

At Endeavour Foundation, our purpose is to make Possibilities a reality for our customers and our people Through having a professional, engaged, and flexible Workforce that partners with people to aspire for more.



1. Purpose

The purpose of the Whistleblower Policy is to create a confidential and protective framework for those wishing to report incidents of serious misconduct or failures in addressing serious misconduct, but fear reprisal actions or adverse working conditions if their disclosure becomes known by the wider Endeavour Foundation community. The Whistleblower Policy intends to encourage and enable employees and others to raise concerns over such incidents so that the organisation can address and correct the situation. This Policy also implements a promise of “No reprisal action” against individuals who report honestly held concerns over incidents of serious misconduct or a failure to properly address such behavior, and allows the Complainant the option of remaining anonymous when reporting.

To establish Endeavour Foundation’s policy on disclosure of alleged Serious Misconduct which may be reported under this Policy includes, but is not limited to, the following matters:

- Fraud or fraudulent financial reporting;
- Corrupt conduct
- Failure to comply with legal and compliance obligations;
- Dangers to health and safety of employees or people to whom we provide support or services;
- Sexual harassment, abuse and bullying of employees, or people to whom we provide support or services;
- Criminal activity;
- Attempts to conceal any of the above.

To provide a framework of confidentiality and protection from retaliation for persons who report misconduct, or report lapses in ethical responses to known issues of serious misconduct, or who act as a witness in any investigation into serious misconduct.

2. Scope

Under this policy, an eligible whistleblower will include all current and former Endeavour Foundation directors, employees, supported employees, volunteers and contractors, as well as any person engaging Endeavour Foundation for supports or services, or current and former relatives or dependents of the above. This policy also applies to any person who acts as a witness in any investigation into serious misconduct.

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Related Policies, Procedures and References

Policies & Documents

- Endeavour Foundation Code of Conduct (QD 5001)
- Fraud and Corruption Prevention Policy (QD 5007)
- Complaints Policy (QD 5402)
- Customer Safeguarding Incident Management Policy (QD 8001)
- Complaints and Whistleblower Easy Read Flyer (QD 5403).

Procedures

- Complaints Management Procedure (QP 5402)
- Customer Safeguarding Incident Management Procedure (QP 8001)

Applicable Legislation

- Corporation Act 2001
- Fair Work Act 2009
- Work Health and Safety Act 2011, and State equivalents
- State based Criminal Codes
- National Disability Insurance Scheme Act 2013
- Commonwealth Criminal Code Act 1995
- Income Tax Assessment 1997 (Cth) (ITAA97)

3. Definitions

Abuse: The violation of a person’s Human Rights and has a number of forms such as financial abuse, emotional abuse, physical abuse, sexual abuse and neglect.

Financial abuse refers to the misuse of a person’s assets, property, possession, and finances without their consent.

Emotional abuse refers to actions or behaviours that reject, isolate, intimidate or frighten by threats, or by the witnessing of family violence, to the extent that the person’s behaviour is disturbed or their emotional/psychological wellbeing has been, or is at risk of being, seriously impaired. This also includes emotional abuse perpetrated by other people with disability.

Physical abuse refers to actions that involve the inappropriate use of physical contact or force against a person.

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Sexual abuse refers to actions or attempted unwanted sexual actions that are otherwise forced on any person against their will or without their consent, through use of physical force, intimidation or coercion.

Entity: A corporation, government agency, not-for-profit or other entity engaged in business activity or transacting with other entities in a business-like setting.

Immunity: An undertaking given by an organisation not to take action against the whistleblower as a result of receiving a report of inappropriate conduct.

Investigation: A search for evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies and standards set by the entity concerned.

Complaint: A whistleblower complaint as reported under this Policy reflects the concerns of actual or suspected serious misconduct of staff and people related to EF.

Serious Misconduct: refers to wilful or deliberate behaviour by an employee that's inconsistent with continuation of their employment contract, and conduct that causes serious and imminent risk to the health or safety of a person or the reputation, viability or profitability of Endeavour Foundation. For example, engaging in theft, fraud, corruption or assault during course of employment, being intoxicated at work, and ignoring or refusing lawful and reasonable instructions consistent with employment contract. Other serious activities include gross mismanagement, serious and substantial waste of resources or repeated instances of breach of administrative procedures.

Corruption: Dishonest activity in which a Director, Executive, Manager, Employee or contractor acts contrary to the interests of Endeavour Foundation and exploits their position of trust in order to achieve personal gain or unfair advantage for another person or entity.

Fraud: Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. It also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for the normal business purpose or the improper use of information or position.

Complainant (Whistleblower): A person, who makes, attempts to make or wishes to make a report in connection with serious misconduct and where the whistleblower wishes to avail themselves of protection against reprisal for having made the report. A whistleblower may or may not wish to remain anonymous.

