Whistleblower Policy

Policy Statement/ Purpose

This **policy** encourages people to report wrongdoing safely, protects and supports whistleblowers, helps prevent wrongdoing, and ensures Scope meets its legal, regulatory and risk management obligations.

Applies to

This policy applies to all **workers**, suppliers, volunteers and associates of **Scope Group**.

Scope expects that anyone who becomes aware of a disclosable matter or any other wrongdoing, or who suspects it on reasonable grounds, will make a report under this policy or under other applicable policies.

Principles

Scope encourages people to speak up, protects their confidentiality and wellbeing, investigates concerns fairly and promptly, and treats everyone involved with procedural fairness.

Scope will apply this policy in accordance with the following principles:

- disclosures are encouraged and taken seriously
- whistleblowers are treated fairly and protected from detriment
- confidentiality is maintained as far as the law permits
- disclosures are assessed and investigated promptly, objectively and independently
- people mentioned in a disclosure are afforded procedural fairness.

Policy Detail

1. Who is a Whistleblower?

a. The *Corporations Act 2001* (**Corporations Act**) protects only certain people as whistleblowers. To qualify for protection, you must be an eligible whistleblower and make your disclosure in the circumstances set out in the Act.

b. You may be eligible for whistleblower protection if you have a current or former relationship with a Scope Group entity as any of the following:

- a current or former officer or worker, including directors, managers, employees (permanent, part-time, fixed-term, casual or temporary), secondees and interns.

- a current or former supplier of goods or services, whether paid or unpaid, including volunteers, contractors, consultants, service providers and business partners.
- an associate, including a director or company secretary.
- a relative, dependant or spouse of a person described above, such as the parent of a former employee or the sibling of a contractor.

c. You are protected only if you make your disclosure in one of these ways:

- The disclosure is about a disclosable matter and made directly to an eligible recipient, or to the Australian Securities & Investments Commission (ASIC)or where relevant to the Australian Prudential Regulation Authority (APRA); or
- The disclosure is made to a legal practitioner for the purpose of obtaining legal advice or representation in relation to the whistleblower provisions of the Corporations Act; or
- The disclosure is an emergency disclosure or a public interest disclosure.

d. You may also be protected as a whistleblower under the *Taxation Administration Act 1953* (**TA Act**) if your disclosure is about tax matters. Disclosures qualifying for protection can be made to:

- the Commissioner of Taxation; or
- the Tax Practitioners Board; or
- an Eligible Recipient at Scope; or
- a legal practitioner.

2. Disclosures covered by this Policy

a. This policy does not cover all types of wrongdoing which may occur, only disclosable matters as defined in the legislation.

b. A whistleblower report is information about behaviour or situations that you reasonably believe involve serious wrongdoing within Scope, including issues relating to tax matters. Serious wrongdoing can include things like fraud, dishonesty, negligence, misuse of authority, or failing to meet legal or professional obligations.

c. It can also include an improper state of affairs or circumstances. This means a situation that may not break the law but suggests a significant systemic issue that could harm **clients**, workers or Scope, or that a regulator would reasonably expect to know about.

d. Allegations are more likely to be considered reasonable if you can back them up with some objective supporting information, such as emails, file notes or receipts.

e. A disclosable matter can include conduct that breaks certain laws, including the Corporations Act and the National Consumer Credit Protection Act 2009.

f. It can also include conduct that is a serious offence under another Commonwealth law (where the offence is punishable by 12 months' imprisonment or more), or conduct that puts the public or the financial system at risk.

3. Disclosures not covered by this Policy

a. If any issues and concerns are not disclosable matters under the Corporations Act, they may fall under other legislation which offers separate protection for disclosure or reporting.

b. For example, Scope's processes for addressing child safety issues are set out in the Child Safe Policy. Other issues and concerns may be addressed by other Scope policies, such as the Bullying, Harassment and Unlawful Discrimination Prevention and Management Policy or Privacy Policy.

c. This policy does not generally apply to personal work-related grievances, such as concerns about pay, shift allocation, interpersonal issues or performance evaluations. This is because the Corporations Act does not protect a disclosure that meets all of the following conditions:

- only concern personal grievances but have no other significant implications for the organisation;
- do not relate to conduct or alleged conduct about a 'disclosable matter'; and
- do not relate to detriment or threat of detriment to the discloser.

d. A personal work-related grievance is usually not protected under the whistleblower laws. However, it may still qualify for protection if:

- it includes information about misconduct, as well as a personal grievance; or
- it relates to a breach of employment or other laws punishable by 12 months' imprisonment or more, conduct that endangers the public, or misconduct that goes beyond your own personal circumstances; or
- you are threatened with, or experience, harmful treatment because you made a disclosure; or
- you seek legal advice or legal representation about the whistleblower protections in the Corporations Act.

e. If your concern is a personal work-related grievance, you can raise it with your manager or the People Function. You may also wish to obtain independent legal advice about your rights and options under employment or contract law.

