

Amaze Whistleblower Policy

1 Overview

At Amaze we are guided by our organisation's values. These values are the foundation of how we conduct ourselves and interact with each other, our community, and other stakeholders. Amaze is committed to ensuring organisational compliance and promoting an ethical culture by observing the highest standards of fair dealing, honesty, and integrity in our business activities.

2 Definitions

Detrimental conduct. Includes actual or threatened conduct such as the following (without limitation):

- termination of employment
- injury to employment including demotion, disciplinary action
- alternation of position or duties
- discrimination
- harassment, bullying or intimidation
- victimisation
- harm or injury including psychological harm
- damage to person's property
- damage to a person's reputation
- damage to a person's business or financial position, or
- any other damage to a person.

Emergency disclosure. Where there are reasonable grounds to believe that there is substantial and imminent danger to the health or safety of one or more people, or to the natural environment.

Imminent and substantial endanger. Any activity that creates a present and immediate danger to life, health, the natural environment, property, or public safety.

Misconduct. Conduct that is wilful or deliberate and causes serious and imminent risk to the health and safety of a person or to the reputation, viability, or profitability of the organisation's business. Includes fraud, negligence, default, breach of trust, and breach of duty.

Public interest disclosures. Where there are reasonable grounds to believe that:

- action to address concerns raised in your initial report is not being or has not been taken, and
- reporting your concerns to a journalist or parliamentarian is in the public interest.



Reportable conduct. Conduct which is:

- grossly unethical, dishonest, fraudulent, or corrupt
- illegal (such as theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage to property)
- oppressive or grossly negligent
- potentially damaging to the organisation, its employees or a third party
- misconduct or an improper state of affairs
- a danger or represents a danger to the public or financial system, and/or
- any matter that hasn't been successfully addressed through Amaze's existing processes and when all other avenues have been exhausted.

State of affairs. Means the general state of things, or the combination of circumstances at a given time.

Unethical. Not conforming to accepted social or professional conduct; not following moral standards within society.

3 Purpose

Amaze recognises that a transparent whistleblowing policy is essential to good risk management and corporate governance. As such, the Whistleblower Policy has been put in place to ensure any concerns raised regarding any serious **misconduct** or improper **state of affairs**, or circumstances in relation to Amaze's business are dealt with effectively, securely, and appropriately.

Amaze encourages the reporting of any instances of suspected unethical, illegal, corrupt, fraudulent, or undesirable conduct involving the organisation's business and provides protections and measures to individuals who make a disclosure in relation to such conduct without fear of victimisation or reprisal.

This policy will be provided to all employees and officers of the organisation upon commencement of their employment or engagement and will also be available via SharePoint.

The policy is also available to persons outside the organisation and can be accessed on the Amaze website.

Amaze may invite Directors and all employees to attend training sessions to ensure ongoing education regarding the application of the policy.

4 Scope

This policy applies to any person who is, or has been, any of the following with respect to the organisation:

- Employee
- Director
- Contractor (including sub-contractors and employees of contractors)
- Supplier (including employees of suppliers)
- Consultant
- Auditor
- Associate, and



- Relative, dependant, spouse, or dependant of a spouse of any of the above.
- Member of the public.

5 Reportable conduct

You may make a report or disclosure under this policy if you have reasonable grounds to believe that an Amaze director, employee, contractor, supplier, consultant, or other person who has business dealings with the organisation has engaged in **reportable conduct**.

Any disclosures that do not fall within the definition of reportable conduct, will not qualify for protection. It will be at Amaze's discretion whether it considers there is a reasonable suspicion that the reportable conduct is occurring and/or whether the conduct constitutes misconduct or improper state of affairs.

For the avoidance of doubt, reportable conduct **does not** include personal work-related grievances. A personal work-related grievance is a grievance about any matter in relation to an employee's current or former employment, having implications (or tending to have implications) for that person personally and that do not have broader implications for the organisation. Examples of personal work-related grievances are as follows:

- An interpersonal conflict between the staff member and another employee.
- A decision relating to the engagement, transfer, or promotion of the employee.
- A decision relating to the terms and conditions of engagement of the employee.
- A decision to suspend or terminate the engagement of the employee, or otherwise to discipline the employee.

Personal work-related grievances should be reported to your manager or in accordance with Amaze's Grievance Policy.



Amaze Whistleblower Procedure

1 Making a disclosure

Amaze relies on its employees and Directors maintaining a culture of honest and ethical behaviour. Accordingly, if you become aware of any reportable conduct, it is expected that you will make a disclosure under this policy and procedure.

