



Do you need to
make a complaint?
**We have someone
you can talk to.**



www.coastshelter.org.au

What is a complaint?

A complaint usually occurs when a client or stakeholder is unhappy with the quality of service they have received. It may be a decision that has been made, or an action that has been taken, or a failure to act. Complaints may relate to not being listened to or being treated unfairly.



How does Coast Shelter manage complaints?

Coast Shelter is committed to providing excellent client service and will seek to action complaints as quickly as possible. You can informally resolve the complaint by talking to a Coast Shelter staff member you trust. Or, make a formal complaint to head office. In any case, we will act openly and honestly within clear timeframes and objectives.

- All complaints are managed with a position of confidentiality. You can choose to remain anonymous. However, it may limit our ability to respond.
- Coast Shelter will strive to resolve the complaint fairly and respectfully.
- We will consider each issue including the impact on the complainant, and our ability to alter the outcomes.
- We will refer to the relevant Policy and Procedures if applicable.

Making a complaint

- Coast Shelter will acknowledge your complaint within two business days.
- We will strive to resolve any complaint in a fair and transparent manner.
- We investigate complaints to establish what action we can take to achieve a fair and suitable outcome.
- We will communicate the outcome and reasons for the decision to the complainant and any actions taken by Coast Shelter to resolve the matter.
- We will follow up with the complainant with ongoing changes.

How to make a complaint

1. Talk to a Coast Shelter Staff member or Case Manager you trust
2. Write an email to admin@coastshelter.org.au
3. By calling head office at (02) 4325 3540
4. You can also make a complaint to an external agency such as:

NSW Ombudsman

P: (02) 9286 1000 or 1800 451 524

E: nswombo@ombo.nsw.gov.au

W: www.ombo.nsw.gov.au

The Anti-Discrimination Board of NSW

P: (02) 9268 5544 or 1800 670 812

E: complaintsadb@agd.nsw.gov.au

W: www.antidiscrimination.justice.nsw.gov.au

NSW Information and Privacy Commissioner

P: 1800 472 679

E: ipcinfo@ipc.nsw.gov.au

W: www.ipc.nsw.gov.au

About Coast Shelter

Coast Shelter is a not for profit organisation providing accommodation and support services to homeless persons and victims of domestic and family violence on the Central Coast. Coast Shelter's programs include nine crisis refuges and a Community Centre which provides free meals and practical assistance to help people avoid homelessness.

Coast Shelter's ten accommodation programs are funded by the NSW Department of Family and Community Services. The Coast Community Centre is funded by our Central Coast community supporters.



Coast Shelter acknowledges the Darkinjung people, the custodians of the land on which we work, live and gather, and we recognise their continuing connection to land, water and community. We pay respect to Elders past and present and the emerging young leaders of tomorrow.

Coast Shelter is proudly committed to diversity and social inclusion, incorporating Aboriginal and Torres Strait Islander peoples, those who identify as LGBTQIA+, people who live with a disability, and those from culturally and linguistically diverse backgrounds.

Coast Shelter is recognised by the Australian Taxation Office as a Public Benevolent Institution and is a Registered Charity (CFN: 15695) making all donations over \$2 tax deductible.



Head Office

Phone (02) 4325 3540
Email admin@coastshelter.org.au
Address 346 Mann Street, North Gosford
Postal PO Box 1234, Gosford NSW 2250
ABN 46 095 999 287

Policy Privacy, Confidentiality and Decision- Making



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Applies to: Staff & Volunteers
Specific responsibility: Operations Manager

Policy context This policy relates to:	
Standard:	Information
Legislation or other requirements:	Australian Privacy Principles Privacy Amendment (Enhancing Privacy Protection) Act 2012 Health Records and Information Privacy Act 2002 (NSW) Privacy Act 1988 (Cth) Notifiable Data Breach Scheme

1. Purpose

This policy applies to all employees, volunteers, students and consultants who are engaged to work with clients directly and who have access to information pertaining to clients.

This policy provides guidance regarding how the organisation collects, uses, discloses and otherwise manages personal information. It also provides guidance regarding legal obligations and ethical expectations in relation to privacy and confidentiality.

The aim of this policy is to:

- facilitate the provision of quality services for which information is collected, stored, used and disclosed in a manner that complies with both legislative requirements and ethical obligations
- inform all staff and Board members about their privacy and confidentiality responsibilities in relation to personal and organisational information about Coast Shelter, its clients, staff, volunteers, students and stakeholders.

2. Policy Statement

Coast Shelter is committed to ensuring that information is used in an ethical and responsible manner and recognises the need to be consistent, careful and thorough in the way that information about clients, staff, Board members, students and volunteers is recorded, stored and managed.

In terms of information, Coast Shelter:

- collects personal information in private environments, as private as possible, to protect the privacy and dignity of individuals
- collects and uses personal information only to fulfil its functions and purposes, or for another acceptable reason with the relevant person's consent (unless exceptions covered in Section 6 in the Procedures Section apply); acceptable purposes for collection and use include
 - for clients—service provision, referral, consultation, advocacy, reporting aggregate data for funding bodies, external audits and research
 - for staff, volunteers and students—recruitment, selection, employment, induction, payroll and tax, leave, supervision, development, performance management and review, and any other legitimate work-related purpose
 - for consultants and contractors—tendering, contract creation, monitoring and execution
- ensures that all persons about whom personal information is being obtained are informed why the information is being collected and how it is and will be used, stored and administered
- stores personal information securely, protecting it from unauthorised access

¹ From here when the term 'volunteer' is used, it means or can mean client, volunteer, student, staff member, Board member or other stakeholders (e.g., consultants).

- provides clients and other stakeholders access to their own information and the right to seek its correction

- provides information to clients about their rights regarding privacy in ways that clients find accessible and understandable to them.

Coast Shelter has a legal obligation to comply with the Privacy Act 1988 (Cth) and with the Australian Privacy Principles.

Coast Shelter respects clients' rights to acknowledge or refuse their consent for the various purposes it seeks to collect personal information and share information. Clients who acknowledge their consent for any purpose also have the right to withdraw their consent at a later time.

Coast Shelter documents clients' consent, which is preferably provided in writing. If clients give their verbal consent for any purpose, this must be recorded by the worker taking consent and then placed on file.

When a client refuses or withdraws his or her consent for any purpose that inhibits or prevents effective service provision, the implications of this should be explained and explored with the client—with the goal of overcoming any concerns that have led to the withholding of consent. The use of formal or informal advocacy may be helpful in such situations.

3. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	Operations Manager	Chief Executive Officer

4. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 02	16 March 2022  <i>Michael Starr, Chief Executive Officer</i>	March 2024

Procedure Privacy, Confidentiality and Decision Making

Applies to: Staff & Volunteers
Specific responsibility: Operations Manager

1. The purpose of collecting information

Coast Shelter collects personal information if it is reasonably necessary or if it directly relates to the client's circumstances in the context of service provision.

2. Privacy statement

After engaging with Coast Shelter, all clients receive a privacy statement. This is provided to them in the information pack all clients receive on entering a service. The privacy statement includes the following:

- the purpose of collecting information
- how the information will be used
- the type of information that is collected
- limits to the privacy of personal information
- how a client can access or amend his or her information
- how a client can make a complaint about the use of his or her personal information.

3. How information is collected

- Coast Shelter collects personal information through several different mechanisms, including
- client information management system (CIMS)
- face-to-face meetings
- telephone and email communications
- case conferences.