Head of Customer Practice and Safeguarding: This Role is to receive any reports of alleged improper or inappropriate conduct involving a customer with disability and / or Supported Employee. The Head of Customer Practice and Safeguarding will partner with the relevant Executive Leadership Team member for further investigation and management. After hours calls regarding reports of alleged improper or inappropriate conduct are to be referred as per the after-hours on-call arrangements.

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Complaints Handling Officer: The Chair of the Board or Chair of the Audit and Risk Committee, the Internal Auditor, Manager People Experience or the Customer Practice and Safeguarding Lead is considered the Complaints Handling Officer, in accordance with the following report category.

- The Chair of the Board or the Chair of the Audit and Risk Committee to be the primary contact person or case manager for any allegation made against a member of the Executive Leadership Team. Note; Where an allegation against the ELT member involves abuse, neglect and / or exploitation of a customer with disability or Supported Employee, Endeavour Foundation’s incident management requirements as per the Customer Safeguarding Incident Management Policy (QD 8001) and the Customer Safeguarding Incident Management Procedure (QP 8001), must still be met.
- An external party to be appointed as the case manager for any allegation made against a member of the Board, with the Company Secretary or other appropriate person to be the nominated point of contact.
- The Internal Auditor will be referred to in cases involving fraud and corruption against the Endeavour Foundation. Complaints involving allegations of fraud and corruption by senior staff may be referred to an independent investigator to maintain independence and transparency of the review process.
- The Manager People Experience will be referred to in cases involving workplace matters (i.e.) workplace grievances, workplace harassment etc. Workplace complaints involving allegations of bullying or sexual harassment by senior staff may be referred to an independent investigator to maintain independence and transparency of the review process.
- The Head of Customer Practice and Safeguarding will deal with all matters in relation to abuse, exploitation and neglect (in relation to people who we support) and complaints about service delivery.

Subject Officer: A person who has allegedly acted in a manner deemed to be improper or inappropriate conduct and has received a complaint made against them by a direct or indirect referral to the entity.

4. Policy Elements

Employee Obligations: The Policy does not intend to replace other Endeavour Foundation reporting policies or supersede any mandatory employee reporting obligations, e.g. Customer Safeguarding Incident Management Policy (QD 8001). However, where the Complainant feels the need to raise concerns anonymously or feels that known misconduct has not or will not be properly addressed, the Whistleblower Policy should be referred to.

This Policy provides that employees or other concerned persons have the option of reporting a whistleblower disclosure, by contacting the internal Feedback Hotline, which works to triage concerns to either the Head of Customer Practice and Safeguarding, Internal Auditor or the

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Employee Experience lead, or the BDO Secure Hotline, an externally operated service. The BDO Hotline has been engaged by Endeavour Foundation to host a national whistleblower platform specifically for Endeavour Foundation employees. BDO receives and refers complaints independently and will not disclose the Complainant's identity to Endeavour Foundation or any other party without first seeking the individual's permission.

Commitment: Endeavour Foundation is committed to the highest possible standards of openness, honesty, accountability and transparency in its management practices, as reflected in the Code of Conduct.

Reporting responsibility: In line with that commitment, Endeavour Foundation encourages the making of disclosures by current and former directors, employees, volunteers, contractors and customers regarding serious misconduct to any level of the organizational structure with complete comfort and confidence. Staff who receive a disclosure are required to report suspected violations in accordance with the Complaints Management Procedure (QP 5402).

Confidentiality: Whistleblower disclosures of Serious Misconduct may be submitted on a confidential basis by the complainant or may be submitted anonymously. Individuals who raise whistleblower disclosures will not have their identity revealed without their prior consent. It must be recognised, however, that in some situations the investigation process may not be able to reach a finding without the source of the information being identified.

No reprisal action: Endeavour Foundation will not tolerate its employees victimising or taking reprisal or adverse action against any individual who discloses serious misconduct or who acts as a witness in any investigation into serious misconduct. Any Endeavour Foundation employee who is found to have taken reprisal or adverse action will be subject to disciplinary process, up to and including termination.

Action: All reported matters will be promptly evaluated and escalated to the appropriate party for investigation. Corrective action will be taken if warranted by the investigation. The Internal Auditor will report to the Audit & Risk Committee on all reported matters, as well as the adequateness of the corrective actions taken by management.

5. Recording and Reporting of Matters

Guidelines for Reporting an Allegation of Serious Misconduct:

- An Endeavour Foundation Whistleblower who reports an instance of alleged serious misconduct under this Policy should have reasonable grounds to suspect wrongdoing. for the report.
- Before making a report, the Endeavour Foundation Whistleblower should consider what evidence is available (e.g. witness, relevant documentation) to substantiate or support the report.

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- In matters concerning allegations of abuse by Endeavour Foundation Staff against people at risk who we support, it is appropriate for the Whistleblower to base a complaint on suspicion of abuse.
- It is inappropriate behaviour for an Endeavour Foundation Whistleblower to pursue vexatious or frivolous allegations.