There are several ways in which you may report or disclose any issue or behaviour which you consider to be reportable conduct.

2 Internal reporting: Whistleblower Protection Officers

You may disclose any reportable conduct to the Whistleblower Protection Officers listed below:

Chief Financial Officer / Company Secretary

Tina Chronis

Mobile: 0449 921 971

Email: tina.chronis@amaze.org.au

Head of People and Culture

Jasmine Parker

Mobile: 0455 981 261

Email: jasmine.parker@amaze.org.au

If members of the Executive Team have been identified as engaging in collusion, and it is not appropriate for the matter to be raised with the Chief Financial Officer, the issue should be escalated to the designated Director of the Board below.

Treasurer

Gavan Nolan

Email: Gavan.Nolan@amaze.org.au



You can make a disclosure outside of business hours by contacting the above Whistleblower Protection Officers via email.

You are also encouraged to contact the above Whistleblower Protection Officers to obtain any additional information you may require before making a disclosure or for any clarification regarding this policy and procedure.

If you are unable to use any of the above reporting channels, a disclosure can be made to an **eligible recipient** within the organisation. Eligible recipients include:

- Officers
- Directors
- Senior Managers
- Auditor or member of an audit team conducting an audit of the organisation.

The Whistleblower Protection Officer will safeguard your interests and will ensure the integrity of the reporting mechanism.

3 Anonymity

When making a disclosure, you may do so anonymously. It may be difficult for Amaze to properly investigate the matters disclosed if a report is submitted anonymously and therefore the organisation encourages you to share your identity when making a disclosure. However, you are not required to do so.

4 Reporting to regulators

You may make a disclosure to the [Australian Charities and Not-for-profits Commission](#), and you will be covered by the protections outlined in this policy if you have reported your concerns to ACNC. A whistleblower of a charity who wants to access the protections or fears harm can report to both an eligible recipient and the ACNC, though they are only covered by the protections from when they report to an eligible recipient.

To make a complaint about a charity registered with the ACNC, visit the [ACNC](#) website to understand what they can investigate, and if deemed appropriate, then complete their online 'raise a concern' form.

5 Reporting to a legal practitioner

You may choose to discuss your concerns with a legal practitioner for the purposes of obtaining legal advice or representation. You will be covered by the protections outlined in this policy and procedure if you have reported your concerns to a legal practitioner.

6 Public interest and emergency disclosure

In certain situations, the conduct or wrongdoing may be of such gravity and urgency that disclosure to the media or a parliamentarian is necessary. It is recommended that you contact an independent legal adviser prior to making any **public interest** or **emergency disclosure**.

A public interest and emergency disclosure can only be made to:



- a journalist, defined to mean a person who is working in a professional capacity as a journalist for a newspaper, magazine, or radio or television broadcasting service; or
- a Member of the Parliament of the Commonwealth or of a State or Territory parliament.

You may only make a **public interest disclosure** if:

- you have previously disclosed the information to ACNC
- at least 90 days has passed since the previous disclosure was made
- you have **reasonable grounds** to believe that action is not being taken to address the matters which you have disclosed
- you have reasonable grounds to believe that making a further disclosure to a journalist or member of parliament would be in the public interest
- you have given written notification, including sufficient information to identify the previous disclosure to the authority to which the previous disclosure was made that you intend on making a public interest disclosure, and
- the extent of information disclosed is no greater than is necessary to inform the recipient of the misconduct, an improper state of affairs, or circumstances, or a breach of the law.

You may only make an **emergency disclosure** if:

- you have previously disclosed the information to ACNC,
- you have 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,
- you have given written notification, including sufficient information to identify the previous disclosure to the authority to which the previous disclosure was made that you intend on making an emergency disclosure, and
- the extent of information disclosed is no greater than is necessary to inform the recipient of the substantial and imminent danger.

7 Investigation

Amaze will investigate all matters reported under this policy and procedure as soon as practicable after the matter has been reported. The Whistleblower Protection Officer will investigate the matter and where necessary, appoint an external investigator to assist in conducting the investigation. All investigations will be conducted in a fair, independent, and timely manner and all reasonable efforts will be made to preserve confidentiality during the investigation.

If the report is not anonymous, the Whistleblower Protection Officer or external investigator will contact you to discuss the investigation process and any other matters that are relevant to the investigation. Where you have chosen to remain anonymous, your identity will not be disclosed to the investigator or to any other person and Amaze will conduct the investigation based on the information provided to it.