4. Type of information collected

- Coast Shelter collects and holds personal information about a client when the information is relevant to providing services to the client. The type of information collected includes the following
- client names, addresses and contact details
- intake, assessment and reassessment documentation
- client case management plans and plan revisions
- referrals to other agencies

- consent to collect and exchange information
- feedback and complaints from clients
- reports from other agencies
- case closure and service exit documentation.

Coast Shelter will only use client information for the purpose of service promotion when the client has provided written consent.

5. Collection principles

The following principles guide data collection practice

- Coast Shelter will only collect information that is necessary for the performance and primary function of the organisation.
- Coast Shelter will explain to clients the purpose of collection and how the information is used.
- Coast Shelter will advise clients that any data collected are accessible to the individual.
- Coast Shelter collects personal information from the clients themselves whenever possible.
- If the information was collected from a third party, Coast Shelter will notify the clients and advise them the purpose of the collection.
- Coast Shelter will ensure that the client has provided consent to the collection of sensitive information. Sensitive information includes information about mental health, religious beliefs and ethnicity.

6. Pre-collection tasks

Prior to entering information into the CIMS, it is important to complete the following:

- Coast Shelter will provide new clients the Charter of Rights and Responsibilities and ensure that the information in this document is explained to them. The Charter should be signed by Coast Shelter staff, and clients should also be asked to sign.
- Coast Shelter explains to each person the purpose of collecting data.
- Coast Shelter ensures that the CIMS levels of consent are explained to all new clients, and that consent is obtained.
- When clients have difficulty reading or speaking English, Coast Shelter takes the time to read the information to them and checks that they have understood the information. If there is doubt regarding whether the client has understood the information, the Coast Shelter worker will arrange interpreter services prior to requesting the client's signature.

7. Consent and decision-making

A client's personal information should only be collected with his or her informed consent. When the client does not have the capacity to provide informed consent, personal information is collected through appropriately supported decision-making or substitute decision-making processes.

Informed consent

Informed consent refers to advising clients of several matters before obtaining their consent. These matters include:

- why the information is being collected
- what will happen to the information being collected
- clients' rights to be told about the support they will receive
- what the likely outcomes of the support might be
- the provision of information to and from other services with which the clients are involved, or to which clients are to be referred
- what the consequences are for the client (if any) if he or she does not provide the information.

Supported decision-making

If a person does not have the capacity to provide informed consent, and he or she has family, friends, advocates or other support people, then you should work with the person's informal network to assist him or her in a collaborative way. If needed, refer the person to an advocacy organisation. The NSW Government's publication, the Capacity Toolkit,¹ provides a framework that assists workers with the issues of capacity and consent in decision-making. The NSW Information and Privacy Commission has also developed the Privacy and People With Decision Making Disabilities Guide² to assist workers in this area.

Substitute decision-making

If the person has a formal guardian, with a current guardianship order, and if the order covers the areas of person's life that are in scope for service provision, then you should work with the guardian and the person to obtain necessary consent.

If you are still unsure if the person can provide informed consent, and he or she does not have support persons, advocates or guardians, then you should seek advice from the Guardianship Division of the NSW Civil and Administrative Tribunal.³

8. Personal information integrity

Coast Shelter takes steps to ensure that the personal information collected, used and disclosed is accurate, current, complete and relevant.

Coast Shelter takes reasonable steps to protect the personal information it holds. These include steps against loss, interference, unauthorised access, modification or disclosure and other misuse of information. All information is protected by the following mechanisms

- locking filing cabinets and unattended storage areas
- physically securing areas in which the personal information is stored

- not storing personal information in public areas
- positioning computer terminals and fax machines so that they cannot be observed or accessed by unauthorised people or members of the public
- securely disposing, destroying or de-identifying information that is no longer required by the organisation.
- The following technical safeguards are used to protect information
- using passwords to restrict computer access, with regular changes to passwords required
- establishing different access levels so that not all staff can view all information
- using electronic audit trails
- installing virus protection and firewall software.
- For more information, refer to the Professional Ethics and Code of Conduct Policy.

9. Access to personal information

Individuals have a right to access to personal information under the Privacy Act 1988 (Cwlth) and may request access to information held about them.

Situations in which access to information may be withheld include that

- access may threaten the life or health of an individual
- access may leave an unreasonable effect on the privacy of others
- the request is clearly frivolous or vexatious, or that access to the information has been granted previously
- the information is relevant to existing or to anticipated legal proceedings
- denial of access is required, either by legislation or law enforcement agencies.

10. Authority to exchange information and information sharing

Confidentiality and consent

Information pertaining either to an individual or to the organisation is generally considered confidential. Coast Shelter ensures that a client signs an 'authority to exchange information form' (or similar document) prior to releasing information to other persons or organisations, such as through referral to another service. The client's consent is sought for different types of information exchanges separately. The 'authority to exchange information form' will list each specific type of information to be exchanged, without generalisations. A client has the right to provide or refuse consent for each specific type of information that the organisation wishes to exchange. A client can also withdraw the consent that they had previously provided.

Reporting non-identifying information

An organisation may be required to report to funding bodies, or to other government departments, on large scale. This generally involves non-identifying data collections (e.g., minimum data sets). When this is the case, a person's consent to share his or her data should not be taken for granted on the grounds that the data is non-identifying. Consent from the person should be sought—which can be refused or withdrawn—to participate in data collections of this nature.

Providing access to personal information for service audits

When an organisation undertakes accreditation against any service standards that involve external auditors reviewing client files, it should obtain client consent in writing. (However, this is unnecessary if client consent for this purpose was previously obtained.)

Sharing information without consent

Australian privacy legislation allows for sharing information without consent if failing to share information is believed to lead to certain risks. The disclosure of personal information without consent to government agencies, other organisations or individuals is permitted if

- it is authorised or required by law
- it is unreasonable or impracticable to seek consent
- consent has been refused
- the disclosure is reasonably necessary to prevent or lessen a serious threat to the life, health or safety of a person or group of people
- the organisation is a mandatory reporter, and it is legally obliged to release information to relevant authorities when making a report about a child who is believed to be at risk of significant harm.

The decision to share information without consent must be based on sound risk assessment and then approved by a member of the Executive of Coast Shelter.

11. Professional Ethics and Code of Conduct

All staff are required to abide by the Coast Shelter Professional Code of Ethics and Conduct in relation to privacy and confidentiality.

12. Complaints

Clients have a right to make a complaint if they feel that there has been a breach of their personal information. Coast Shelter will

- inform clients of their right to make a complaint
- make the complaints procedure available to clients at the initial interview

log complaints about information handling in the complaints register and act to rectify problems.

13. Archiving and destruction

Coast Shelter has a legal obligation to appropriately store and destroy information within time frames. For specific periods for the retention of information, refer to the Records and Data Retention Guidelines.

5. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	Operations Manager	Chief Executive Officer

6. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 02	<div>16 March 2022</div> <div></div> <div>Michael Starr, Chief Executive Officer</div>	March 2024

Fraud Prevention Policy



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Applies to: Staff & Volunteers
Specific responsibility: Finance Manager

Policy context This policy relates to:	
Standard:	Finance
Legislation or other requirements:	Public Interest Disclosure Act 2013 (Cwlth) Crimes Act 1900 No. 40 Corporations Act 2001 (Cth) Australian Securities and Investments Commission Act 2001 No. 51 Charitable Fundraising Act 1991 No. 69

1. Purpose

This policy aims to prevent, detect and investigate all forms of fraud and corruption at Coast Shelter.

Coast Shelter aims to establish an environment in which fraudulent or corrupt conduct is not tolerated, as well as one in which Board members, employees and volunteers do not act dishonestly.

