



Policy

Whistleblower

Organisational

Purpose

At Unity Housing Company Ltd (Unity) we are committed to achieving the highest standards of ethical business conduct. We are guided by our values which are the foundation of how we behave and interact with each other, our tenants, suppliers and other stakeholders. Our values reflect the priorities of the organisation and provide guidance in decision making.

The purpose of this policy is to ensure staff and other eligible people can raise concerns regarding any misconduct or improper state of affairs or circumstances (including unethical, illegal, corrupt or other inappropriate conduct) without being subject to victimisation, harassment or discriminatory treatment.

This policy aims to:

- encourage Whistleblowers to report an issue if they reasonably believe someone has engaged in serious wrongdoing;
- outline how Unity will deal with whistleblowing reports; and
- set out avenues for Whistleblowers to report serious wrongdoing to Unity.

This policy has been developed in alignment with the principles and requirements of the Corporations Act 2001 and Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019.

Scope

This policy applies to anyone who is, or has been, any of the following:

- Employees;
- Directors;
- Officers;
- Volunteers;
- Contractors (including employees of contractors);
- Suppliers (including employees of suppliers);
- Associates; and
- Relatives, dependants, spouses, or dependants of a spouse of any of the above.

Personal work related grievances are not covered under this policy and should be reported to the relevant line manager or Human Resources in accordance with Unity's Grievance Resolution Policy. Disclosures relating to personal work-related grievances do not qualify for protection under the Corporations Act, as applies to Whistleblowers.

Definitions

Refer Appendix A for definitions.

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Any matter that a Whistleblower has reasonable grounds to believe is misconduct or an improper state of affairs or circumstances, or is in breach of Unity's policies or the law, should be reported in accordance with this policy.

Reportable matters include any conduct that involves:

- Dishonest behaviour;
- Fraudulent activity;
- Unlawful, corrupt or irregular use of company funds or practices;
- Illegal activities (including theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage against property);



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- Unethical behaviour, including anything that would breach the Unity Code of Conduct;
- A breach of any legislation relating to Unity's operations or activities, including the Corporations Act 2001 (Cth),
- Behaviour that is oppressive, discriminatory or grossly negligent;
- An unsafe work-practice;
- Any behaviour that poses a serious risk to the health and safety of any person at the workplace;
- A serious risk to public health, public safety or the environment; or
- Any other conduct which may cause loss to Unity or be otherwise detrimental to the interests of the organisation.

Refer to Appendix A for further examples and definitions.

Internal Reporting for Unity Staff

Unity staff should first report any matters of concern to their Executive Manager or the Chief Executive Officer (CEO).

Where this is not appropriate (e.g. the allegations relate to that Manager), where the person making the report does not feel comfortable making an internal report, or where the staff member has made an internal report but no action has been taken within a reasonable time, the report can be made using Unity's external independent whistleblower hotline service, Stopleveline.

External Reporting

Disclosures may be made to Stopleveline, an external independent organisation which specialises in dealing with whistleblower reports. Disclosures can be made anonymously.

Stopleveline can be contacted via telephone (with no caller identification), in writing or via a secure email address as follows:

Telephone: 1300 30 45 50

Written Disclosure: Unity Housing
c/o The Stopleveline
PO Box 403 (locked bag)
Diamond Creek VIC 3089

Email: disclosures@stopleveline.com.au

Online: Search for Stopleveline 365 in the App Store or Google Play to download the free app and submit a disclosure

Stopleveline will prepare a report detailing the wrongdoing reported by the Whistleblower which will be forwarded to Unity's CEO for action. If a report involves the CEO, it will be directed to the Chair of the Unity Board for investigation and further action.

Information contained in reports and provided by Whistleblowers in the course of an investigation will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities or law enforcement agencies.

Support and Protections Available to Disclosers



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A Whistleblower will not be subject to any civil, criminal or disciplinary action for making a truthful report that is covered by this policy, or for participating in any subsequent investigation.

No staff member, officer or contractor of Unity may engage in detrimental conduct against a Whistleblower who has made or proposes to make a report in accordance with this policy.

All reasonable steps will be taken to ensure that a Whistleblower is not subject to any form of victimisation, discrimination, harassment, demotion, dismissal or prejudice because they have made a report. Any known or suspected harassment or retaliation against a Whistleblower will be investigated and appropriate disciplinary action, including termination of employment or a contractor's contract, may result.

However, this policy will not protect the Whistleblower if they are also involved in or connected to the improper conduct or illegal activities that are the subject of the report. Making a report will not necessarily shield the Whistleblower from the consequences flowing from their involvement. In some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

Support available for Whistleblowers includes connecting them with the Employee Assistance Program (EAP), appointing an independent support person from Human Resources to assist with any ongoing concerns they may have or connecting them with third party support providers such as Lifeline (13 11 14).

Use of these support services by a Whistleblower may require the Whistleblower to consent to disclosure of their identity or information that is likely to lead to the discovery of their identity.

A Whistleblower who knowingly makes false allegations may be subject to disciplinary action, including termination of employment or other relevant contract.