4. Who can receive a Whistleblower Disclosure?

a. For your disclosure to be protected by law, you must make your disclosure only to the categories of people specified in the legislation. These are called Eligible Recipients.

b. Within Scope, the eligible recipients are:

- The Chief Executive Officer or Chief Legal Officer. These roles are authorised to receive whistleblower disclosures on behalf of Scope. The Chief Legal Officer is also the Whistleblower Protection Officer.
- The Chair of the Risk and Audit Committee of the Scope Board, if your disclosure concerns the Chief Executive Officer or Chief Legal Officer.

c. Scope has authorised Your-Call, a free and independent external whistleblowing service, to receive disclosures. Your-Call is Scope's preferred first point of contact for matters that may be disclosable because it helps Scope identify and address wrongdoing as soon as possible.

d. You can also make a protected disclosure to a lawyer if you are seeking legal advice or legal representation about the whistleblower protections in the Corporations Act. Your disclosure may still be protected even if the lawyer later decides it is not a disclosable matter, for example because it relates to a personal work-related grievance.

e. You can also make a protected disclosure to certain regulators and government agencies. These include:

- The Australian Securities and Investments Commission (ASIC)
- The Australian Prudential Regulation Authority (APRA), for banking, insurance and superannuation entities
- The Australian Taxation Office (ATO)
- The Tax Practitioners Board (TPB), for tax-related disclosures.

5. Public Interest Disclosures and Emergency Disclosures

a. In some situations, you can make a protected disclosure to a journalist or a member of Parliament. These are known as public interest disclosures and emergency disclosures.

b. Strict legal requirements apply to these disclosures. You should obtain independent legal advice before making this type of disclosure.

5.1. Public interest disclosures

a. A public interest disclosure may be protected if you have already made a protected disclosure to a regulator such as ASIC, APRA or another prescribed Commonwealth body, and certain legal requirements are met.

b. These requirements include waiting at least 90 days after making the original disclosure, having reasonable grounds to believe the matter has not been adequately addressed, and giving written notice that you intend to make a public interest disclosure.

5.2. Emergency disclosures

a. An emergency disclosure may be protected if you have already made a protected disclosure to a regulator such as ASIC, APRA or another prescribed Commonwealth body, and you reasonably believe the information concerns a substantial and imminent danger to people or the environment.

5.3. Who can receive these disclosures?

a. Public interest disclosures and emergency disclosures can only be made to a member of Parliament or a journalist.

b. Only the information necessary to explain the misconduct, improper conduct or other protected matter should be disclosed.

6. How to make a Disclosure

a. Scope provides both internal and external options for making a whistleblower disclosure. These options are designed to make it easier for workers, suppliers and other eligible people to raise concerns.

b. Contact details for Scope's eligible recipients are available from the Chief Legal Officer, who is also the Whistleblower Protection Officer.

c. Contact details for relevant Scope contacts, support services and regulators are provided below.

7. Anonymous Disclosures

a. You do not have to give your name to make a protected disclosure. You can remain anonymous when making a disclosure, during an investigation and after it is finished.

b. You may use a pseudonym or choose not to provide information that could identify you. The Your-Call website also provides practical advice on how to protect your anonymity.

c. Remaining anonymous can help protect your privacy, but it may also make it harder for Scope to investigate your concerns or provide you with updates.

d. If you choose to remain anonymous, it is helpful to maintain a way for two-way communication so that questions can be asked and information can be shared during the investigation.

8. Legal protections for Whistleblowers

a. Under the Corporations Act and TA Act there are four key kinds of legal protection available to disclosers who qualify for protection as a whistleblower.

9. Identity Protection (Confidentiality)

a. Scope will protect your identity if you make a protected whistleblower disclosure. Scope will not share your name, or information that is likely to identify you, unless:

- you consent
- the law requires or allows the information to be shared
- the information is provided to a regulator or law enforcement agency, such as ASIC, APRA, the ATO or the Australian Federal Police
- the information is shared to obtain legal advice
- the information is reasonably necessary to investigate the disclosure and steps have been taken to reduce the risk of identifying you.

b. These protections apply whether or not you specifically ask for confidentiality.

c. To assess or investigate a disclosure, Scope may need to share information about the issues raised. Where possible, Scope will remove information that could identify you, such as your name, role, location or contact details.

d. You do not have to provide identifying information when making a disclosure. However, if Scope cannot contact you or clarify information, this may affect its ability to investigate or confirm the concerns raised.

e. Scope has measures in place to protect your identity, including:

- limiting access to whistleblower reports and communications
- keeping records secure
- briefing officers, senior managers and investigators about their confidentiality obligations

- seeking your consent before sharing information that may identify you, unless disclosure is allowed or required by law
- removing identifying details from internal reports where possible
- treating any unauthorised disclosure of your identity as a serious matter.

f. If you are worried that your identity has been shared, or may be shared, without permission, you should contact the Whistleblower Protection Officer, Your-Call or a regulator such as ASIC. ASIC may investigate concerns about unlawful disclosure of a whistleblower's identity.