2. Policy Statement

Coast Shelter shall develop and maintain a culture of honesty and integrity and implement processes that ensure the effective prevention, detection and management of fraud and corruption. Coast Shelter has adopted a zero-tolerance approach to fraud and corruption in all organisation activities, which is consistent with the Code of Conduct and the law.

Coast Shelter’s fraud and corruption policy is aligned with the Coast Shelter Code of Conduct, which requires ethical practices that are consistent with professional standards that provide the foundation for all services and programs.

3. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	Finance Manager	Chief Executive Officer

4. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 03	16 March 2022  <i>Michael Starr, Chief Executive Officer</i>	March 2024

Procedure Fraud Prevention

Applies to: Staff & Volunteers
Specific responsibility: Finance Manager

The following procedure can be implemented to enact this policy:

1. Coast Shelter defines fraud as ‘the theft or misuse of funds or other resources, by an employee or a third party, which may or may not also involve alterations of financial documents or records to conceal the theft or misuse’.
2. Fraud includes but is not limited to
 - the theft of funds or any other Coast Shelter property
 - the falsification of costs or expenses
 - the forgery or alteration of documents
 - the destruction or removal of records
 - the inappropriate personal use of Coast Shelter’s assets
 - employees seeking or accepting cash, gifts or other benefits from third parties in exchange for preferring the third parties in their dealings with Coast Shelter
 - blackmail or extortion
 - the payment of excessive prices or fees to third parties with the aim of personal gain.
3. All Coast Shelter employees are accountable for—and play a role in—fraud and corruption control. Any staff member who suspects fraudulent or corrupt activities will follow the procedures outlined in the Coast Shelter Whistleblower Policy.
4. Coast Shelter will regularly review its policies and procedures to ensure that they provide an adequate framework for proper workplace conduct.
5. All workers must be familiar with Coast Shelter’s policies and procedures, and they must sign their acknowledgement of Coast Shelter’s Code of Conduct.
6. Coast Shelter will undertake a risk management assessment process that includes a risk assessment relating to fraud and corruption on at least an annual basis. A risk management plan will be developed to remove or reduce any identified risks.
7. All Coast Shelter staff must immediately report any suspected fraud or corrupt conduct to their supervisors. Senior managers must ensure that all cases of suspected fraud and corrupt conduct are reported to the person identified by the Board as responsible for managing these reports.
8. Any employee who reports suspected fraud is protected by Coast Shelter through the Code of Conduct and the protections afforded by the *Public Interest Disclosures Act 2013* (Cwlth).
9. The obligation to refer criminal matters to the NSW Police is contained in Section 316 of the *Crimes Act 1900* (NSW). If an employee is reasonably believed to have committed a criminal offence, the matter should be referred to the NSW Police.
10. Alleged or suspected corrupt conduct is investigated by the Coast Shelter Chief Executive Officer or other appropriate staff, or it is referred to an external agency for investigation.

11. Investigations will consider what improvements can be made to Coast Shelter's policies and procedures.
12. The Coast Shelter executive maintains a confidential database of all suspected fraud and corrupt activities.
13. When Coast Shelter has suffered loss, full restitution will be sought in relation to any benefit or advantage that has been obtained. The recovery of costs will be sought from the individual(s) or organisations responsible for the loss.

If the individual or organisation cannot, or will not, make full restitution of the loss, then consideration will be given to taking civil legal action to recover the loss. This is in addition to any ensuing criminal proceedings. The final decision regarding whether to prosecute or not lies with the Board of Management.

5. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	Finance Manager	Chief Executive Officer

6. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 03	16 March 2022  <i>Michael Starr, Chief Executive Officer</i>	March 2024

Volunteers & Contractors Code of Conduct



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Applies to: Volunteers & Contractors
Specific responsibility: People and Culture Manager

Policy context This policy relates to:	
Standard:	People

1. Statement

At Coast Shelter we act honestly, fairly, with integrity and in accordance with legal requirements. This Code of Conduct sets out our expectations for how our volunteers and contractors will conduct themselves.

Coast Shelter's volunteers and contractors must maintain high moral and ethical standards.

This Code of Conduct is not intended to be exhaustive and cannot anticipate every situation which may morally or ethically compromise a volunteer and contractor or Coast Shelter. In this regard, Coast Shelter expects its volunteers and contractors to use their common sense and sound judgment.

If in doubt as to how she or he should act in any situation, the volunteers and contractors should always contact a Coast Shelter manager and seek advice prior to taking any action. All requests for advice will be dealt with as confidentially as possible in the circumstances.

2. Scope

This Code of Conduct applies to all volunteers and contractors while engaged with Coast Shelter, including when attending Coast Shelter related business and social functions on and off site and other Coast Shelter-related events ("the workplace").

References to "Coast Shelter" are references to Coast Shelter and each of its Related Bodies Corporate.

3. General Principles

As a rule of thumb, all volunteers and contractors must conduct themselves in accordance with the following common-sense principles:

- act honestly, diligently, in good faith and with integrity in all business transactions and dealings with others in connection with their engagement with Coast Shelter;
- treat other employees, contractors, volunteers, customers, competitors, and all other persons with whom they deal at work with courtesy and respect, being professional and responsive in their dealings with others;
- respect, support and engage with the collaborative nature of our workplace;
- maintain necessary confidentiality, including not using or disclosing without authority, Coast Shelter or client information, including after they cease engagement with Coast Shelter;
- not act for an improper or ulterior purpose to the detriment (whether perceived or actual) of Coast Shelter;
- not compromise their duty to act within the best interests of Coast Shelter;
- not make adverse public comment about Coast Shelter or its officers or employees;
- observe health and safety policies and obligations; and
- comply with all laws and regulations applicable to the business of Coast Shelter.

- Breaches of the Code of Conduct may expose volunteers and contractors to disciplinary action, up to and including possible termination of engagement and contracts.

4. Professional Conduct

Child protection

All volunteers and contractors who work with children or young people at Coast Shelter are mandatory reporters. This means they are required to immediately inform the Operations Manager of any child protection concerns in relation to any child or young person who is a client of Coast Shelter.

A report must be made to Communities and Justice where there is a current concern about the safety, welfare and wellbeing of a child or young person under 18, for any of the following reasons:

- the basic physical or psychological needs of the child or young person are not being met (neglect);
- the parents or caregivers have not arranged necessary medical care for the child or young person (unwilling or unable to do so);
- the parents or caregivers have not arranged for the child or young person to receive an education in accordance with the Education Act 1990 (unwilling or unable to do so);
- risk of physical or sexual abuse or ill-treatment;
- parent or caregiver's behaviour towards the child causes or risks serious psychological harm (emotional abuse);
- incidents of domestic violence and as a consequence a child or young person is at risk of serious physical or psychological harm (domestic or family violence).

Further, where a volunteer and contractor has any concern in relation to inappropriate conduct towards any child or young person under 18, whether that conduct occurs in the workplace or not, the matter must be immediately reported to the Operations Manager who will determine the appropriate government bodies to contact.

Conflicts of Interest

All volunteers and contractors have an obligation to avoid financial, business or other relationships which might conflict with the legitimate business interests of Coast Shelter or the proper performance of their duties.

Such a conflict will exist where a volunteer or contractor compromises his or her ability to act with total objectivity with regard to Coast Shelter's business interests.

Examples of conflicts of interest include, but are not limited to, the following:

- If a volunteer and contractor is engaged by a competitor whilst volunteering or completing services for Coast Shelter;
- If a volunteer or contractor provides services on behalf of Coast Shelter to a business in which they or their family have financial interest; and
- If a volunteers or contractors family member has a substantial financial interest in a business which is a competitor, contractor or supplier to Coast Shelter.

