

WHISTLEBLOWER POLICY

1. PURPOSE

The Olivia Newton-John Cancer Research Institute (the “**Institute**”) is committed to maintaining the highest ethical, legal, and corporate governance standards. This policy aims to ensure that employees, associates, and other stakeholders can report misconduct safely and confidently, in line with the *Corporations Act 2001 (Cth)* and *ASIC Regulatory Guidelines (RG 270: Whistleblower Policies)*. It emphasises the importance of psychological safety and wellbeing, fostering a supportive environment for those who come forward.

2. WHO THIS APPLIES TO

This policy applies to all employees, students, contractors, consultants, service providers, suppliers, volunteers, board members, former employees, their relatives, and anyone with business dealings with the Institute. This includes interns, temporary workers, and members of the community who interact with the Institute, reflecting the broader impact of ethical conduct.

3. WHAT CAN BE REPORTED (REPORTABLE CONDUCT)

Type of Conduct	Examples
Fraud & Corruption	Financial fraud, bribery, falsification of records.
Illegal Activity	Theft, drug use/sale, violence, criminal damage, workplace harassment.
Serious Misconduct	Research misconduct, unethical behaviour, misuse of Institute resources.
Risk to Health & Safety	Unsafe work practices, environmental hazards.
Breach of Policies & Governance	Non-compliance with Institute policies, conflicts of interest.
Retaliation Against Whistleblowers	Intimidation, discrimination, unfair dismissal.
Psychological Harm or Intimidation	Any conduct that threatens the mental health or psychological safety of individuals within the Institute.

Personal grievances (e.g., performance reviews, interpersonal conflicts) do not qualify unless they involve victimisation, breaches of law, or potential psychological harm.

4. HOW CAN I MAKE A DISCLOSURE?

Reports can be made in writing, via secure digital platforms, or in person at neutral, offsite locations to protect anonymity.

What a Whistleblower Should Include in Their Complaint:

- **Details of the Conduct:**
 - A clear and specific description of the alleged wrongdoing.
 - The nature of the misconduct (e.g., fraud, illegal activity, etc.).
 - When and where the conduct occurred.
- **Identity of Involved Individuals:**
 - Names and positions of the person(s) involved in the alleged misconduct.
 - Any witnesses to the conduct, if applicable.
- **Supporting Evidence:**
 - Any documents, records, or other evidence that supports the allegations.
 - This might include emails, financial records, reports, etc.
- **Whistleblower's Details (if not anonymous):**
 - The Whistleblower's name and contact information (unless they choose to remain anonymous).
 - Their relationship to the organisation (e.g., employee, contractor).

5. WHO IS AN ELIGIBLE RECIPIENT?

Eligible Recipient	Contact Details
ONJCRI Whistleblower Protection Officer (WPO)	HR Manager; deanne.aitken@onjcri.org.au
ONJCRI Executive	CEO; marco.herold@onjcri.org.au
ONJCRI Board Member	Chair of Finance Audit and Risk Committee; ptkempen@bigpond.com
External Whistleblower Service	https://whistleblowingservice.org/onjcri/
Regulatory Bodies	ASIC, APRA, ATO, Australian Federal Police.
Legal Practitioners	If seeking legal advice about whistleblower protections.
Journalists & Parliamentarians	In specific circumstances (see Section 8).

Reporting to a regulator

The Institute is committed to addressing wrongdoing at the earliest time and encourages disclosers to use the internal contacts to raise concerns. However, disclosures can also be made directly to ASIC, ATO and other defined regulators and still receive protection under this policy. Information

on the scope of this protection and process is available on individual regulators websites. We have included some supporting resources under *section 13 Governance*.

6. HOW REPORTS ARE HANDLED

1. Acknowledgement: Whistleblower receives confirmation within 48 business hours.
2. Risk Assessment: Early assessment to identify and address potential retaliation or harm, including psychological support needs.
3. Investigation Process:
 - An independent investigator is assigned.
 - Confidentiality and procedural fairness are maintained.
 - Real-time monitoring to prevent retaliation during the investigation.
 - If the report is dismissed, the Whistleblower is informed with reasons.
4. Findings & Actions:
 - A formal report of findings is prepared.
 - Corrective actions and policy improvements are implemented where necessary.

7. PROTECTIONS AND SUPPORT FOR WHISTLEBLOWERS

Whistleblowers can initially seek confidential guidance from a HR representative, WHS Representative, or a MHWB First Aid Officer. When necessary, they will also have access to:

- Employee Assistance Programs (EAP).
- Confidential counselling and legal advice.
- Additional workplace flexibility (e.g., modified duties, manager change) where needed.
- Regular follow-up to assess ongoing wellbeing and safety
- **Confidentiality & Anonymity:** Identity protected unless legally required to disclose.
- Secure data handling prevents unauthorised access to reports.
- **Protection from Retaliation:** Includes dismissal, demotion, harassment, and psychological harm. Real-time intervention available to address early signs of retaliation.
- If a Whistleblower faces retaliation, they can seek compensation and reinstatement.
- Institute will take practical measures to prevent victimisation (e.g., work reassignment upon request).
- **Legal Immunity:** No civil, criminal, or administrative liability for protected disclosures.
- If a Whistleblower is involved in misconduct, leniency may be considered if they disclose wrongdoing.
- **Flexible Work Arrangements:** Upon request, Whistleblowers may be granted modified duties or alternative roles to reduce potential harm.

