

Purpose

Key Assets Australia (KAA) is committed to the highest standards of conduct and ethical behaviour in all our services, undertakings, and activities. We promote and support a culture of honesty, ethical behaviour, compliance, and good corporate governance.

This policy applies to and provides protections to those who qualify as Eligible Whistleblowers as determined by the law. This includes former and present Directors, Board Committee members, employees, volunteers, suppliers, and contractors (and their employees) of KAA and extends to all the entities that KAA owns. The term also includes the relatives and dependents of each of these people.

The purpose of this policy is to ensure individuals who disclose misconduct or wrongdoing can do so safely, securely and with confidence that they will be protected and supported.

This policy applies to, and provides protection for, those who qualify as Eligible Whistleblowers as determined by the law.

Principles

Development and implementation of Key Assets Australia Whistleblower Policy is underpinned by these principles

- A commitment to ethical conduct and organisational integrity
- Protection of whistleblowers from retaliation or detrimental treatment
- Confidentiality of whistleblower identity and disclosed information
- Accessible reporting channels
- Requirement for disclosures to be made with reasonable grounds
- Clear definitions of the types of wrongdoing that can be reported
- Impartial, fair and timely assessment and investigation of disclosures
- Provision of support mechanisms for whistleblowers and others involved
- Non-tolerance of knowingly false, malicious or vexatious reports
- Transparency, accountability and appropriate governance oversight
- Visible leadership commitment to supporting the policy and its protections.

Policy

Key Assets Australia (KAA) is an organisation committed to upholding the highest levels of integrity and ethical behaviour by fostering an open and supportive culture. This enables people to raise concerns about actual or suspected unlawful, unethical, or undesirable conduct without fear of detriment or reprisal.

KAA's Whistleblower Policy is an important cornerstone in helping the organisation identify wrongdoing or misconduct that might otherwise remain undetected without a safe and secure mechanism for disclosure.

KAA is also committed to protecting and supporting the dignity, wellbeing, career, and professional reputation of anyone reporting misconduct.

KAA operates in a highly complex environment, providing services and supports to a wide range of children, families and communities.

In doing so, KAA relies on the contributions of a diverse group of people and is subject to performance assessment by various stakeholders, including children and young people, employees, contractors, parents, carers and guardians, our Board and external agencies.

To uphold the highest levels of integrity and ethical behaviour, KAA encourages the reporting of suspected or actual wrongdoing. As required by law, KAA supports and provides appropriate processes and protections for individuals who disclose wrongdoing.

KAA is committed to meeting its mandatory requirements under relevant laws, regulations and codes of practice, including:

- providing access to processes and mechanisms for eligible whistleblowers to make disclosures
- protecting the dignity, wellbeing, career, and professional reputation of anyone reporting misconduct, as well those who may be the subject of a report
- acting with transparency and integrity to ensure disclosures are taken seriously
- supporting and cooperating with any independent or internal investigations related to whistleblower disclosures
- acting upon any recommendations or outcomes from investigations
- taking appropriate precautions to store any records relating to a report of wrongdoing and restricting access to authorised persons only
- communicating KAA's commitment to the Whistleblowers policy and the methods available for making a disclosure to eligible whistleblowers
- providing training and education to eligible recipients and leaders

As required by law, protection is available to eligible whistleblowers who make a qualifying disclosable matter, whereby they have reasonable grounds to believe it is true, to an eligible recipient. Examples of disclosable matters (as outlined further in the Whistleblower Procedure) include misconduct, breaches of law, or other serious wrongdoing.

Ensuring protection of all parties includes:

- Anonymity for whistleblowers, where requested, under the law. Privacy and confidentiality of all whistleblowers will be protected to the greatest extent possible.
- Ensuring that whistleblowers are not subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy, regardless of whether they may be implicated in the wrongdoing.
- Taking disciplinary action, up to and including termination, against any individual engaging in reprisal behaviour or retaliation toward a whistleblower.

KAA also recognises the importance of supporting individuals who are the subject of a report during the handling and investigation of suspected wrongdoing. KAA will take reasonable steps to ensure fair treatment for any person accused of wrongdoing, particularly during the assessment and investigation process.

KAA will take appropriate precautions to store any records relating to a report of wrongdoing securely and to restrict access to authorised persons only.

Responsibility

The **Board of Directors** and **Executive Leadership Team (ELT)** are responsible for setting overarching policies to ensure legal compliance which aligns with industry best practice and to uphold probity. They delegate appropriate policy areas to responsible managers.

Jurisdictional and Functional Directors are responsible for ensuring that this policy and associated procedures are followed in their jurisdictions. They must also ensure that any whistleblowers are treated with in accordance with this policy and its procedure.

Management at all levels is responsible for ensuring that individuals reporting to them are informed of, and understand this policy and whistleblower reporting procedures, while providing adequate information and training about their use.

All Employees, Volunteers, Contractors, Consultants are responsible for:

- Encouraging individuals to disclose concerns relating to improper activity, conduct or wrongdoing.
- Creating an environment where individuals feel safe and secure when disclosing improper activity, conduct or wrongdoing, ensuring their interests are protected.
- Raising awareness about the various confidential reporting methods available for reporting improper activity, conduct or wrongdoing.

The **Director Governance Risk and Compliance** holds primary and routine responsibility for:

- implementing this policy and procedure
- monitoring its use and effectiveness; and
- addressing any queries regarding its interpretation.

Related Documents

Whistleblowers Procedure

ASIC – Information Sheet 238 (INFO 238) – Whistleblower rights and protections

ASIC – Information Sheet 247 (INFO 247) - Company officer obligations under the whistleblower protection provisions

RG270 Whistleblower policies – ASIC

Australian Charities and Not-for-Profit Commission Whistleblower Protections

Fair Work Act 2009 (Cth)

The Corporations Act 2001 (Cth)

Tax Administration Act 1953 (Cth)

Code of Conduct - Conflict of Interest Procedure

Capabilities Performance Standards

Disciplinary Rules and Procedures

Definitions

Disclosable Matter can be any information about the organisation, or its officers or employees engaging in conduct that:

- breaches the Corporations Act or ASIC Act
- breaches an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more, or
- represents a danger to the public or the financial system.

Eligible Whistleblowers can be current and former:

- Employees and officers of the organisation.
- Contractors, suppliers and their employees.
- An individual who is an associate (as defined in the Corporations Act) of the entity; and
- Spouses and relatives of any of the above.
- A contractor or supplier including any individual who supplies goods or services, whether paid or unpaid.

Eligible Recipient. Disclosures must be made to:

- a director, company secretary, company officer, or senior manager of the organisation, or a related company or organisation;
- an auditor, or a member of the audit team, of the organisation, or a related company or organisation;
- a person authorised by the organisation to receive whistleblower disclosures;
- the Australian Securities and Investment Commission (ASIC); or
- a lawyer, when a disclosure is made to obtain legal advice or representation under the whistleblower provisions of the Corporations Act.

Approval and Policy Owner

Policy type:	Governance (GOV)
Policy owner	Executive Leadership Team
Policy approver:	Board of Directors
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