



# WHISTLEBLOWER POLICY

Policy number:	20	Version:	3 (Prepared 19/07/2021)
Drafted by:	Policy Committee – Emma Newman	Approved by Board on:	
Responsible person:	Board of Management	Scheduled review date	

## 1. INTRODUCTION

- 1.1. **Educating the Future (ETF)** is committed to the highest standards of legal, ethical and moral behavior. People who have a working relationship with Educating the Future are often the first to realize that agents of Educating the Future might be engaging in wrongful conduct. However, they might not want to speak up for fear of appearing disloyal, or may be concerned about being victimized or subject to reprisals for reporting wrongdoing. No person should be personally disadvantaged for reporting wrongdoing. Not only is failure to report illegal, but it directly opposes the values of Educating the Future.
- 1.2. Educating the Future is committed to maintain an environment where legitimate concerns are able to be reported without fear of retaliation action or retribution

## 2. PURPOSE

- 2.1. The objective of this policy is to encourage the reporting of any wrongdoings, through;
  - 2.1.1. Providing protection for people who make a disclosure of information based on reasonable grounds that they suspect the information concerns misconduct, or an improper state of affairs or circumstances in relation to Educating the Future and its agents
  - 2.1.2. Outlining a reporting process for the disclosure

## 3. DEFINITIONS

*Dishonest* means dishonest according to the standards of ordinary people

*Document* means any record of information, and includes:

- a. Anything on which there is writing; and
- b. Anything on which there are marks, figures, symbols or perforation having a meaning for persons qualified to interpret them; and

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- c. Anything from which sounds, images, or writing can be reproduced with or without the aid of anything else; and
- d. A map, plan, drawing or photograph

*Electronic Communication* means:

- a. A communication of information in the form of data, text or images by means of guided and/or unguided electromagnetic energy; or
- b. A communication of information in the form of speech by means of guided and/or unguided electromagnetic energy, where the speech is processed at its destination by an automated voice recognition system.

*Misconduct* includes, fraud, negligence, default, breach of trust and breach of duty, examples include

- a. Conduct that is an abuse of public trust or position as a public official
- b. Conduct that perverts the course of justice
- c. Conduct that violates Educating the Future's code of conduct, constitution and best practice policies
- d. Conduct that endangers the health and safety of individuals or the environment
- e. Conduct that is maladministration
- f. Conduct that results in serious or substantial waste of Educating the Future's assets, money and property
- g. Gross mismanagement or breaches of administrative procedures

*Reasonable Ground* means that a reasonable person in your position would also suspect the information indicates misconduct or a breach of the law

*Whistleblower* is a person who exposes any kind of information or activity that concerns misconduct, including but not limited to, illegal activity, unethical conduct, fraudulent activity and dishonest conduct.

## 4. SCOPE

- 4.1. This Policy applies to all Educating the Future services regardless of entity name or type. It encompasses all Directors and personnel including executives, managers, staff, contractors, consultants, volunteers and interns. It also extends to partners and suppliers.

## 5. PROCESS FOR DISCLOSURES

- 5.1. An individual upon observing misconduct or upon having evidence or reasonable suspicion that misconduct is occurring must make a disclosure to Educating the Future's Managing Director, the Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA)

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**5.2.** The Individual making the disclosure must have reasonable ground to suspect that the information contained in your disclosure concerns;

**5.2.1.** Misconduct, or

**5.2.2.** An improper state of affairs or circumstances

The information can be about Educating the Future, or an agent of Educating the Future, that engages in conduct that

**5.3.** The Managing Director will immediately escalate the information contained in the disclosure to the Board of Directors, if the information discloses that Educating the Future, or an agent of Educating the Future has engaged/ is engaging in conduct that;

**5.3.1.** Breaches the *Corporations Act*

**5.3.2.** Breaches other financial sector laws enforced by ASIC or APRA

**5.3.3.** Breaches an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months, or

**5.3.4.** Represents a danger to the public or the financial system

The Board of Directors will report the information to ASIC and APRA.

## **6. PROTECTION FOR DISCLOSURES**

**6.1.** Any individual who is listed under s 4.1 of this Policy, who makes a disclosure is protected from being negatively affected from making the disclosure. When making a disclosure, the individual's identity will be made confidential, unless the individual consents to being identified.

**6.2.** It is a civil offence to disclose the identity, or information that is likely to lead to the identification of the whistleblower.

**6.3.** It is an offence (criminal offence and civil penalty) for someone to cause or threaten detriment to a individual because they believe or suspect that the individual may have made or could make a whistleblower disclosure.

**6.4.** Disclosure of the identity or information that is likely to lead to the identification of a whistleblower, will amount to a serious breach of Educating the Futures Code of Conduct and will result in serious disciplinary action by the Board of Directors.

**6.5.** Educating the Future will never cause detriment to a whistleblower.

## **7. REVIEW**

**7.1.** The Board will review the following policy on a bi annual basis and shall amend the policy to reflect the current status of the organization

Date:

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Director Signature:

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