10. Protection from detrimental (harmful) acts or omissions

a. A person must not cause harm to someone because they know or suspect that the person is a whistleblower who qualifies for protection, or because of another person's involvement in a disclosure. It is also unlawful to threaten detriment in relation to a disclosure.

b. Scope is committed to ensuring that whistleblowers who qualify for protection are not harmed. However, disclosers should recognise that some actions that Scope may need to take are not detrimental conduct of this kind. For example, we may move someone to a different work location if their report was about their immediate work area, to protect them from detriment.

c. Where an employee discloser also has an unsatisfactory work performance, Scope will continue to manage that performance in line with its performance management framework

11. Compensation and other remedies

a. The law protects people who make protected disclosures. If you suffer loss, damage or harm because you made a disclosure, you may be able to seek compensation or other legal remedies.

b. You should obtain independent legal advice about your rights and options.

12. Civil, criminal and administrative liability protection

a. If you make a protected whistleblower disclosure, the law protects you from certain legal consequences of making that disclosure. For example, you cannot be sued, prosecuted or face administrative action simply because you made the disclosure.

b. These protections can also apply if making the disclosure would otherwise breach a confidentiality obligation, such as a term in an employment contract.

c. However, these protections do not excuse or protect a person from any involvement they may have had in the misconduct being reported.

13. Support and practical protection for disclosers

a. Scope is committed to protecting the confidentiality of people who make disclosures under this policy. Scope will take reasonable steps to protect your identity and ensure you are treated fairly and do not experience harmful treatment because you spoke up.

b. Scope uses a range of measures to help protect confidentiality and information security.

c. Any unauthorised disclosure of a whistleblower's identity or confidential information will be treated seriously and may result in disciplinary action.

d. If you believe you have experienced harmful treatment because you made, or may make, a disclosure, you should report it immediately to Your-Call or Scope's Whistleblower Protection Officer.

e. Any worker who causes or threatens harmful treatment of a whistleblower may be subject to disciplinary action, up to and including termination of employment.

14. Handling and investigating a disclosure

a. Scope will respond to reports as soon as possible. We will assess each report to decide whether it is covered by this policy and whether an investigation is needed. Where possible, we will keep the person who made the report updated on its progress.

b. If a formal investigation is required, Scope's Whistleblower Protection Officer will appoint an investigator. Investigators must be independent of the matters under investigation and have no actual or perceived conflict of interest.

c. The scope of each investigation will vary according to factors including:

- the nature of the wrongdoing alleged,
- supporting evidence provided; and
- whether the discloser wishes to remain anonymous or consents only to limited disclosure to other persons who could assist the investigation.

d. Scope will investigate disclosures in a way that protects your identity. Scope will not disclose your identity, or information that is likely to identify you, without your consent.

e. Where necessary to investigate a disclosure, Scope may share information about the issues raised, but will take reasonable steps to remove information that could identify you.

f. If a formal investigation is undertaken, the investigator will provide a report to Scope. If wrongdoing is identified, Scope will consider appropriate action. This may include disciplinary action or referral to an external regulator or authority.

g. Scope will provide feedback where appropriate. However, in some cases Scope may not be able to share details of the outcome, for example where doing so would affect another person's privacy or confidentiality.

h. If you make a disclosure directly to a regulator, the regulator will manage the matter under its own processes and procedures.

15. Ensuring Fair Treatment of Individuals mentioned in a Disclosure

a. Scope will treat everyone involved in a whistleblower disclosure fairly, including anyone who is the subject of a report. Before making findings or decisions about allegations, Scope will give people a fair opportunity to understand the concerns raised and respond to them.

b. Measures adopted include the following:

- Scope will keep disclosures confidential wherever possible and appropriate.
- Each disclosure will be assessed to determine whether further review or investigation is required.
- Where an investigation is undertaken, Scope will assess the available information and evidence before reaching any findings.
- Investigations will be conducted in an objective, fair and independent manner.
- Investigators will prepare a written report of their findings.
- If a person is the subject of a disclosure, they will be informed of the concerns raised about them at an appropriate time and given a fair opportunity to respond before any findings are made.

c. Access to the Employee Counselling Assistance program,

- **Scope (Victoria):** Contact Converge International (telephone 1800 337 068), for any employee who is the subject of a disclosure.
- **Scope (New South Wales):** Contact AccessEAP (telephone 1800 818 728) for any employee who is the subject of a disclosure.

d. If an investigation finds that wrongdoing has occurred, the Whistleblower Protection Officer will make recommendations and where appropriate, action will be taken.