Vexatious & Frivolous Allegations:

- Frivolous allegations are matters that are trivial or extremely far-fetched or not worth serious attention; and
- Vexatious allegations are matters that are reported solely to cause inconvenience to a person or the organisation and is devoid of merit.

When a Whistleblower matter is confirmed by the Complaints Handling Officer, Internal Audit is to be notified of the following:

- Details of the matter
- Complainant
- Complaints Handling Officer
- Investigation and management methodology

In line with QD 8001 Customer Safeguarding Incident Management Policy, all Whistleblower matters once received by the Complaints Management Officer are to be recorded and managed in RiskMan.

Internal Audit is responsible for reporting Whistleblower data to Executive (select) on a monthly basis via the 'Monthly Whistleblower Report'. Recipients of this report include:

- Chief Executive Officer, Endeavour Foundation
- Executive General Manager – People & Culture
- Chair, Audit and Risk Committee
- Internal Auditor

6. Hotlines

Optional Internal Hotline- Endeavour Foundation Feedback Hotline

Telephone: 1300 730 334

Email: complaints@endeavour.com.au

Website: endeavour.com.au/contact-us/complaints

If a whistleblower wishes to lodge a complaint directly with Endeavour Foundation's Customer Practice and Safeguarding Team, they can do so with the information above. This hotline is available

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for use by complainants both internal and external to the organisation. The caller may remain anonymous if they choose. The team will then begin the reporting process as per Endeavour Foundation policy.

Optional Whistleblower Hotline facilities - "Referral from other Agencies": Whistleblower complaints can be lodged with other agencies and community services, including advocacy organisations, statutory bodies, and government departments with relevant jurisdiction and also with Whistleblower Hotline facilities identified within this policy.

1. BDO Secure Hotline

BDO Australia is an independent external service that has been engaged by Endeavour Foundation to host an Australia wide whistleblower hotline specifically for Endeavour Foundation employees and other stakeholders who wish to disclose allegations of serious misconduct. The Agency has capacity for independently receiving and referring whistleblower complaints. In doing so, BDO will not disclose the identity of the Complainant to Endeavour Foundation or any other party without the permission of the Complainant.

Telephone 1300 781 251

Email: secure@bdo.com.au

Post: BDO SECURE – RAS, GPO Box 303 BRISBANE QLD 4001

2. Other External Hotline Facilities

The following agencies are considered to have national capacity for independently receiving and referring whistleblower complaints, specifically concerning sexual harassment, abuse and bullying of people with disability.

The National Disability Abuse and Neglect Hotline:

Telephone: 1800 880 052

Email: hotline@workfocus.com

Post: National Disability Abuse and Neglect Hotline, PO Box Q687 Sydney NSW 1230

The National Disability Abuse and Neglect Hotline is an Australia-wide facility for reporting abuse and neglect of people with disability. It is funded by the Australian Government. Cases of abuse and neglect can include physical, sexual, psychological legal and civil abuse, restraint and restrictive practices, or financial abuse. It can also include the withholding of care and support which exposes an individual to harm. If a caller reports abuse or neglect in a government funded service, the Hotline will refer the report to the government body that funds the service. The funding body will investigate the report. The Hotline works with callers to find appropriate ways of dealing with these reports.

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The Australian Human Rights Commission Hotline.

Telephone: 1300 369 711

Email: infoservice@humanrights.gov.au

Post: Australian Human Rights Commission, GPO Box 5218 Sydney NSW 2001

The Australian Human Rights Commission Hotline facility will accept complaints in relation to discrimination or breach of the Human Rights Convention. The Commission can investigate and resolve complaints of discrimination, employment based discrimination, harassment and bullying based on a person’s disability, including temporary and permanent disabilities, intellectual, sensory, psychiatric disabilities, diseases or illnesses, medical conditions, work related injuries, past, present and future disabilities; and association with a person with a disability. There is no cost to the complainant or respondent. If the nature of the complaint falls outside the Human Rights Commission Charter, the Commission will assist the complainant to forward the matter to the appropriate reporting authority.

State Government / Disability Sector Hotlines:

There are a number of government departments within each state which can also assist you with making a complaint about a service provided to persons with a disability. As these departments’ change title’s and contact numbers from time to time, it is important to make contact with the relevant government department such as Communities, Disability Services and Ageing from the state government department.

NDIS Quality and Safeguards Commission:

Telephone: 1800 035 544 (free from landlines) or TTY 133 677

Online submission: <https://www.ndiscommission.gov.au/participants/complaints>

Post: NDIS Quality and Safeguards Commission, PO Box 210 Penrith NSW 2750.

The Commission was established to ensure the standards set out in the Quality and Safeguarding Framework are upheld by providers, and are responsible for a range of functions aimed at protecting and preventing harm to people with disability. Anyone may make a complaint to the Commission regarding:

- Endeavour Foundation’s services or supports that were not provided in a safe and respectful way;
- Endeavour Foundation’s services or supports that were not delivered to an appropriate standard.

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