

Whistleblowers program

North Coast Community Housing is committed to maintaining a culture of good governance and corporate compliance including high standards of conduct, and ethical behaviour.

The reporting of improper conduct is a key element in developing this ethical culture, as well as protecting our reputation and our assets, and avoiding unsafe practices.

Our Whistleblower policy aims to:

- encourage people within and outside the organisation to come forward and raise concerns regarding actual or suspected contravention of our ethical and legal standards without fear of reprisal or feeling threatened by doing so;
- outline how North Coast Community Housing will deal with all reported misconduct or unethical behaviour; and
- assist in ensuring that serious misconduct or unethical behaviour is identified and dealt with appropriately.

Our Whistleblower program is based on Australian Standard "Whistleblower Protection Programs for Entities" AS 8004:2003.

If you wish to make a disclosure, prior to taking action, whether anonymously or not, please read this policy

What Is Whistleblowing?

A whistleblower is a person who makes a disclosure outside normal business channels, whether anonymously or not, with respect to inappropriate conduct such as **corruption, fraud** or some other illegal or undesirable activity.

A whistleblower program is an important mechanism which allows North Coast Community Housing to detect illegal or other undesirable conduct, and as such is a necessary ingredient in achieving good corporate governance.

One of the primary purposes of this whistleblower program is to provide protection for whistleblowers against reprisal for having "blown the whistle".

Who Can Blow The Whistle?

North Coast Community Housing has designed this whistleblower program to be available not only to all directors, managers, employees or contractors of North Coast Community Housing, but also to clients, carers, tenants, and other stakeholders who, whether anonymously or not, wish to make a report in connection with misconduct, using the mechanisms set out in this program.

Reportable Conduct: What Types Of Conduct Should Be Reported?

North Coast Community Housing encourages individuals to report conduct that:

- Is dishonest and/or unethical (either representing a breach of the NCCH Code of Conduct or generally).
- Amounts to gross mismanagement, serious and substantial waste, abuse of authority, or repeated instances of breaches of organisational policies and procedures.

- Is fraudulent or amounts to corrupt practice (including the offering or accepting of bribes and/or secret commissions).
- Is illegal or breaches any law or regulation applicable to North Coast Community Housing.
- Represents a significant breach of the terms of any contract in which North Coast Community Housing is bound.
- Amounts to coercion, harassment or discrimination by, or affecting, any employee of North Coast Community Housing.
- Is misleading or deceptive conduct of any kind, including conduct or representations which amount to improper or misleading accounting, or financial reporting practices either by, or affecting North Coast Community Housing.
- Poses a danger to the health or safety of the public, tenant or employee, and is being ignored, or is not being dealt with effectively through normal internal processes.
- Poses a significant threat to the environment and is being ignored, or is not being dealt with effectively through normal internal processes.
- May cause material financial or non-financial loss (including reputational damage) to North Coast Community Housing, or may otherwise be detrimental to North Coast Community Housing.
- Would otherwise be considered, by a reasonable person, to be serious improper conduct.

Improper conduct would also include a deliberate attempt to conceal any of the above actions.

Satisfaction of The Truth Of Allegations And Supporting Evidence

It is very important that when an individual reports an incident through our whistleblower program that they have first satisfied themselves that there is reasonable evidence to support their concerns.

Documented evidence of the concerns is desirable for an investigation to commence. The whistleblower should be able to:

- Describe what/how they believe the misconduct has occurred;
- Identify some of the people involved in the alleged misconduct; and
- Have a fair idea of when it occurred

The more evidence a whistleblower is able to provide the more effective the investigation will be.

However, a whistleblower should not delay in making a disclosure once they are reasonably satisfied they have first hand knowledge of the facts.

Our Whistleblower Program Objectives and Commitment

Statement Of Commitment

North Coast Community Housing is committed to:

- Providing an ethical culture and work environment for its employees and contractors;
- Encouraging the confidential and timely disclosure of information about fraudulent, illegal, corrupt or otherwise suspected reportable conduct in connection with North Coast Community Housing 's activities, in accordance with the Australian Standard "Whistleblower Protection Programs for Entities" AS 8004:2003;
- Supporting and protecting the interests, welfare and as far as possible, the identity of individuals who come forward with such information in good faith for the benefit of North Coast Community Housing;
- Providing a confidential and secure method for employees to pass on information about misconduct; and
- Eliminating instances of fraudulent or corrupt practices thereby safeguarding members' investment in North Coast Community Housing and protecting its business reputation with its customers and the community at large.

Objectives of Our Whistleblower Program

The objectives of our whistleblower program are to:

- Encourage the reporting of matters that may cause financial or non-financial loss to the North Coast Community Housing, or damage to North Coast Community Housing's reputation, including all **reportable conduct**.
- Enable North Coast Community Housing to effectively deal with reports from whistleblowers in a way that will protect the identity of the whistleblower and provide for the secure storage of the information provided.
- Establish policies for protecting whistleblowers against reprisal by any person internal or external to North Coast Community Housing.
- Provide for the appropriate infrastructure including the appointment of separate individuals responsible for protecting the Whistleblower ("Whistleblower Protection Officer") and Whistleblower investigator/s.

Allocation of Resources

In support of our commitment to developing a culture of corporate compliance and ethical behaviour North Coast Community Housing has allocated the following resources necessary to implement a whistleblower protection program:

- A Whistleblower Protection Officer
- Investigation resourcing
- An independent reporting line to the General Manager or Chairperson or other nominated Whistleblower Manager.
- Regular training for all staff
- A mechanism for appeals

Training of Staff

North Coast Community Housing is committed to training its staff with respect to the importance of reporting corrupt and illegal practices, as well as the seriousness of malicious or vexatious reporting.

This training is provided to all new staff as part of our induction program and on an ongoing basis as required.