All potential or actual conflicts of interests must be disclosed in writing to the People & Culture Manager.

Coast Shelter may either approve the conflict upon conditions, or exclude the volunteer or contractor from the conflict situation.

Secret Commissions

Volunteers and contractors must not, in the course of their service or engagement, receive, obtain or attempt to obtain from any client, customer, contractor or supplier or any other person with whom they deal any secret commission or profit. Any such actions must be immediately reported to the People & Culture Manager.

Volunteers and contractors must also not offer or give secret commissions, hidden gratuities, or confidential payments to third parties who might influence prospective clients or customers, including without limitation government or quasi-governmental officials.

If any volunteer or contractor is aware of another employee, volunteer or contractor receiving, obtaining or attempting to obtain from any other Coast Shelter employee, volunteer, client, customer, contractor or supplier or any other person with whom they deal any secret commission or profit, any such actions must also be immediately reported to the People & Culture Manager.

Gifts

Where a gift is offered, volunteers and contractors must ensure they comply with this Code of Conduct. The receipt of a gift must not alter the manner in which the person offering the gift is treated. Coast Shelter maintains a register of gifts and must be notified in all instances where a gift is received that is over \$50 in value. Once notified Coast Shelter will determine whether it is appropriate for the volunteer or contractor to retain the gift.

Confidentiality

Volunteers and contractors have access to a wide range of Confidential Information. Confidential Information includes strategic plans, business plans, financial records, reports, accounts, proposals and information relating to Coast Shelter's business or the business or affairs of Coast Shelter's clients, information of every kind concerning or in any way related to (and without limitation) Coast Shelter's operations, marketing plans, product development, strategies or affairs.

Volunteers and contractors are required to:

- maintain the confidentiality of all Confidential Information;
- not misuse Confidential Information or permit its misuse; and
- not disclose Confidential Information to any person except as permitted by Coast Shelter.

Fair Dealings with Third Parties

Volunteers and contractors involved in the negotiation of agreements and contracts on behalf of Coast Shelter must ensure that all statements, communications and representations are accurate and truthful. Volunteers and contractors must act honestly and fairly in all such business transactions.

Media Comment

Volunteers and contractors may not make statements or comments to the media or other external bodies regarding Coast Shelter, its business dealings, financial status, or its customers unless directed or authorised by Coast Shelter. Volunteers and contractors must direct all media enquiries to the Chief Executive Officer.

Return of Coast Shelter Property

On termination of engagement or services for any reason whatsoever, all Coast Shelter property must be returned immediately.

5. Personal Conduct

Smoking

Coast Shelter is concerned about its volunteers and contractors health and discourages smoking. Smoking is not allowed in Coast Shelter's offices, car parks or vehicles or otherwise on Coast Shelter's property.

Drugs and Alcohol

Volunteers and contractors are not to consume alcohol in the workplace. The only exception to this is on celebratory occasions authorised by the Chief Executive Officer and when entertaining customers, suppliers or others on behalf of Coast Shelter. On these exceptional occasions volunteers and contractors must drink in moderation, behave in a professional manner, and not engage in conduct which may risk their safety or the safety of others (including driving a motor vehicle or operating heavy machinery).

Attending Coast Shelter while under the influence of, any other recreational or non-prescription drugs is strictly prohibited and is grounds for termination of engagement and contracts.

Any Coast Shelter volunteer or contractor who are using prescribed drugs which may impact on their ability to safely perform their duties must provide their immediate supervisor with a medical certificate certifying that they are fit for their duties

Tidiness

To assist cleaners, desk and working areas must be left as tidy as possible. On no account must any items of value be left overnight either in or on desks. All confidential material must be locked in desks or filing cabinets.

Dress and Grooming Standards

It is in Coast Shelter's best interests to present a professional image. Accordingly, volunteers and contractors who deal with clients, customers, suppliers and the public are expected to wear appropriate apparel consistent with that worn by persons dealing with the public in the community in similar capacities. Volunteers and contractors must be suitably groomed and their appearance must be clean and neat.

Where personal protective equipment ("PPE") is required because of the nature of the work we perform, it must be worn.

Misuse of Social Media

Coast Shelter is concerned about its reputation and the reputation of its employees, clients, volunteers, customers, contractors and other third parties.

Coast Shelter related matters must not be mentioned on social media, even where the identity of Coast Shelter is not disclosed.

Misuse of social media, such as Facebook, Twitter, Instagram, whether during or after hours is not permitted if an volunteer or contractor breaches this Code while using it.

Secret recordings

It is inappropriate to record conversations in the workplace without the consent of all participants. If Coast Shelter becomes aware of any secret recordings, it will consider appropriate disciplinary action.

Wastage

Coast Shelter is committed to the cost effective and efficient conduct of its business. Volunteers and contractors are expected to take responsibility for using work resources efficiently including handling work property with care and conserving electricity.

Work Health and Safety

Coast Shelter is committed to providing a workplace that is safe and appropriate for work. Volunteers and contractors are expected to comply with our Work, Health and Safety policies.

6. Professional Boundaries

Professional boundaries are limits that protect the space between a volunteer or contractor's power and a client's vulnerability. Professional boundaries allow for safe, objective and effective engagement with our clients. It is important that our Volunteers and contractors are mindful of professional boundaries at all times, especially given the vulnerable nature of our clients. Coast Shelter recognises the unequal power dynamic between its volunteers or contractors and its clients and the resulting potential for exploitation.

When interacting with clients, our volunteers and contractors must:

- act with impartiality, courtesy and fairness;
- respect the rights and dignity of our clients;
- maintain confidentiality and privacy;
- manage personal and work relationships to ensure that professional boundaries are maintained. Volunteers and contractors are strictly forbidden from developing personal relationships with clients since they are based on inherently unequal power dynamics;
- declare to the People & Culture Manager they consider there is an actual or potential conflict of interest between their professional and personal interests

When interacting with clients, our volunteers and contractors must not:

- develop relationships that extend beyond personal boundaries;
- influence clients to provide any personal benefit or gain to any volunteers or contractor including themselves;
- provide advice to clients that is outside of the scope of their job or that is not consistent with the policy, programs or services provided by Coast Shelter;
- accept an appointment that may lead to a conflict of interest between their personal life and their professional responsibilities e.g. being a signatory to a client's bank account, having Power of Attorney for a client or being appointed to be the Executor of a client's estate;
- take photographs or films of clients or the children of clients unless the clients consent is provided and the volunteer or contractor is authorised to do so for Coast Shelter's approved purposes;
- befriend or communicate with clients via social media.

7. Obligation to Report Breaches

If a volunteer or contractor suspects that any conduct has occurred in breach of this Code of Conduct they must immediately contact the People & Culture Manager.

Further, if a volunteer or contractor suspects that a criminal act, a fraud or other serious irregularity has occurred, they must immediately report the occurrence to the People & Culture Manager.

Failure to report a breach may result in disciplinary action.

8. Use of Coast Shelter Property, Information and Resources

General Use

Generally, the use of the property, information, and resources of Coast Shelter for any purposes other than the business of Coast Shelter is prohibited. Some examples of the application of this general obligation are set out below:

- approving or making of a payment on behalf of Coast Shelter for something other than the stated purpose;
- using Coast Shelter's photocopier or printer for personal reasons without authorisation
- using Coast Shelter's vehicles for private purposes without express authorisation
- using Cab charges (or other cab charge systems) provided by Coast Shelter for travel unrelated to Coast Shelter's business or for something other than the stated purpose; and
- appropriating Coast Shelter's stationery for personal use.

Removal of Property from Premises

No property or money of Coast Shelter is to be taken from the premises without written permission of the Finance Manager.