A Whistleblower may choose to remain anonymous throughout all stages of a disclosure, including when the disclosure is made, throughout an investigation and after an investigation is finalised. If the Whistleblower chooses to remain anonymous, the Institute will treat the disclosure in the same way and with the same protections it gives to Whistleblowers who identify themselves.

Protections and Procedural Fairness for Individuals Named in Disclosures

The Institute is committed to ensuring procedural fairness and safeguarding the rights of individuals who are named in Whistleblower disclosures. Allegations made in a disclosure do not imply wrongdoing until a formal investigation has been conducted and findings are substantiated.

Key protections include:

- Individuals named in disclosures will be informed of the allegations at an appropriate stage of the investigation, unless doing so would compromise the integrity of the process.
- They will be given a reasonable opportunity to respond to the allegations and provide relevant information or context.
- The investigation will be conducted impartially, with confidentiality maintained throughout.
- No disciplinary action will be taken solely based on the disclosure until the investigation is complete and findings are confirmed.
- The Institute will ensure that implicated individuals are treated respectfully and fairly, in accordance with natural justice principles and relevant workplace policies.

8. SPECIAL DISCLOSURES (PUBLIC & EMERGENCY REPORTS)

- A Whistleblower may report to Parliament or a journalist only if:
- A prior report was made to ASIC/APRA, and 90+ days have passed without action.
- The Whistleblower has reasonable grounds to believe public disclosure is necessary.
- The Whistleblower notifies the Institute in writing before making a public disclosure.
- In emergency cases (e.g., immediate danger to public safety), disclosure may be made sooner.

Note: Social media disclosures do not qualify for protection.

9. POLICY ACCESSIBILITY & TRAINING

- Available via: Institute's intranet and website.
- Mandatory training for all employees on Whistleblower protections.
- Specialised training for Managers and Eligible Recipients.

10. CONTINUOUS IMPROVEMENT AND FEEDBACK

- Regular policy review with third-party oversight to ensure best practices.
- Ongoing feedback loops to refine and improve Whistleblower protections.

11. BOARD REPORTING CLAUSE FOR ONJCRI WHISTLEBLOWER POLICY

To ensure transparency and oversight, the Whistleblower Protection Officer (WPO) will provide regular reports to the Board on Whistleblower matters. These reports will be prepared in a manner that maintains confidentiality and protects the identity of Whistleblowers and any individuals involved. The report will include:

- The number of disclosures received during the reporting period.
- The channels through which disclosures were made.
- General themes or categories of reported conduct.
- Summary of investigation outcomes and any corrective actions taken.
- Any identified trends or systemic issues requiring governance attention.

Reports will be submitted quarterly, or more frequently if required due to the nature or volume of disclosures. The WPO will escalate urgent matters directly to the Chair of the Board or relevant subcommittee as appropriate.

12. DEFINITIONS

Key word/abbreviation	Definition
Confidentiality	The obligation to protect the identity and information of Whistleblowers and implicated individuals, unless legally required to disclose.
Procedural Fairness	The principle that individuals named in disclosures are treated fairly, informed of allegations, and given an opportunity to respond.
Whistleblower	A person who makes a disclosure under this policy, including current or former employees, contractors, volunteers, suppliers, board members, or their relatives.
Eligible Whistleblower	A person who qualifies for protection under the <i>Corporations Act 2001 (Cth)</i> , including employees, officers, contractors, suppliers, associates, and their relatives.
Disclosable Matter	Information that the Whistleblower has reasonable grounds to suspect involves misconduct, an improper state of affairs, or a breach of law.
Reportable Conduct	Behaviour that may include fraud, corruption, illegal activity, serious misconduct, health and safety risks, breaches of policy, retaliation, or psychological harm.
Eligible Recipient	A person or body authorised to receive Whistleblower disclosures, including the WPO, Executive, Board nominee, external service providers, regulators, and legal practitioners.
Whistleblower Protection Officer (WPO)	A designated officer responsible for safeguarding Whistleblowers, maintaining confidentiality, and overseeing investigations.
Anonymity	The right of a Whistleblower to remain unidentified throughout the disclosure and investigation process.
Detriment	Any harm or disadvantage suffered by a Whistleblower as a result of making a disclosure, including dismissal, demotion, harassment, or psychological harm.
Emergency Disclosure	A disclosure made to a journalist or parliamentarian in cases of substantial and imminent danger, after prior reporting to a regulator.

Public Interest Disclosure	A disclosure made to a journalist or parliamentarian after 90 days of inaction by a regulator, with written notice provided to the regulator.
APRA	Australian Prudential Regulation Authority
Legal Practitioner	A legal practitioner or relevant regulatory body engaged by the Whistleblower.
(ASIC)	The authorities responsible for the enforcement of the law in the relevant area Australian Securities Investments Commission .
ATO	Australian Taxation Office – a regulator for tax-related disclosures.
EAP	Employee Assistance Program – a confidential support service available to staff.

13. GOVERNANCE

Supporting resources	Whistleblower rights and protections Information Sheet 238 Whistleblower protections Fair Work Commission How ASIC handles whistleblower reports Information Sheet 239 How ASIC handles Whistleblowers ASIC Regulatory Guide 270 Tax whistleblowers Australian Taxation Office
Associated policies	Mental Health and Wellbeing Policy Code of Conduct Employee Assistance Program
Policy owner	Board
Legislation	CORPORATIONS ACT 2001 - SECT 1317AI Whistleblower policies
Approval	Executive Committee 19/11/2025
Date effective	27/11/2025
Review date	26/11/2027 (2 years from effective date)
Version	1.1
Content enquiries	HR@onjcri.org.au