

Whistleblower Policy

At the Harding Miller Education Foundation (**Foundation**), we are committed to maintaining the highest standard of ethical behaviour, transparency and accountability.

The purpose of the Whistleblower Policy provides a safe and confidential process for individuals to report concerns about misconduct or improper conduct within the Foundation.

This Policy aims to:

- Encourage individuals to report wrongdoing without fear of retaliation
- Ensures concerns are investigated appropriately
- Protect whistleblowers from victimisation
- Promote a culture of integrity and accountability
- Ensure compliance with relevant Australian legislation, including the Corporations Act 2001 (Cth).

Scope

This policy applies to all individuals who have a relationship with the Foundation, including:

- Employees (current or former)
- Volunteers (including coaches and judges)
- Director and Officers
- Contractors and consultants
- Suppliers and service providers
- Scholars, parents or school partners
- Any associate of the Foundation

These individuals may be eligible for whistleblower protection under Australian law.

What is Whistleblowing?

Whistleblowing occurs when a person reports information about misconduct or improper conduct within an organisation.

Under Australian law, a protected disclosure may include information indicating:

- Illegal conduct or breaches of law
- Fraud, corruption or theft
- Misuse of Foundation funds or assets
- Financial misconduct
- Serious breaches of Foundation policies
- Conduct that poses a risk to scholars, staff or the public
- Child safety concerns
- Harassment, discrimination or abuse of authority
- Any behaviour representing an improper state of affairs

Whistleblowing does **not include personal work-related grievances**, unless the grievance also involves misconduct or legal breaches.

Eligible Whistleblowers

A disclosure made by an individual who is, or has been, connected with the Foundation including:

- Employees
- Officers or directors
- Volunteers
- Contractor or suppliers
- Associates of the organisation; and/or
- Relatives or dependants of any of the above,

may be eligible to qualify for protection, if the whistleblower has reasonable grounds to suspect misconduct or wrongdoing.

Who Can Receive a Disclosure

A disclosure can be made to an 'eligible recipient', which includes:

- A regulator such as ASIC or the ACNC; or
- any of the following individuals from the Foundation:
 - Chief Operations Officer (**COO**)
 - Any Board member
 - Company Secretary

Eligible recipients are responsible for receiving and appropriately managing whistleblower reports.

How to Make a Disclosure about reportable conduct

For a report to be investigated it must contain enough information to form a reasonable basis for investigation including:

- Date and time
- Location
- Name of person(s) involved
- Possible witnesses to the event and
- Evidence of the events (documents, emails)
- The report should also include any steps that may have already been taken to report the matter elsewhere or to resolve the concern.

A disclosure can be made through the following channels:

Internal reporting

- By Email: whistleblower.hardingmiller.org.au
- By a direct report to the Foundation's COO or a member of the Board; or
- Written submission to the Foundation

External reporting

Disclosures may also be made to regulators such as:

- ASIC
- ACNC
- Other authorised regulatory bodies.

Anonymous disclosures are permitted.

Protection for Whistleblowers

The Foundation is committed to protecting whistleblowers. Legal protections include:

Confidentiality

- The identity of the whistleblower will not be disclosed without their consent unless required by law.
- Information that could identify the whistleblower will be handled securely and only

shared on a strict need-to-know basis.

Protection from Victimisation

A protected whistleblower must not be subjected to:

- Dismissal
- Harassment
- Discrimination
- Threats
- Damage to reputation
- Any other form of retaliation.

It is a serious offence under the Corporations Act to cause or threaten detriment to a whistleblower.

Investigation of Disclosures

All whistleblower reports will be assessed and investigated appropriately. The process generally involves:

- 1. Initial assessment**

The disclosure is reviewed to determine if it qualifies under this policy.

- 2. Investigation**

If appropriate, an investigation will be conducted by the COO, Board member or independent investigator.

- 3. Confidentiality maintained**

The whistleblower's identity will be protected throughout the process.

- 4. Outcome and action**

Appropriate actions will be taken, which may include disciplinary measures, policy changes, or reporting to regulators. Where possible, the whistleblower will be informed that the investigation has concluded.

Support for Whistleblowers

The Foundation will take reasonable steps to support whistleblowers, including:

- Protecting confidentiality
- Monitoring for signs of retaliation
- Providing access to appropriate support resources
- Adjusting reporting lines or work arrangements where required.

False or Malicious Reports

- Individuals must make disclosures in good faith.
- Knowingly making false or malicious allegations may result in disciplinary action.
- However, a disclosure will still be protected if it is made with reasonable belief, even if it later proves to be incorrect.

Record Keeping

All disclosures will be recorded securely. Records will be maintained in accordance with:

- Privacy obligations
- Governance requirements
- Regulatory obligations.

Governance and Oversight

The Board of the Foundation has oversight of whistleblower governance. Responsibilities include:

- Ensuring reports are appropriately handled
- Monitoring systemic issues
- Ensuring compliance with relevant legislation.

A summary of whistleblower activity may be reported to the Board annually.

Policy Review

This policy will be reviewed every **two years** or earlier if required by legislative changes or organisational needs.