

Related Policy

KAA Whistleblowers Policy

Procedure

This policy applies to and provides protections to those who qualify as Eligible Whistle-blowers as determined by the law. This includes former and present Directors, Board Committee members, employees, volunteers, suppliers and contractors (and their employees) of Key Assets Australia (KAA). The term also includes the relatives and dependents of each of these people.

Responsibilities

External whistle-blowers service CurbyMcLintock have been assigned as independent third-party providers. This allows anonymity should an individual refer to report in this manner.

The Director HR is responsible for this policy and procedure, including employees knowing and understanding the program, an easy process of making a report, investigating reports, as well as being a point of escalation for any concerns or retaliation that has taken place. While this individual reports into the organisation, the result of their work goes directly to the CEO/Board of Directors.

Day-to-day manager: The day-to-day manager views incoming reports, including those received from third party service providers acting on behalf of KAA (CurbyMcLintock), assigns these reports to case managers, and manages them as they conduct investigations. This person is the first line of escalation and works collaboratively with case managers to ensure anonymous reports are heard and acted upon. In the first instance, this is the Chief People Officer.

Case managers (assigned to each individual case): Case managers are assigned reports and their role is to investigate these reports. This includes interacting and asking questions of informants (where possible), as well as using the information provided to investigate the report submitted. Their investigation can be internal or external to the organisation depending on what was documented in the report. Their goal is to gather the facts and put forth a final report to management on what happened and what action they feel needs to take place.

People and Culture Team may be called upon to provide advice and guidance during any investigation. The whistleblowing program leverages their expertise and acumen to ensure KAA is using best practices during investigations, ensuring that all employees are treated fairly. Also ensuring there is ongoing support to the informant through EAP and other relevant bodies, as required.

You can remain Anonymous

KAA respects and protects your identity if you choose to make an anonymous report. You can choose to remain anonymous while making a report, interacting with case managers during an investigation of your report, as well as after your case is closed. At any given time, you can identify yourself, but this is your choice and at no point do you need to do this or will you be forced to provide your identity.

If you decide to disclose your identity, we will work to protect your identity and will outline and document who in the organisation will know you submitted your report. KAA will also take all steps necessary (as outlined in this procedure) to ensure you do not suffer any retaliation. It is worth noting that KAA will make every endeavour possible to investigate your report, but in some cases, there are limitations of what can be achieved if the informant decides to remain anonymous.

What is the Investigative Process?

It is important for KAA to be transparent with our employees and outline what the process is for investigating a report submitted through our whistleblowing channels.

Below, we have provided the different steps our whistleblowing team will go through once a report is received until the case is closed:

1. Report is made through whichever medium is chosen by the reporting party. This can be through CurbyMcLintock, Board, Individual Director, CEO or other Executive Director (each is an eligible recipient at law).
2. Report (anonymous or otherwise) is received. Where a complaint is made anonymously it is managed in the same way as a complaint from an identified complainant, however, it may not be possible to provide any feedback on the outcome of the complaint. Technically, any person within the organisation can receive a complaint, as long as they understand and know how to escalate the complaint in line with the Act's protections provisions.
3. An independent case manager (internal or external) is assigned to the report to assess it and confirm (if possible) its receipt.
4. The case manager will do an initial assessment to confirm it is a valid report and request permission to investigate.
5. The case manager will begin their investigation. This can include corresponding with the informant if there is a channel to do this.
6. The case manager will investigate and update management and the informant per policy guidelines.
7. Once the case manager has finalised their investigation and report, management and the informant will be updated.
8. At this point, the case manager will hand everything over to management for any subsequent action to take place.

How we use 3rd Parties?

At KAA, we utilise third parties in our whistleblowing program and strategy.