Use of Coast Shelter's Name and Stationery

Volunteers and contractors are not authorised to use Coast Shelter's name or stationery (letterhead) except in the ordinary course of business and for the legitimate business of Coast Shelter.

E-mail and other Data Communications Systems

Volunteers and contractors must only use the e-mail and other data communications systems of Coast Shelter for its business purposes. Under no circumstances should Volunteers and contractors distribute lewd, malicious, pornographic, sexist or racist material, or any other material which is likely to cause offence, on the e mail or other data communication systems of Coast Shelter.

All messages sent via Coast Shelter's computer systems are the property of Coast Shelter. Coast Shelter reserves the right to review all e-mail and other computer messages and data stored in or transmitted by these systems. Volunteers and contractors who use these systems should not expect the privacy of the information they store or send through these systems.

Authority to Sign Documents

Coast Shelter volunteers and contractors cannot sign any documents on behalf of Coast Shelter or in any way commit Coast Shelter to any agreement unless they have been properly authorised in writing by Coast Shelter to do so.

Use of Unlicensed Software

It is against Coast Shelter's policy to reproduce copyright software, documentation or other materials without permission. Third party software in the possession of Coast Shelter must not be copied unless such copying is consistent with relevant licence agreements, and management has previously approved of such copying, or copies are being made for backup and archival purposes. Volunteers and contractors must respect the intellectual property of others.

Proper Maintenance of Records

Coast Shelter's financial books, records and statements must properly document all assets and liabilities, accurately reflect all transactions of Coast Shelter, and be retained in accordance with all applicable laws and regulations. These documents must not be inappropriately altered.

Volunteers and contractors must not make false entries in the books or records of Coast Shelter for any reason.

9. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	People and Culture Manager	Chief Executive Officer

10. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 01	<div>5 August 2021</div> <div></div> <div>Michael Starr, Chief Executive Officer</div>	August 2023

Whistleblower Policy



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Applies to: Staff & Volunteers
Specific responsibility: Operations Manager

Policy context This policy relates to:	
Standard:	Risk Management
Legislation or other requirements:	<ul style="list-style-type: none"> • <i>Associations Incorporation Act 2009 No. 7</i> • <i>Australian Charities and Not-for-Profits Commission Act 2012 No. 168</i> • <i>Corporations Act 2001</i> • <i>Competition and Consumer Act 2010 (Cth)</i> • <i>Australian Securities and Investments Commission (ASIC) Act 2001 (Cth)</i>

1. Policy overview

- 1.1 Coast Shelter is committed to maintaining a high level of legal, ethical and moral behaviour in governance and operational standards.
- 1.2 The Organisation encourages individuals to disclose suspected misconduct, without fear of detriment, where concerns about serious instances of misconduct are supported by reasonable grounds.
- 1.3 The Organisation is required to observe (and this policy complies with) the requirements of any applicable legislation regarding the protection of whistleblowers, including those of the Corporations Act 2001 (Cth) and the Taxation Administration Act 1953 (Cth).
- 1.4 This policy and any revisions to it from time to time are available to officers and employees at Flare HR and from the Chief Executive Officer or his/her authorised delegate. A copy of, or link to this policy, will be given to all new staff commencing at the Organisation on and from the date this policy is adopted.

2. Purpose

- 2.1 The purpose of this policy is to facilitate an environment in which the reporting of any instances of suspected misconduct, or of an improper state of affairs or circumstances in relation to Coast Shelter or its operations, is encouraged without fear of detriment.
- 2.2 In addition to ensuring Coast Shelter meets its legal and regulatory obligations, this policy intends to help deter wrongdoing, encourage more disclosures of wrongdoing, and ensure both disclosures, and individuals who disclose, are dealt with appropriately and fairly.
- 2.3 On 1 July 2019, new legislation relating to whistleblower protection was released. The legislation pertains to public companies and to large private companies. Coast Shelter supports the new whistleblower legislation. This extremely important policy ensures that all employees comprehend their obligations in regard to making disclosures
- 2.4 The policy furthers this purpose by outlining:
 - a) the types of disclosures which qualify for protection;
 - b) to whom disclosures should be made;
 - c) how *eligible whistleblowers* will be supported and protected;
 - d) how the company will ensure fair treatment of employees mentioned in the disclosures; and
 - e) how disclosures of misconduct will be investigated.

3. Protected disclosures

What is a protected disclosure?

- 3.1 A **protected disclosure** is when an **eligible whistleblower** makes a disclosure of information relating to a **disclosable matter** directly to an **eligible recipient**.

- 3.2 A person who makes a *protected disclosure* will be subject to the protections under the *Corporations Act 2001* and as outlined in this policy.
- 3.3 It is important to understand, not all disclosures will constitute a ***protected disclosure***. Before making a disclosure, an individual should consider whether they wish to seek independent legal advice to assist them to determine whether it will be a protected disclosure (and therefore provide them with the whistleblower protections under this policy and the law).
- 3.4 Where a ***protected disclosure*** is made, the protections under the *Corporations Act 2001* only apply to the ***eligible whistleblower*** (and not to other individuals who may be affected by or referred to within the ***protected disclosure***).
- 3.5 Persons wishing to make a disclosure can obtain additional information about the process and protections relating to whistleblowing before making a disclosure by contacting the Operations Manager (**Whistleblower Officer**).

Who is an ***eligible whistleblower*** under this policy?

- 3.6 Coast Shelter strongly encourages all eligible whistleblowers who are aware of wrong doing to speak up and make a disclosure.
- 3.7 This policy only applies to disclosures made by individuals who are, or have been:
- officers, employees volunteers and contractors of Coast Shelter;
 - an individual who supplies services or goods to Coast Shelter (whether paid or unpaid);
 - an employee of a person or entity who supplies services or goods to Coast Shelter (whether paid or unpaid);
 - an individual who is an associate¹ of Coast Shelter; and
 - a relative or dependant of any of the persons listed above,
 - (when making a *protected disclosure*, each of these is a **whistleblower**).

What is a disclosable matter?

- 3.8 A disclosure of information concerns a *disclosable matter* where a person has objectively reasonable grounds to suspect that the information indicates:
- misconduct² or an improper state of affairs in relation to Coast Shelter or any of its related bodies corporate³; or
 - conduct by an officer or employee of Coast Shelter or any of its related bodies corporate which constitutes an offence against:
 - the Corporations Act 2001;
 - the ASIC Act 2001;
 - the Insurance Act 1973;

¹ "Associate" means a director or secretary of Coast Shelter or of any related body corporate of Coast Shelter, or a person acting in concert with someone who is themselves an "associate" of Coast Shelter.

² "Misconduct" is defined to include fraud, negligence, default, breach of trust and breach of duty.

³ A "related body corporate" of Coast Shelter is a body corporate that is either the holding company or a subsidiary of Coast Shelter or a subsidiary of Coast Shelter's holding company.

- the Life Insurance Act 1995;
- any instrument made under an Act referred to above;
- c) conduct by an officer or employee of Coast Shelter or any of its related bodies corporate which constitutes an offence of any law of the Commonwealth (punishable by imprisonment of 12 months or more); or
- d) conduct by an officer or employee of Coast Shelter or any of its related bodies corporate which represents a danger to the public or the financial system.
- e) Examples of this kind, relevant to Coast Shelter's internal administration, could include disclosures about:
 - fraudulent activity including money laundering or misappropriation of funds;
 - serious, unlawful or corrupt use of Coast Shelter's funds or other resources;
 - improper accounting or financial reporting practices;
 - offering or accepting a bribe;
 - engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have, or to be planning to make, a protected disclosure; and
 - systemic practices that pose a serious risk to the health and safety of a person on Coast Shelter's premises.