Where possible, the Whistleblower Protection Officer will provide you with feedback on the progress and expected timeframes of the investigation. The person against whom any allegations have been made will also be informed of the concerns and will be provided with an opportunity to respond (unless there are any restrictions or other reasonable bases for not doing so).

To the extent permitted by law, the Whistleblower Protection Officer may inform you and/or a person against whom allegations have been made of the findings. Amaze will document the findings in a report



however any report will remain the property of the organisation. It will only be shared with you or any person against whom the allegations have been made if Amaze deems it appropriate.

8 Protection of whistleblowers

Amaze is committed to ensuring that any person who makes a disclosure is treated fairly and does not suffer detriment. The organisation will also ensure that confidentiality is preserved in respect of all matters raised under this policy and procedure.

9 Protection from legal action

You will not be subject to any civil, criminal, or administrative legal action for making a disclosure under this policy and procedure or participating in any investigation.

Any information you provide will not be admissible in any criminal or civil proceedings other than for proceedings in respect of the falsity of the information.

10 Protection against detrimental conduct

Amaze (or any person engaged by the organisation) will not engage in **detrimental conduct** against you if you have made a disclosure under this policy and procedure.

Amaze also strictly prohibits all forms of detrimental conduct against any person who is involved in an investigation of a matter disclosed under the policy and procedure in response to their involvement in that investigation.

The organisation will take all reasonable steps to protect you from detrimental conduct and will take necessary action where such conduct is identified. If appropriate, Amaze may allow you to perform your duties remotely (e.g., work from home) or reassign you to another role (at the same level) or make other modifications to your workplace or your duties to protect you from the risk of detriment.

If you are subjected to detrimental conduct because of making a disclosure under this policy and procedure or participating in an investigation, you should inform a Whistleblower Protection Officer or eligible recipient in accordance with the reporting guidelines outlined above.

You may also seek remedies including compensation, civil penalties or reinstatement if:

- you suffer loss, damage or injury because of a disclosure, and
- Amaze failed to take reasonable precautions and exercise due diligence to prevent any detrimental conduct.

11 Protection of confidentiality

All information received from you will be treated confidentially and sensitively.

You will not be required to provide your name when making a disclosure. To make a disclosure on an anonymous basis, it is recommended that you use a pseudonym and contact the Whistleblowing Protection Officers in the manner outlined above.



If you report on an anonymous basis, you will still qualify for the protections in this policy and procedure.

If you make a disclosure under this policy and procedure, your identity (or any information which would likely to identify you) will only be shared if:

- you give your consent to share that information, or
- the disclosure is allowed or required by law (for example where the concern is raised with a lawyer for the purposes of obtaining legal advice), or
- the concern is reported to the Australian Charities and Not-for-profits Commission, the Australian Taxation Office (ATO), or the Australian Federal Police (AFP).

Where it is necessary to disclose information for the effective investigation of the matter, and this is likely to lead to your identification, all reasonable steps will be taken to reduce the risk that you will be identified. For example, all personal information or reference to you witnessing an event will be redacted from any report, you will be referred to in a gender-neutral context, where possible you will be contacted to help identify certain aspects of your disclosure that could inadvertently identify you. Any disclosure under this policy and procedure will also be handled and investigated by qualified staff.

Amaze will also take the following measures for protecting your identity:

- all paper and electronic documents and other materials relating to disclosures will be stored securely,
- access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure,
- only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of your identity (subject to your consent) or information that is likely to lead to your identification,
- communications and documents relating to the investigation of a disclosure will not be sent to an email address or to a printer that can be accessed by other employees, and
- each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of your identity may be a criminal offence.

If you are concerned that your identity has been disclosed in relation to a disclosure, and without your consent, you should inform a Whistleblower Protections Officer or eligible recipient immediately.

12 Support available

Amaze offers employees and their household members access to an Employee Assistance Program (EAP) which is a free and confidential service. Converge International can be contacted via their website at <https://convergeinternational.com.au/> or phone 1300 687 327.

You may also access third party support providers including:

- Lifeline - 13 11 14
- Beyond Blue - 1300 22 4636
- 13YARN - 13 92 76
- Suicide Call Back Service - 1300 659 467



13 Other matters

Any breach of this policy and procedure will be taken seriously and may result in disciplinary action, up to and including termination of employment.

Employees are encouraged to read this policy in conjunction with other relevant Amaze policies and procedures, including:

- Code of Conduct
- Grievance Policy and Procedure