Investigation

The objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported. The CEO will initiate and supervise the investigation into all reports of misconduct or wrongdoing made under this policy as soon as possible after receipt of the report. The investigation will be conducted in a timely, thorough, confidential, objective and impartial manner recognising the principles of natural justice and best practice investigative techniques. The CEO is responsible for determining the scope of and resources applied to each investigation.

To avoid jeopardizing an investigation, a Whistleblower who has made a report under this policy is required to keep confidential the fact that a report has been made (subject to any legal requirements).

Where a Whistleblower wishes to remain anonymous, the Whistleblower's identity will not be disclosed to the investigator or to any other person.

Whistleblowers, where possible, will be provided with feedback regarding the commencement, progress and outcome of the investigation, subject to privacy and confidentiality considerations.

Where the Whistleblower is not satisfied with the outcome of an investigation they may lodge a complaint with the relevant regulator, such as the Australian Securities and Investments Commission (ASIC).



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The findings of any investigation will be documented and reported to the Board and Finance and Audit Committee, while preserving confidentiality.

Implementation

It is essential that all staff are aware of and comply with all relevant legislative requirements and internal policies and procedures. The Whistleblower Policy and associated documentation are available to staff through the Document Library on the intranet and other potential Whistleblower's via the Unity website.

Responsibilities

Whilst Unity recognises that all staff have responsibilities in the prevention of organisational misconduct, a more structured allocation of responsibility exists:

- The Board is the owner of this Policy and will monitor and review its effectiveness. These responsibilities are carried out with the assistance of the Finance and Audit Committee;
- The CEO is responsible for implementation of this Policy and is accountable to the Board for fostering a culture that supports the reporting of misconduct and any improper state of affairs or circumstances, and for monitoring and reporting on any Whistleblower reports and outcomes;
- The Executive Team is charged with understanding the obligation that they are responsible for implementing systems and processes to support the reporting of misconduct and any improper state of affairs or circumstances, regularly reviewing the effectiveness of processes and controls and adapting them where appropriate; and
- It is the responsibility of all staff and contractors to undertake their obligations diligently and to report any actual or suspected misconduct or improper state of affairs or circumstances within the organisation, as soon as practicable.

Associated Documentation

Code of Conduct Policy
Corporations Act 2001 (Cth)
Employee Assistance Program Policy
Grievance Resolution Policy
Privacy Act 1988 (Cth)
Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)

Endorsements

Unity Housing Company Ltd

A handwritten signature in black ink, appearing to be 'M. A. Smith'.

Chief Executive Officer

Date: 7/03/2023

Next Review Date:

1 February 2026



Appendix A - Definitions

Whistleblowing – The deliberate, voluntary disclosure of individual or organisational misconduct by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated misconduct within or by an organisation that is within its ability to control.

Whistleblower – A person who whether anonymously or not makes or attempts to make a disclosure as defined above in whistleblowing.

Fraud – Any dishonest activity causing actual or potential financial loss to Unity or any person, corporation or other entity connected with Unity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit.

The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered 'fraud'.

Examples of fraudulent conduct could include:

- theft of Unity funds or property;
- theft of tenant funds or property;
- misappropriation of funding or other assets;
- falsification of any records, account or document; or
- use of company property for personal benefit.

Conflict of Interest - A conflict of interest exists when a personal interest (financial or otherwise) interferes or could be perceived to interfere with an individual's ability to carry out their duties impartially for Unity.

Corruption – Any dishonest activity in which a Board member, staff member, volunteer or contractor acts contrary to the interests of Unity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

The concept of 'corruption' can also involve corrupt conduct by Unity or a person purporting to act on behalf of and in the interests of Unity, in order to secure some form of improper advantage for Unity either directly or indirectly.

Examples of corrupt conduct could include:

- payment or receipt of secret commissions;
- collusive tendering;
- receiving inappropriate gifts or entertainment;
- internet or email misuse;
- leaking of confidential or private information; or
- selective provision of information to benefit one tenderer over another.



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Misconduct – Whilst fraud, corruption and conflict of interest are all considered by Unity to be elements of misconduct, other forms of misconduct can potentially have an impact on the assets, operations and reputation of Unity. Other forms of misconduct include breaches of:

- employment or other service contracts;
- duty of care;
- Commonwealth or State legislation relating to work health and safety and discrimination; or
- Unity’s policies and procedures.

Personal work-related grievance – any matter in relation to the discloser’s employment, or former employment, having (or tending to have) implications for the discloser personally, but does not

- have any other significant implications for the employer; or
- relate to conduct, or alleged conduct, about a disclosable matter, for example:
 - an interpersonal conflict between the discloser and another employee;
 - a decision relating to the engagement, transfer or promotion of the discloser;
 - a decision relating to the terms and conditions of engagement of the discloser;
 - a decision to suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

Victimisation – An act of victimisation is committed when a person causes detriment to another on the ground that the other person, or a third person has made, or intends to make an appropriate disclosure.

Detriment includes:

- dismissal of an employee;
- injury of an employee in his or her employment;
- alteration of an employee’s position or duties to his or her disadvantage;
- discrimination between an employee and other employees of the same employer;
- harassment or intimidation of a person;
- harm or injury to a person, including psychological harm;
- damage to a person’s property;
- damage to a person’s reputation;
- damage to a person’s business or financial position;
- any other damage to a person.