

WHISTLEBLOWER POLICY

JANUARY 2022

1. PURPOSE

- 1.1 Robertson Bowling Club Ltd (the Club) shall conduct business in an open and honest manner. It seeks to maintain the highest ethical standards in order to minimise any regulatory, financial, legal or reputational risks
- 1.2 The Club has appointed the Secretary as its Whistleblower Protection Officer (WPO)
- 1.3 The Club maintains zero-tolerance towards unethical or illegal conduct and encourages its employees and members to report suspected cases of improper conduct
- 1.4 The Club supports a culture of “if in doubt, report”
- 1.5 The purpose of this Policy is to create an environment where people feel safe and know how to report actual or suspected improper conduct in good faith and in an environment free from victimisation
- 1.6 This Policy is made available through the Club’s website
- 1.7 Terms used in this Policy are in accordance with the Corporations Act 2001
- 1.8 For additional information about this Policy please contact the WPO

2. WHO DOES THIS POLICY APPLY TO

- 2.1 This Policy applies to:
 - 2.1.1 All current and former Club Directors
 - 2.1.2 All current and former employees
 - 2.1.3 Individuals supplying goods and services to the Club
 - 2.1.4 Employees of companies who supply goods or services to the Club
 - 2.1.5 All members of the Club
 - 2.1.6 Relatives or dependants of the individuals referred to above (and dependants of the spouse of the individuals referred to above)
- 2.2 Individuals who make disclosures that are eligible for whistleblower protections under the law, whether or not the disclosure is made in accordance with this Policy, are a whistleblower
- 2.3 Whistleblowers are eligible for protection under the Corporations Act 2001 if:
 - 2.3.1 They make a disclosure of reportable conduct to an eligible recipient or to ASIC, APRA or another prescribed Commonwealth or NSW Government body
 - 2.3.2 They make a disclosure to a legal practitioner for the purpose of obtaining legal advice
 - 2.3.3 They make an Emergency Disclosure or a Public Interest Disclosure
- 2.4 In addition, whistleblowers may be eligible for further protection as a whistleblower under the Taxation Administration Act 1953

3. WHAT IS REPORTABLE CONDUCT

- 3.1 Reportable conduct is misconduct or an improper state of affairs or circumstances that a whistleblower has reasonable grounds to suspect in relation to the Club
- 3.2 Reportable conduct does not necessarily involve unlawful conduct
- 3.3 Examples of reportable conduct include:
 - 3.3.1 Dishonest or corrupt behavior including theft or misappropriation of funds or property, receiving kickbacks or money, excessive gifts, bribery and colluding with others to cheat the AICD
 - 3.3.2 Significant mismanagement or waste of Club funds or resources
 - 3.3.3 Illegal activity including illegal drug sale or use, violence or threatened violence against another person, sexual harassment and property damage
 - 3.3.4 Serious harm to public health, safety or environment
 - 3.3.5 Unethical behaviour or a serious impropriety
 - 3.3.6 Abuse of authority
 - 3.3.7 Breach of laws or regulations
 - 3.3.8 Breach of Club policies, procedures, Code of Practice or Code of Conduct
 - 3.3.9 Impeding internal or external audit processes or investigations
 - 3.3.10 Concealment of reportable conduct
 - 3.3.11 Conduct that represents a danger to the public or the financial system
 - 3.3.12 Any other conduct which may be detrimental to the interests of the Club
- 3.4 Whistleblowers qualify for protection as a whistleblower even if the conduct they have disclosed is determined not to be actual misconduct, provided the whistleblower has reasonable grounds to suspect misconduct or an improper state of affairs or circumstances
- 3.5 Disclosures that are not about reportable conduct do not qualify for protection under the Corporations Act 2001

4. HOW TO MAKE A DISCLOSURE

- 4.1 Disclosures may be made anonymously or by using a pseudonym and must be made to an “eligible recipient” to qualify for protection
- 4.2 Whistleblowers can decline to answer questions that they believe may reveal their identity during any follow-up questions
- 4.3 Whistleblowers can make a disclosure to the Secretary as the WPO who is an eligible recipient. Please note, if the reportable conduct is regarding the Secretary, the whistleblower can choose an alternative channel as appropriate. The WPO is responsible for assigning a Whistleblower Investigation Officer (WIO) if the WPO has a conflict of interest. Otherwise the matter will be investigated by the WPO who will manage reports, as well as provide reporting to the Board
- 4.4 If a whistleblower does not feel comfortable making a disclosure internally, they can make a confidential disclosure to Clubs NSW