Examples of how we might utilise third parties include:

- **Whistleblowing experts:** KAA uses a third-party whistleblowing platform managed by CurbyMcLintock to ensure we protect informant's identities and leverage technologies to ensure no one in our organisation can identify them. This platform also allows for 2-way, anonymous communication as well as case management and data protection features.
- **Accounting Firms:** KAA could use third-party accounting firms to do forensic investigating of specific reports that come through our whistleblowing program, if required.
- **Investigative Firms:** KAA could use specialist investigative firms to investigate specific cases where we do not have the skills needed in-house. They are also used for investigations that we would prefer a third-party to execute on due to the nature of the report.
- **Human Resources Team/Consultants:** KAA utilises human resources consultants across our business, and they might be involved in specific whistleblowing cases, ensuring we use human resource best practices as we assess, investigate, and take action.

Protection & Immunity for Other parties (internally or externally) that might have to bear witness or are involved in the investigation will be protected from retaliation in the same manner as the informant.

Link to where you can lodge details

Website: <https://keyassets.whispli.com/lp/wecare>

via QR Code



Who is Alerted to a Report?

Once a report is submitted (anonymous or not), this report goes to Chief People Officer (unless implicated). This person will then assess the report and assign it to a case manager, who will manage the investigation. In instances where the report is made via our external whistleblower service, the CPO will be briefed by CurbyMcIntock. Certain senior managers might be alerted to the report as part of the reporting process or if they are involved in the investigation in some manner. Any information that could potentially identify an anonymous informant will be held in the strictest confidence and will not be shared, unless KAA is compelled by law.

What is the process of updating the Informant?

As part of our investigative process, KAA will update the informant of the progress of the investigation.

These updates can include the following:

- Confirmation of receipt of a report from the informant.
- Commencement of the investigative process.
- The investigation is currently ongoing.
- The investigation has been closed.

KAA will strive to provide as much feedback on the investigation as possible. However, due to our privacy guidelines or report being made without contact details for follow up, there is often information that cannot be shared with the discloser.

What if the Informant is not satisfied with the result?

If, after receiving the summarised report of the investigation, the informant is not satisfied with the result, they can escalate this to the Chair of the Finance Risk Audit Committee (FRAC). The informant can provide this escalation in writing so that a formal review can take place. While the Chair of FRAC commits to review the request, KAA is under no obligation to reopen the investigation.

If the FRAC concludes that the investigation was conducted properly and no new information exists that would change the results of the investigation, the investigation will be concluded. FRAC may also decide to use an independent third-party to review investigation.

Alternative reporting/disclosures

Alternative reporting to normal channels are available where:

- The normal reporting channel is considered inappropriate to the circumstances;
- KAA line management was notified but failed to deal with the report ; or
- The person or organisation disclosing wrongdoing is concerned about possible retaliation.
- In any of these circumstances, an internal Whistle-blower may provide the report of wrongdoing directly to;
- A Whistle-blower Governance Officer

- A person or entity who is eligible to receive the disclosure under the Corporations Act 2001.
- External Whistle-blower's (people or organisations with a relationship with KAA) who may provide the report of wrongdoing.
- A Whistle-blower disclosure can be made internally, however this does not mitigate their right to inform an independent whistleblowing service such as the Australian Securities and Investment Commission (ASIC), Australian Prudential Regulation Authority (APRA) or the Australian Taxation Office (ATO).

Other Complaint Mechanisms

This policy and procedure is in addition to:

- Grievance procedures for employees, which is for all employees to raise any matters they may have in relation to their work or their work environment, other persons, or decisions affecting their employment. This policy does not replace other reporting structures such as those for dispute resolution, discrimination, victimisation or matters relating to workplace bullying or harassment.
- Standard complaint mechanisms for clients or volunteers; and
- Any exercising of rights under the terms of their contract by contractors and suppliers.

An exception to this is where the issue is wrongdoing of a serious nature, yet the existing reporting system fails to attend to the issue or has processed it in a substantially inappropriate, grossly unfair, or heavily biased manner.

Related Documents

Code of Conduct

Conflict of Interest

Capabilities Performance Standards

Disciplinary Rules and Procedures

Approval and Procedure Owner

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