16. Ensuring the policy is easily Accessible

a. The Scope Group Whistleblower Policy is published on its external website at https://www.scopeaust.org.au/, on the intranet and from the People Function.

b. Scope will conduct briefing sessions and regular training regarding the policy, processes and procedures for workers.

17. Key Contact Details

17.1. Scope

Name	Title	Contact details
Leanne Dillon	Chief Legal Officer/ Whistleblower Protection Officer	LDillon@scopeaust.org.au 1300 472 673
Lisa Evans	Chief Executive Officer	1300 472 673 LEvans@scopeaust.org.au
Brendan Earle	Chair, Risk & Audit Committee	BEarle@scopeaust.org.au 1300 472 673

17.2. Your-Call, Scope's external whistleblower service

Service	Contact details	Contactable
Online	https://whistleblowing.com.au Enter secure ID: SCOP1948	Anytime 24/7
Telephone Hotline	1300 798 101	7 am to 12 am Monday to Friday AEST (except public holidays)
Email	scope@your-call.com.au	Anytime 24/7

17.3. ASIC

Service	Contact details	Contactable
Online	Make a report of misconduct to ASIC | ASIC	Anytime 24/7
Telephone Hotline	1300 300 630 or ASIC offices: 1300 935 075	Business hours
Melbourne street address	Level 7, 120 Collins Street, Melbourne, VIC 3000	Business hours
Sydney street address	Level 5/100 Market Street, Sydney NSW 2000	Business hours
Mail address	GPO Box 9827, Melbourne VIC 3001	Anytime

See also: Information Sheet 238 Whistleblower rights and protections (INFO 238), Information Sheet 239 How ASIC handles whistleblower reports (INFO 239)

17.4. ATO

Service	Contact details	Contactable
Online	https://www.ato.gov.au/forms-and-instructions/tax-evasion-reporting-form	Anytime 24/7
Telephone Hotline	1800 060 062 (tax practitioners 13 72 86)	Business hours
Mail address	Australian Taxation Office Tax Integrity Centre Locked Bag 6050 Dandenong, VIC 3175 Mark all letters 'in confidence'.	Anytime

See also: https://www.ato.gov.au/General/Gen/Whistleblowers/

17.5. Tax Practitioners Board

Service	Contact details	Contactable
Online form only	https://myprofile.tpb.gov.au/complaints/	Anytime 24/7

Responsibility

Role	Responsibility
Board / Risk and Audit Committee	• Approve the policy and oversee its effectiveness
Executive Leadership Team	• Promote a speak-up culture and ensure findings are addressed • Allocate adequate resources to support compliance and effective implementation of the policy
Chief Legal Officer/ Whistleblower Protection Officer	• Make sure the policy is current and accurate • Receive disclosures, oversee investigations and reporting.
Manager / Senior Leadership Team Member	• Make sure staff understand and follow the policy • Support correct implementation and provide guidance when needed • Ensure required training is completed • Take responsibility for compliance and address any issues • Raise and escalate risks, incidents or barriers • Keep accurate records
Worker	• Speak up about suspected wrongdoing and cooperate with investigations

Definitions

Term	Definition
Client	Any user of Scope Group services, including NDIS participants
Policy	A clear and concise statement that outlines Scope's position on specific activities within the organisation, ensuring compliance with laws, government rules, regulations, and best practices in operational activities.
Scope Group	Scope Group refers to Scope (Aust) Ltd (Scope) and its subsidiaries and associated entities (Home@Scope Pty Ltd, Disability Services Australia Ltd, DSA Mentoring Services Ltd and Macquarie Employment Training Service Ltd).
Worker	All people undertaking work for or engaged by Scope in either a paid or unpaid capacity are collectively referred to as 'workers'. This includes all employees, volunteers, Directors and Officers (including Executives, Company Secretary, and Board Committee Members).

Evaluation, Monitoring and Reporting of Compliance to this Policy

The Risk and Audit Committee will receive an annual de-identified report on the number, nature and status of whistleblower disclosures and any systemic issues identified

Risk

Failure to identify, report and appropriately investigate serious wrongdoing may expose Scope to legal, regulatory, financial, reputational, service quality and safeguarding risks.

Related Legislation and Governance Documents

Legislative and Regulatory Compliance	This policy supports Scope's compliance with the following legislation and/or Standards: • Taxation Administration Act 1953 (Cth) • National Consumer Credit Protection Act 2009 (Cth) • Corporations Act 2001 (Cth) • NDIS Act 2013 (Cth) • National Standards for Disability Services
References	Nil
Framework	• People and Culture
Supporting Scope Documents	• Scope Group Worker Speak Up Policy • Scope Group Human Rights Policy • Scope Group Risk Management Framework • Scope Group Quality and Safeguarding Framework
External Documents	Nil