3.9 A disclosure of information that is not a *disclosable matter* will not qualify for protection under this policy or the *Corporations Act 2001*.

A disclosure of information is therefore only a disclosable matter if:

- a) it relates to misconduct, or an improper state of affairs or circumstances, in relation to Coast Shelter or its related bodies corporate (and not any other entity); or
- b) it relates to conduct by an officer or employee of Coast Shelter or its related bodies corporate that breaches the above legislation or constitutes an abovementioned offence (and not such breaches if they relate to any other individual).

What is not a disclosable matter?

- 3.10 This policy is intended for disclosures of information that have significant implications for Coast Shelter, rather than for personal matters.
- 3.11 This policy does not, therefore, apply to objectively trivial or vexatious matters. Nor is this policy intended to replace or be used instead of other policies and reporting procedures of Coast Shelter, such as those relating to dispute resolution, personal work-related grievances (including matters relating to the discloser's employment or having implications for the discloser personally), equal opportunity, discrimination, harassment or bullying.
- 3.12 Refer to s.1317AADA(2) of the *Corporations Act 2001* for further examples of personal work-related grievances, and also to Coast Shelter's relevant policies, if applicable.

Personal work-related grievances

- 3.13 Personal work-related grievances are those about any matter in relation to the discloser's employment, or former employment, having implications for the discloser personally but not having significant implications for Coast Shelter, and not relating to any conduct or alleged conduct about a *disclosable matter*.

- 3.14 Such grievances will generally not be *disclosable matters* and will therefore generally not qualify for protection under this policy or the *Corporations Act 2001*. Examples of personal work-related grievances include interpersonal conflicts between the discloser and another employee, decisions about the terms of employment, transfer, promotion, suspension or termination of the discloser, or a decision to suspend or terminate the engagement of, or otherwise discipline, the discloser.
- 3.15 Personal work-related grievances may qualify for protection in certain circumstances, such as:
- a) where the disclosure also includes information that is a *disclosable matter* (i.e. a mixed report);
 - b) where the disclosure reasonably indicates a breach of employment or other Commonwealth laws punishable by imprisonment for a period of 12 months or more;
 - c) where a discloser seeks legal advice or representation about the operation of the whistleblower protections under the *Corporations Act 2001* - that communication with lawyers is protected; or
 - d) where the discloser suffers from or is threatened with detriment for making a disclosure, whether or not the disclosure is actually a *protected disclosure* - the discloser is entitled to protection against detriment.
- 3.16 The Whistleblower Officer will determine in each case, acting reasonably, whether a reported matter is a *disclosable matter* in accordance with this policy.
- 3.17 Accordingly, a disclosure or part of a disclosure which is not or is determined by Coast Shelter not to be, a *disclosable matter* may not be protected by the *Corporations Act 2001* or the terms of this policy.
- 3.18 For personal work-related grievances that are not *disclosable matters*, an employee should refer to the process outlined in *Coast Shelter's employee grievance policy* which is available from the Whistleblower Officer.

4. False reporting

This policy applies to disclosures where the discloser has objectively reasonable grounds to suspect wrongdoing, or of an improper state of affairs or circumstances in relation Coast Shelter or its operations. A disclosure may still qualify for protection even if it turns out to be inaccurate. However, where it is shown that a person purporting to be a whistleblower has knowingly or recklessly made a false report of wrongdoing, then that conduct itself will be considered a serious matter and that person may be subject to disciplinary action, which may include dismissal in serious cases.

5. Eligible recipients of disclosures

Who is an eligible recipient of a disclosure?

- 5.1 In order to qualify for protection, the disclosure must be made directly to an *eligible recipient*. Coast Shelter offers several reporting options for making a disclosure internally. Protections apply to internal as well as external disclosures. The role of *eligible recipients* is to receive disclosures that qualify for protection.

- 5.2 (**Officer or senior manager**) Whistleblowers are encouraged firstly to make a disclosure to an officer or senior manager⁴ of Coast Shelter or of a related body corporate of Coast Shelter. The *eligible recipients* who have been principally nominated by Coast Shelter to receive such reports are:
- a) Whistleblower Officer on 02 43253540 or ops@coastshelter.org.au; or
 - b) People & Culture Manager on 02 43253540 or HR@coastshelter.org.au; or
 - c) Chief Executive Officer on 02 43253540 or ceo@coastshelter.org.au; or
 - d) Company Secretary on 02 43253540 or secretary@coastshelter.org.au .
- 5.3 However, a disclosure made to any other officer or senior manager of Coast Shelter or of its related funding bodies is also protected.
- 5.4 Communication and disclosures through the channels can be done within or outside of business hours.
- 5.5 (**Auditor**) Whistleblowers may also make a disclosure to internal or external auditors (including any member of the audit team) or actuaries of Coast Shelter.
- 5.6 (**Relevant regulator**) Where necessary, disclosures may also be made to ASIC, APRA, the Commissioner of Taxation , the funding body or another Commonwealth body prescribed by regulation (the **Regulator**) by following the process prescribed on the Regulator's website. Disclosures made to the Regulator will be *protected disclosures*.
- 5.7 (**Lawyer**) Any disclosure of information, including information that does not relate to a *disclosable matter*, made to a lawyer for the purpose of obtaining legal advice or legal representation in relation to the discloser's rights at law will also be a *protected disclosure*.
- 5.8 (**Public interest disclosure**) In certain circumstances, 90 days after an individual has made a disclosure in accordance with this policy to the Regulator, the discloser may give limited disclosure of the matter to a member of Parliament or a journalist, provided that:
- a) the discloser has reasonable grounds to believe that:
 - no action is being, or has been, taken to address the matters they raised in their report;
 - the making of a further disclosure would be in the public interest; and
 - b) before making the further disclosure, the discloser gives written notice to the same Regulator, identifying the previous disclosure and stating they intend to make a public interest disclosure.
- 5.9 Such a step is a serious matter and, to ensure the discloser is protected by law, the discloser should take independent legal advice or consult with Coast Shelter's Whistleblower Officer before taking any such step.
- 5.10 (**Emergency disclosure**) In certain circumstances an individual may give limited disclosure of the matter to a member of Parliament or a journalist, provided the discloser has:
- a) made a disclosure to the Regulator in accordance with this policy;

⁴ An "officer" or senior manager includes the director or company secretary of Coast Shelter, a person who makes or participates in the making of decisions that affect the whole, or a substantial part, of the business of Coast Shelter and a person who has the capacity to significantly affect Coast Shelters financial standing.

- b) reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
- c) given notice to the same Regulator identifying the discloser's previous disclosure and stating their intention to make an emergency disclosure.

- 5.11 The information disclosed in an emergency disclosure must be no greater than is necessary to inform the journalist or member of Parliament of the substantial and imminent danger.
- 5.12 Such a step is a serious matter and, to ensure the discloser is protected by law, the discloser should take independent legal advice or consult with Coast Shelters Whistleblower Officer before taking any such step.

Anonymous disclosures

- 5.13 A disclosure can be made anonymously to any of the *eligible recipients* listed in this policy and still be protected by this policy and the *Corporations Act 2001*. However, this may make it difficult to investigate the disclosed matter. Coast Shelter encourages disclosers to provide their full names. If a discloser wishes to disclose anonymously, the discloser should provide sufficient information to allow the matter to be properly investigated. Coast Shelter encourages the discloser to provide an anonymous email address or other adopted method as a confidential communication channel through which questions can be asked and information provided, which may also be done prior to a disclosure being made.
- 5.14 If a disclosure is made from an email address from which the discloser's identity cannot be determined, and the discloser does not identify themselves in the email, Coast Shelter will treat it as an anonymous disclosure.
- 5.15 A discloser may choose to adopt a pseudonym for the purpose of the disclosure and can choose to remain anonymous throughout the entire process, including after the investigation has been finalised.

