

## 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 safe and secure reporting mechanism and protection for people who make those reports.

### 2. Who the Policy applies to

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. Key Requirements

#### a) Policy Statement

The aim of this Policy is to make disclosers ('Whistleblowers') feel confident about raising concerns of any suspected or actual wrongdoing, by offering a reporting and investigative mechanism that is objective, independent and secure that 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 appropriately and on a timely basis
- 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.

#### b) What Matters can be reported under this Policy

Protections under this Policy relate to Disclosable Matters involving information that the Whistleblower has reasonable grounds to suspected or actual wrongdoing.

Examples of types of wrongdoing may include conduct that:

- Breaches legislation, regulations or local government by-laws or is otherwise illegal (including theft, violence or threatened violence or criminal damage against property)
- Is corrupt or is an abuse of public trust
- Is dishonest or fraudulent
- Perverts the course of justice
- A serious risk to public health, public safety or the environment
- Is serious or substantial waste (including public money or public property)
- Is gross mismanagement or repeated breaches of administrative procedures
- Has financial or non-financial loss detrimental to the interests of Starlight
- Is unethical
- Is oppressive, discriminatory or grossly negligent
- Creates an unsafe work-practice
- Misconduct or an improper state of affairs
- Any instruction to cover up or attempt to cover up wrongdoing.

Some disclosures may be relevant to other policies within Starlight and will be managed in accordance with all relevant policies. For example, matters relating to the Safeguarding of Children and Young People will fall under Safeguarding Children and Young People Reporting and Responding Policy.

Disclosures that relate solely to personal work-related grievances, such as employment-related issues (like the terms and conditions of employment or engagement), will be managed in accordance with the Grievance Resolution Policy and are not Disclosable Matters covered by this Policy.

### c) **How to make a disclosure**

A Whistleblower may report any Disclosable Matter through the following reporting channels 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)

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.

The external reporting service will provide a report to a dedicated representative at Starlight so that an objective assessment of the disclosure can be made. Further, a report may also be made to a regulator (such as ACNC) or to the Police.

#### d) Handling and investigating a disclosure

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 Disclosable Matter, and any business area concerned.

As part of the investigation process 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 Disclosable Matter and confidentiality requirements.

The eligible recipient 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.

#### e) 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 Disclosable 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 Disclosable 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 appropriately 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 Disclosable Matters securely and to restrict access to authorised persons only.

Unauthorised disclosure of information relating to a Disclosable 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.

#### **f) 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 Disclosable 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.

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

A false report of a Disclosable 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 Disclosable Matter does not align to Starlight's values and will be treated as a serious disciplinary matter.

#### 4. Communications and Training

This Policy will be communicated to all Starlight team members. The Policy is available at all times on Starlight's website and intranet and will be provided in Starlight team members' employment information. Starlight team members will receive regular training on this Policy.

#### 5. Monitoring & Review

This Policy will be reviewed by the Starlight Board at least once every two years. A review may be required due to legislative change, organisational change or insights gained from incidents.

Review and administration of this Policy is facilitated by the Head of Finance and Technology.

#### 6. Related Documents

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

#### 7. Related Legislation

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

#### 8. Approvals & Revisions

Approver Name:	Murray Coleman OAM
Approver Title:	Chair of Starlight's National Board
Original Approval Date:	18 December 2019
Review Date:	27 February 2024
Effective Date:	27 February 2024
Next Review Due:	February 2026

## Appendix A: Roles and Responsibilities

<b>Starlight National Board</b>	<ul style="list-style-type: none"> <li>Approves and oversees compliance to ensure that the Policy is operating effectively.</li> </ul>
<b>Audit &amp; Risk Committee</b>	<ul style="list-style-type: none"> <li>Oversees implementation and compliance of the Policy.</li> </ul>
<b>Executive Team and People Managers</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>Comply with this Policy and help to detect, prevent and reports instances of suspicious activity or wrongdoing</li> </ul>
<b>Whistleblowers</b>	<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>
<b>Whistleblower Protection Officer</b>	<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>
<b>Investigator</b>	<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> <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>

Appendix B Whistleblower policy principles and process

