

Starlight is committed to protecting and respecting the rights of Whistleblowers who has reasonable grounds to suspect there to be actual or suspected wrongdoing.

Where a report has been made anonymously and confidentially by a Whistleblower, the Whistleblower can refuse to answer questions that could reveal their identity at any time.

Starlight will not disclose a Whistleblower's identity or information that is likely to lead

to the identification of the Whistleblower unless:

- there is consent from the Whistleblower;
- disclosure is necessary to prevent a serious threat to any person's health or a safety; or
- the disclosure is required or authorised by law (to a regulator (such as ASIC, APRA or another body) or to the Police).

When a Reportable Matter is investigated it may be necessary to reveal its substance to people such as other Starlight team members, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies.

It will also be necessary to disclose the facts and substance of a report to a person who may be the subject of the Reportable Matter to allow them to respond to the allegations.

In some circumstances, the source of the reported issue may be obvious to a person who is the subject of the report. In those instances, Starlight will ensure information that is likely to lead to the identification of the Whistleblower are appropriate redacted in any communications and documents relating to the investigation of the Whistleblower event.

Starlight will take reasonable precautions to store any records relating to Reportable Matters securely and to restrict access to authorised persons only.

Unauthorised disclosure of information relating to a Reportable Matter that could prejudice confidentiality and identify the Whistleblower will be regarded seriously and may result in disciplinary action, which may include dismissal. In some circumstances it may be illegal, in which case Starlight will notify police.

Starlight will not tolerate any retaliatory action or threats of retaliatory action against a Whistleblower, or against a Whistleblower's colleagues, employer (if a contractor, consultant or supplier) or family members.

These protections are available to Whistleblowers who has reasonable grounds to believe that there is wrongdoing and makes the report in accordance with this policy.

Protection is not available to reports which are:

- trivial or vexatious in nature without any reasonable grounds. This will be treated in the same manner as a false report and may itself constitute wrongdoing.
- based on unsubstantiated allegations which are found to have been made maliciously, or knowingly to be false. These will be viewed seriously and may be subject to disciplinary action that could include dismissal, termination of service or cessation of a service or client relationship.



#### e) Support for Persons Implicated

Starlight recognises that individuals against whom a report is made must also be supported during the handling and investigation of the wrongdoing report.

No action will be taken against employees or officers who are implicated in a report under this Policy until an investigation has determined whether any allegations against them are substantiated.

Where a person is implicated in a report, but preliminary inquiries determines that the suspicion is baseless or unfounded and that no formal investigation is warranted, then the Whistleblower will be informed of this outcome and the matter laid to rest.

Where an investigation does not substantiate the report, the fact that the investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the report must be handled confidentially.

Generally, where an investigation is conducted and the Investigator believes there may be a case for an individual to respond, the Investigator must ensure that the person who is the subject of a Reportable Matter:

- Is informed of the substance of the allegations;
- Is given a fair and reasonable opportunity to answer the allegations before the investigation is finalised;
- Has their response set out fairly in the Investigator's report; and
- Is informed about the substance of any adverse conclusions in the Investigator's report that affects them.

Where adverse conclusions are made in an Investigator's report about an individual, that individual has a right to respond to those conclusions prior to any action being taken by Starlight against them.

#### f) Consequences of making a false report

A false report of a Reportable Matter could have a significant effect on Starlight's reputation and the reputations of staff members and could also cause considerable waste of time and effort.

Any deliberately false reporting of a Reportable Matter, whether under this policy or otherwise, will be treated as a serious disciplinary matter.





## 8. Communications

This policy will be communicated to all Starlight team members when it initially comes into effect and when any revisions are subsequently made. The current version of this policy will be available at all times on Starnet, Starlight's website and will be provided in Starlight team members' employment information.

## 9. Monitoring & Review

This policy will be reviewed by the Starlight Board annually and updated as required. A review may also be undertaken due to circumstances such as legislative change, organisational change and insights gained from incidents.

### Approvals & Revisions:

Approver Name:	Murray Coleman
Approver Title:	Chairman of Starlight's Board
Approval Date:	18 December 2019
Start Date:	18 December 2019
Review Date:	18 December 2020