6. Protection of whistleblowers

How will whistleblowers be protected?

Coast Shelter is committed to protecting those who make a disclosure in accordance with this policy.

Identity protection (confidentiality)

- 6.1 To the extent consistent with our legal requirements, upon the making of a *protected disclosure* under this policy, Coast Shelter will not disclose any information that would suggest or reveal the identity of the whistleblower, without first obtaining their consent.
- 6.2 A whistleblower's identity may be disclosed without consent to ASIC, APRA, a member of the Australian Federal Police or to a lawyer for the purpose of obtaining legal advice or representation in connection with the operation of the whistleblower laws.
- 6.3 Subject to above, without the whistleblower's consent, it is illegal for a person to identify or disclose information that is likely to lead to the identification of the discloser. In circumstances where consent to disclose the whistleblower's identity has not been provided, Coast Shelter may disclose information that is not the identity of the whistleblower and is reasonably necessary for the investigation, where all reasonable steps

have been taken to reduce the risk the whistleblower will be identified as a result of the disclosure.

Protection of records

- 6.4 Coast Shelter will take reasonable precautions to securely store any records relating to a disclosure and only permit access to authorised persons who are directly involved in the managing of the disclosure and subsequent investigation.
- 6.5 Whistleblowers are assured that an unauthorised release of information in breach of this policy will be regarded as a serious matter.

No criminal or civil liability

- 6.6 The fact that a person has made a protected disclosure will not give rise to any civil, criminal or administrative liability (including disciplinary action) on the part of the discloser, and the fact of making the disclosure and its content is not admissible against the whistleblower in criminal or civil proceedings.
- 6.7 However, the whistleblower can still be pursued for having made a false disclosure and is not granted immunity in connection with the discloser's own conduct that is revealed by the matters highlighted in the disclosed information (i.e. the discloser's own conduct in the misconduct, improper affairs or other circumstances which are revealed by the protected disclosure).
- 6.8 If indicated in the relevant policy of Coast Shelter, a whistleblower may be eligible for reduced sanctions in response to their breach of applicable policies of Coast Shelter, where they have made a protected disclosure under this policy.

No breach of contract or enforcement of other rights

- 6.9 Coast Shelter will not take (and the law prohibits any other person from taking) any action under a contract to which a whistleblower is a party (including to terminate a contract on the basis that the disclosure is a breach of contract) or seek to enforce any other right against a discloser, on the basis of the protected disclosure.

Protection from detriment

- 6.10 Coast Shelter will endeavour to protect whistleblowers from any detriment arising directly from their disclosure or proposed disclosure, whether or not such a disclosure has actually been made. Conduct by any person giving rise to detriment or the threat of detriment to an actual or intended whistleblower may be a criminal or civil offence at law in certain circumstances and will be regarded as a serious matter.
- 6.11 In certain circumstances, a whistleblower (or any other employee or person) can seek compensation and other remedies through the courts if:
 - a) they suffer loss, damage or injury because of a disclosure; and
 - b) Coast Shelter failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.
- 6.12 Detrimental actions include, but are not limited to:
 - a) dismissal of an employee;
 - b) injury of an employee in his or her employment;
 - c) alteration of an employee's position or duties to his or her disadvantage;

- d) discrimination between an employee and other employees of Coast Shelter;
- e) harassment or intimidation;
- f) physical or psychological harm;
- g) damage to a person's property;
- h) damage to a person's reputation;
- i) damage to a person's business or financial position;
- j) repeated failure to select an individual;
- k) a reduction in future contract value;
- l) removal of coaching and other financial and non-financial support; and
- m) any other damage to a person.

- 6.13 Actions that are not detrimental conduct include administrative action that is reasonable for the purpose of protecting a discloser from detriment, and managing a discloser's unsatisfactory work performance, if the action is in line with Coast Shelter's performance management framework.
- 6.14 Coast Shelter will provide education and training for *eligible recipients*, persons undertaking investigations of disclosures and other officers and employees to help them understand their obligation to protect whistleblowers from detriment.
- 6.15 An actual or intended whistleblower of Coast Shelter who is subjected to detrimental treatment should inform an officer or senior manager immediately. If the matter is not remedied, it should be disclosed in line with this policy where it will be dealt with as a separate matter.
- 6.16 Whistleblowers are encouraged to take independent legal advice in relation to compensation and other remedies available under the *Corporations Act 2001*.

7. Investigation of the disclosure

What does an investigation look like?

- 1.1 All disclosures covered by this policy will be taken seriously and handled sensitively and fairly. Coast Shelter will generally direct the matter to the Whistleblower Officer who will attempt to ensure all *protected disclosures* are investigated as soon as reasonably practicable. Where appropriate the discloser will be kept informed as to the progress of the investigation.
- 1.2 Coast Shelter will investigate disclosures covered by this policy in an objective, fair and appropriate manner, which may necessitate different approaches depending on the circumstances of each disclosure. Coast Shelter reserves the right to use both internal and external resources to investigate a disclosure or part of it.

Assessment

- 1.3 As a first step in the investigation process, normally Coast Shelter will assess a disclosure to determine whether or not it falls within the scope of this policy. If it does, the following steps will normally apply to the investigation. If it does not, the matter will not be investigated, and the discloser will be advised of that fact. In that latter case, the discloser may be directed to another appropriate person or section within the organisation such as

the discloser's direct supervisor or overall manager, the human resources department or the Chief Executive Officer.

- 1.4 For disclosures assessed to be within the scope of this policy, Coast Shelter will advise the whistleblower of the support available to the whistleblower and emphasise to the whistleblower the importance of confidentiality.
- 1.5 Coast Shelter will ask the whistleblower if the whistleblower consents to the disclosure of their identity for the purposes of the investigation. Coast Shelter will explain to the whistleblower the steps Coast Shelter has in place to take all reasonable steps to reduce the risk that the whistleblower will be identified as the result of the disclosure. If the whistleblower consents, Coast Shelter will keep a written record of that consent. If the whistleblower does not consent, Coast Shelter will also record that fact and advise the whistleblower that Coast Shelter will not disclose the identity of the whistleblower.
- 1.6 In circumstances where consent has not been provided, Coast Shelter will advise the whistleblower that it may disclose information that is not the identity of the whistleblower where it is reasonably necessary for the investigation and where all reasonable steps have been taken to reduce the risk the whistleblower will be identified as a result of the disclosure. Reasonable steps Coast Shelter may take include redacting personal information likely to lead to identification, storing records securely, and providing eligible recipients, persons undertaking investigations and others with appropriate regular education and training on their obligations. Whistleblowers who wish to remain anonymous can refuse to answer questions they feel could reveal their identity.

Investigation steps

- 1.7 As a general guide and subject to the particular circumstances applying to the disclosure, the steps in the investigation process will normally include the following:
 - a) interview the whistleblower to obtain relevant information;
 - b) interview any alleged wrongdoer to obtain a response to the disclosure in so far as it relates to the alleged wrongdoer;
 - c) interview any relevant witnesses regarding relevant matters arising from the disclosure;
 - d) review any documents or other material relevant to the disclosure;
 - e) if necessary, conduct further interview/s with the whistleblower to obtain further information or a response to material arising from the investigation; and
 - f) if necessary, conduct further interview/s with any alleged wrongdoer regarding further material arising from the investigation.
- 1.8 Interviews need not be conducted face to face. All relevant material including interviews and documents obtained during the investigation is then considered and a report prepared.
- 1.9 The report will make findings of fact and determine whether a disclosure has been substantiated or not substantiated, in whole or part. The report may also include recommendations arising from any factual findings.