5. CONFIDENTIALITY

- 5.1 If requested, the identity of a whistleblower and information likely to lead to the identification of the whistleblower (which was obtained directly or indirectly because the whistleblower made a disclosure in accordance with this Policy) will be kept strictly confidential unless:
 - 5.1.1 The whistleblower consents to the Disclosure
 - 5.1.2 The disclosure is made to ASIC, APRA, a member of the Australia Federal Police, to a legal practitioner, or to a person or body prescribed by regulations or as required or permitted by law
- 5.2 The Club may disclose information contained in a disclosure without the consent of a whistleblower if:
 - 5.2.1 The information does not include the whistleblower's identity
 - 5.2.2 The Club has taken all reasonable steps to reduce the risk that the whistleblower will be identified from the information
 - 5.2.3 It is reasonably necessary in order to investigate the issues raised in the disclosure
- 5.3 Apart from the circumstances set out above, it is illegal to identify a whistleblower or disclose information that is likely to lead to the identification of a whistleblower
- 5.3 The Club maintains secure record-keeping and information-sharing procedures for the purposes of this Policy to protect the identity of whistleblowers, including having processes in place to:
 - 5.4.1 Store documents relating to disclosures securely
 - 5.4.2 Limit access to information relating to a disclosure to those directly involved in managing and investigating it
 - 5.4.3 Limit the number of people involved in handling and investigating a disclosure who are made aware of a whistleblower's identity or information likely to lead to their identification
- 5.4 Whistleblowers can complain about a breach of confidentiality in connection with a disclosure by contacting the WPO or a regulator such as ASIC or APRA

6. WHISTLEBLOWER PROTECTION OFFICER

- 6.1 The Secretary is the Whistleblower Protection Officer (WPO)
- 6.2 The WPO is responsible for protecting whistleblowers from detrimental conduct as a result of making a disclosure
- 6.3 The WPO will only be advised of the nature and content of the Disclosure if the whistleblower consents
- 6.4 The WPO can protect the whistleblower by:
 - 6.4.1 Explaining the framework the Club has in place to ensure the confidentiality of their identity
 - 6.4.2 Assessing the risk of detrimental conduct being taken
 - 6.4.3 Reviewing claims that whistleblowers have been subject to detrimental conduct
 - 6.4.4 Reviewing claims that disclosures have not been addressed in accordance with this Policy
 - 6.4.5 Offering the whistleblower counselling through an appropriate counselling service
 - 6.4.6 Offering the whistleblower leave of absence during the investigation, as appropriate
 - 6.4.7 Taking such other action as the WPO considers appropriate

7. WHAT HAPPENS AFTER A DISCLOSURE IS MADE

- 7.1 All disclosures will be reviewed, investigated when appropriate and/or resolved without further action in accordance with this Policy. The WPO (and WIO where applicable) will be advised of all disclosures
- 7.2 The whistleblower may be informed of the progress and outcome of the investigation, where legally permissible to do so. The information provided may be limited due to confidentiality

8. INVESTIGATING REPORTABLE CONDUCT

- 8.1 Investigations of reportable conduct will be conducted by the WPO (or such other investigating officer, as applicable, such as the President) in a manner that is confidential, fair and objective
- 8.2 Initial investigations will consist of determining whether the disclosure is in the ambit of this Policy
- 8.3 The investigation process will vary depending on the nature of the improper conduct and the amount of information provided
- 8.4 If the disclosure is within the ambit of this Policy a formal investigation will be commenced
- 8.5 The investigation process will vary depending on the nature of the reportable conduct and the amount of information provided by the whistleblower
- 8.6 The Club's investigation process may be limited in certain aspects, for example, where the Club is unable to contact the whistleblower for more information
- 8.7 If a disclosure relates to a person, that person:
 - 8.7.1 Will be treated in a manner that is fair and objective
 - 8.7.2 Will be advised about the subject matter of the disclosure if require by the principles of natural justice and procedural fairness
 - 8.7.3 Where appropriate, may be advised before the matter is escalated to a formal investigation or a referral to ASIC, APRA or the Federal Police or NSW Police

9. RESPONSIBILITIES

- 9.1 All Directors and the Bar Manager of the Club are responsible for promoting and supporting this Policy

10. WHISTLEBLOWER REPORT

10.1 This form is to be used if you wish to report reportable conduct

10.2 In making this report you are doing so in accordance with the terms of the Whistleblower Policy (Policy). Please read the Policy before lodging this report

10.3 Tell us about yourself – OPTIONAL

Providing us with your personal information is voluntary, and you may choose to remain anonymous

However, providing your details will likely enhance and expedite the investigation

Your details will remain in confidence subject to the terms of this Policy

10.4 Name

10.5 Contact Details

10.6 Tell us what you are reporting and provide as much detail as possible

Provide a statement about the conduct and background to events, including dates, subjects and people involved

10.7 Do you have any documents that may assist us in assessing your concerns?

If yes, please attach

10.8 Is there a financial sum involved and if so, how much?

10.9 Have you, or another person you know of, started legal proceedings?

10.10 Any other relevant information you wish to provide?