Whistleblower Protection Officer

North Coast Community Housing's Whistleblower Manager will appoint a "Whistleblower Protection Officer" whose role it is to safeguard the interests of the whistleblower as set out in this program. The Whistleblower Protection Officer will be independent of the investigation, and will have a direct reporting relationship to the Whistleblower Manager in protecting the whistleblower.

An employee or director may be appointed a Whistleblower Protection Officer for the duration of the investigation and its aftermath.

Whistleblower Investigator

The role of the Whistleblower Investigator is to investigate the substance of the complaint, to determine whether there is evidence in support of the matters raised or, alternatively to refute the report made.

The Whistleblower Investigator will be responsible for:

- The conduct of a fair, professional, and timely investigation;
- Maintaining confidentiality; and
- Reporting their findings to the Whistleblower Manager.

Where a whistleblower disclosure has been made, the Whistleblower Manager will appoint a Whistleblower Investigator who may be either an employee or director, or a person external to NCCH.

The appointment will be based on ensuring the Investigator has the appropriate skills to investigate the particular nature of the disclosure, and is at arms length from the parties involved in the disclosure.

Protection for Whistleblowers

North Coast Community Housing will take all practicable action to ensure a whistleblower is not disadvantaged by having made a report of misconduct in good faith. This includes protection from:

- Dismissal or demotion
- Any form of harassment or discrimination
- Current or future bias

Anonymity and Confidentiality

Where a whistleblower requests anonymity, North Coast Community Housing will, as far as reasonably possible, protect the person's identity unless they are legally required to disclose it.

Information received from a whistleblower will be held in the strictest confidence and will only be disclosed to a person not connected with the investigation if:

- The whistleblower has been consulted and consents in writing to the disclosure; or
- North Coast Community Housing is legally required to do so.

All files created with respect to a whistleblower disclosure and investigation must be kept securely.

The whistleblower will be advised if matters change in a way that affects North Coast Community Housing's ability to protect the person's identity. North Coast Community Housing will give the person as much warning as reasonably possible if it appears likely that the whistleblower's identity will become known.

Immunity from Action

To promote a culture that encourages whistleblower reports it is NCCH's policy that its staff will be provided with immunity from disciplinary proceedings that may have otherwise arisen from the matters that are the subject of the whistleblower report, if:

- Where a whistleblower has acted in good faith; or
- The individual involved has not him/herself engaged in serious misconduct or illegal activity

Note: North Coast Community Housing has no power to offer any person immunity against criminal prosecution.

Reprisals against a Whistleblower

If a person believes there have been reprisals taken against them which have not been dealt with effectively by North Coast Community Housing's management team, they have an automatic right to appeal to the Whistleblower Manager.

The Whistleblower Manager shall convene a committee consisting of at least 3 directors and/or other appropriately qualified independent individuals to consider the appeal. An external mediator may be used in place of an appeal committee.

North Coast Community Housing undertakes to follow the recommendations of the appeal committee or mediator where practicable.

North Coast Community Housing considers any action by employees against whistleblowers to be serious misconduct in itself, and any employee who acts against a whistleblower will face disciplinary action.

The *Corporations Act 2001* (Corporations Act) protects certain whistleblower activities, and protects whistleblowers from persecution. These protections are designed to encourage people within companies, or with special connections to companies, to alert the Australian Securities and Investments Commission and other authorities to illegal behaviour.

Guarantee That Whistleblowers Will Receive Feedback

The person making the disclosure will receive an acknowledgement within 2 business days that their disclosure has been received.

In addition to the protections provided to Whistleblowers, North Coast Community Housing endeavours to ensure that where the person making a report is an employee, the whistleblower is kept informed of the outcomes of the investigation into their disclosure. This is subject to considerations of privacy of those against whom the allegations are made, and our practices with respect to confidentiality.

If the investigation is likely to be lengthy, interim feedback on progress may be appropriate.

If the person making a whistleblower report is not an employee, then they will be provided with feedback on the outcomes of the investigation provided they first sign a confidentiality agreement in relation to any information provided to them.

How to Blow the Whistle

What Information to Provide

The more information you provide, the greater our ability to investigate, as well as determine that there is a reasonable basis for the concern. The following information should be provided:

- A description of the misconduct
- The names of any of the people involved
- Some information on when the misconduct occurred

How to Report the Information

The following avenues are available for disclosure of wrongful activities as defined in the **Reportable Matters** under this policy:

- Submit the information with your name to the **Whistleblower Manager**;
- Submit the information anonymously to the **Whistleblower Manager**;

Whistleblower Manager Contact options

NAME: John McKenna, Chief Executive Officer
Phone:(02) 6627 5310
Email: john.mckenna@ncchc.org.au
Address: 31 Carrington Street, Lismore NSW 2480

OR

NAME: John Stone, Chairman
Phone:0427 299 311
Email: jstone2@bigpond.net.au
Address: PO Box 282 SOUTH GRAFTON NSW 2460

If reporting a breach of the Corporations Act or the Australian Securities and Investments Commission Act (ASIC Act), then the report may also be made to ASIC or North Coast Community Housing's auditor, or a member of an audit team making the audit.

Next Steps

Unless you have decided to report the information anonymously, you will be provided with:

- The name and contact details of the person who will be your nominated "Whistleblower Protection Officer"; and
- Information on the outcomes of the investigation.

Should you believe that you are not being adequately protected as a result of your whistleblower disclosure, you may appeal to the Whistleblower Manager.

| INFORMATION | |
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| Title | Whistleblowers program |
| Section | Corporate Services |
| National Regulatory Code Evidence Guideline | Performance Outcome 4: Governance |
| National Community Housing Standard | Standard 5.2 Good governance |
| Last review | 30 April 2014 |
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