Timing

- 1.10 Coast Shelter aims, where practicable, to finalise investigations of disclosures within 90 days of the date the disclosure is first made. Where finalisation is not practicable,

however, Coast Shelter will take all reasonable steps to ensure that significant progress is made in relation to a disclosure within 90 days of the date the disclosure is first made.

- 1.11 Coast Shelter will take reasonable steps to keep the whistleblower informed (including through confidential communication channels used) of the progress of an investigation of their disclosure. The frequency of updates and timeframe will vary according to the nature of the disclosure, however updates will usually be made during the three key stages of the process: when the investigation has begun, when it is in progress and after it has been finalised.
- 1.12 A non-binding example diagram of the process that may be used when responding to a *protected disclosure*, is contained in the schedule to this policy.

Reporting of investigation findings

- 1.13 At the conclusion of the investigation, the findings may be reported to the Chief Executive Officer. Where appropriate, the whistleblower will be informed of the outcome of the investigation.
- 1.14 It is expected that the Chief Executive Officer will advise funding body(ies) when there is substantial concern and when it is in accordance with any funding agreement(s). However, if this does not occur and the staff member still holds the same concerns, then he or she can advise the funding body and/or ASIC.

8. Fair treatment

- 8.1 Coast Shelter will ensure fair treatment of employees mentioned or implicated in a *protected disclosure* within the meaning of this policy, or to whom such disclosure relates (**Relevant Employee**) by applying the following principles.

Confidentiality

- 8.2 To the extent practicable, the identity of a Relevant Employee will be kept confidential during the investigation of a *protected disclosure* relating to that person.

Impartiality

- 8.3 An investigator appointed to investigate a *protected disclosure* will act impartially and without bias in conducting the investigation. An investigator must declare any material personal interest the investigator has in any matter relevant to the investigation for which the investigator has responsibility, immediately to Coast Shelter. The investigator must then take no further part in the investigation unless directed otherwise (other than to provide relevant material or information by way of a handover to a new investigator or to take any necessary incidental action for that purpose).

Fair process

- 8.4 An investigation into a *protected disclosure* will follow a fair process including:
 - a) informing a Relevant Employee of the substance of a protected disclosure, as far as it applies to the Relevant Employee;
 - b) giving a Relevant Employee a reasonable opportunity to respond to any matter referred to above, before the investigation is finalised;
 - c) informing a Relevant Employee of any adverse finding directly affecting the Relevant Employee arising out of the investigation; and

- d) giving a Relevant Employee a reasonable opportunity to respond to any such adverse finding before the report is finalised.

8.5 Any potential disciplinary action against a Relevant Employee arising out of or as a result of an adverse finding in an investigation report under this policy will be dealt with consistently with Coast Shelter's usual practice, policy or procedure relating to a disciplinary action. Relevant policies include, but are not limited to, Coast Shelter's Disciplinary Policy and Code of Conduct.

Support

8.6 Relevant Employees will have reasonable access to support made available by Coast Shelter, such as contact with a nominated person and, access to Coast Shelter's Employee Assistance Program (**EAP**). Coast Shelter will consider any request for other support for a Relevant Employee on a case by case basis.

9. Amendments to this policy

This policy may be amended, terminated or replaced at Coast Shelter's discretion.

This policy will be reviewed, and updated as required, on a periodic basis but at least once every two years from its date of adoption.


10. Where to find the policy

The most recent version of this policy will be available [here](#) or can be obtained from the Whistleblower Officer and Flare HR.

11. Review

Reviewing and approving this policy		
Frequency	Person responsible	Approval
Biannually	Operations Manager	Chief Executive Officer

12. Authorisation

VERSION	APPROVAL	REVIEW DATE
Version 03	17 June 2022 	June 2024

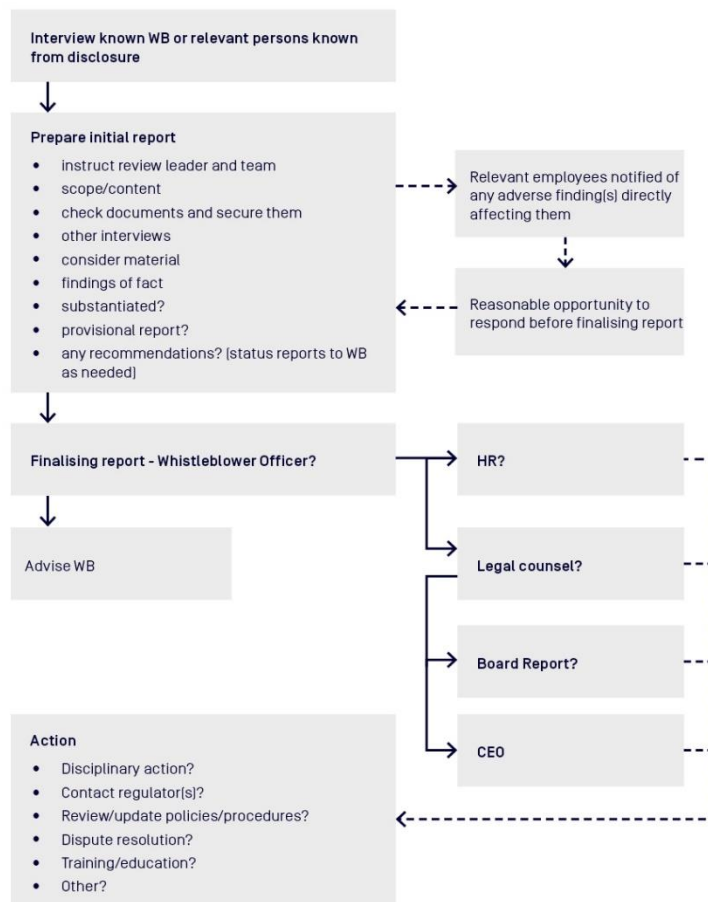
	<i>Michael Starr, Chief Executive Officer</i>	
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13. Responding to protected disclosures

TRIAGE



REVIEW/INVESTIGATE



A DISCLOSABLE MATTER

Concerns misconduct, or an improper state of affairs or circumstances in relation to the regulated entity, or a related body corporate; or indicates that:

- the regulated entity (or related body corporate) or an officer or employee has engaged in conduct that breaches the Corporations Act, the ASIC Act, the Banking Act, the Data Collection Act, the Insurance Act, the Life Insurance Act, the National Consumer Credit Protection Act, or the Superannuation Industry [Supervision] Act, or regulations made under those laws;
- is an offence against any other law of the Commonwealth punishable by imprisonment for a period of 12 months or more;
- represents a danger to the public or the financial system; or
- is prescribed by regulations.

ELIGIBLE WHISTLEBLOWERS

Eligible whistleblowers include persons who are or have been:

- Officers and employees of, and contractors of a company
- Individuals who supply services or goods to a company
- Employees of a person or entity who supplies services or goods to a company (whether paid or unpaid)
- Individuals who are associates of a company
- Relatives or dependents of any of the persons listed above.

ELIGIBLE RECIPIENTS OF A DISCLOSURE

Disclosures may be made to the following eligible recipients of a company:

- its officers and senior managers
- its auditor or a member of an audit team conducting an audit of a company
- its actuary (if it has one)
- a person authorised by it - for example, individuals from its Human Resources team or an authorised, external reporting service approved by the board, or a lawyer.