

## B015A Speak Up Policy

### 1. Purpose

YWCA Australia, YWCA National Housing and YWCA Housing (together, **YWCA**) are committed to creating and maintaining high standards of corporate governance and ethical conduct across all of our businesses and locations throughout Australia. YWCA expects all its employees, consultants and contractors who have been engaged to provide services to YWCA, to act with honesty and integrity in maintaining these high standards.

The purpose of this Policy is to:

- encourage all individuals to report any concerns regarding actual or suspected illegal, unethical or unacceptable conduct without fear of Detriment;
- explain how to speak up and what protections a person who speaks up will receive;
- outline the processes at YWCA for responding to speak up reports; and
- promote a workplace environment in which everyone feels safe, supported and encouraged to speak up.

Actual or suspected illegal, unethical or unacceptable conduct is referred to in this Policy as Improper Conduct (defined in section 4).

A failure to speak up about Improper Conduct may expose YWCA to additional risks and undermine our culture and values.

This policy has been developed having regard to the Whistle blower compliance obligations with which YWCA must comply, including the Corporations Act 2001 (Cth).

### 2. Scope

Anyone with information about Improper Conduct is encouraged to

speak up. This Policy applies to:

- YWCA and all subsidiaries and affiliate entities over which it exercises control;
- all of YWCA's current and past employees (including secondees), volunteers, officers, managers, directors, associates, consultants and contractors and any of their employees; and
- any person who supplies goods or services to YWCA, whether paid or unpaid, and any of their employees.

The *Corporations Act 2001* ('the Act') allows for these groups of people to make a speak up report even after their relationship with YWCA has ceased. In addition, the Act permits other persons outside of the business relationship to make disclosures. Under this Policy a relative or dependant (including a spouse, parent or other linear ancestor, child or grandchild, and sibling) of any of the people listed above may also contact the external Disclosure Hotline (described below at section 6.2) to make a speak up report.

YWCA actively encourages all personnel to speak up about Improper Conduct and seeks to foster a culture where personnel are comfortable in doing so. People must not discourage, hinder or influence any individual against making a speak up report and to do so may itself breach this

Policy. It is a responsibility of each staff member to encourage speak up reports where appropriate. If any person is told not to raise a concern, even by their supervisor or a person in authority, they are encouraged to make a further speak up report to a different Disclosure Officer (see paragraph 6.1 below).

This Policy deals with speak up reports about actual or suspected Improper Conduct only.

Improper Conduct does not generally include personal work-related grievances. Personal work-related grievances are grievances about something in relation to a Reporter's current or former employment or engagement that has implications for them personally. For example, a conflict between the Reporter and an employee, a decision relating to the engagement, transfer or promotion of the Reporter, a decision relating to the terms and conditions of engagement of the Reporter, or a decision to suspend or terminate the Reporter's engagement, or to otherwise discipline the Reporter.

However, if that grievance relates to detriment suffered to the Reporter because they have or may speak up about an issue that has broader significant implications for YWCA that do not relate to the Reporter, concerns a contravention of an applicable law of the Commonwealth, or represents a danger to the public or the financial system, then that grievance will be covered by this Policy.

Speak up reports made to a Disclosure Officer under this Policy that do not relate to Improper Conduct will be referred to the People and Culture Team to be dealt with in accordance with the Grievance Policy and the Grievance Procedure.

### 3. Policy Statement

This Policy establishes a system for people to speak up about Improper Conduct without fear of Detriment. Any person who makes a speak up report about Improper Conduct to YWCA must not be subject to Detriment because of their actions. Complying with our Speak Up Policy is a requirement of ongoing employment or engagement with YWCA. We take the protection of Reporters very seriously. This Policy endeavours to promote and maintain a professional working environment in which everyone feels safe, supported and encouraged to speak up about Improper Conduct.

The Act describes disclosures which may be protected under law. Information about the types of disclosures which may be protected, and the persons who are eligible to receive disclosures under the Act are described in Attachment 1.

### 4. Definitions

**Detriment:** Detriment could include doing or threatening to do something that includes any of the following:

- a demotion or dismissal;
- injury to a person in their employment or engagement;
- alteration of an employee's role or duties to their disadvantage;
- discrimination between one employee and another;
- intimidation, harassment or retaliation;
- physical or psychological harm or injury to a person;
- damage to a person's property, reputation, business, financial position; or any other damage.

**Improper Conduct:** Examples of **Improper Conduct** include, but are not limited to, the following:

- a breach of regulations or laws;
- dishonest, unethical or corrupt behaviour, including soliciting, accepting or offering a bribe, facilitation, payments or other such benefits;
- fraudulent activity e.g. falsification or alteration of accounting or other documents, theft of assets, suppression or omission of the effects of transaction from records and documents, recording of transactions without substance, misuse of private and confidential information for personal gain, and misuse of YWCA's resources for personal gain;
- illegal activity (including any breach of the federal *Competition and Consumer Act 2010* or the *Corporations Act 2001*, theft, drug sale/use, violence or threatened violence and property damage);
- breach of trade sanctions or other trade controls;
- conflicts of interest;
- impeding internal or external audit processes;
- improper behaviour relating to accounting, internal accounting controls, actuarial, or audit matters;
- conduct that creates a risk to the health and safety of employees, contractors, consultants, suppliers, public health or safety, or the environment;
- mismanagement of YWCA's resources;
- unauthorised use of YWCA's confidential information;
- corrupt conduct with the use of intentional deception to obtain an illegal advantage, or provide an illegal advantage to an employee, contractor, supplier of another third party;
- giving to customers, or receiving from a supplier, gifts and/or entertainment which could be seen as a kickback, bribe or pay off from a customer or supplier;
- payments to a government entity or official for the purpose of obtaining or retaining a business opportunity or other advantage;
- anti-competitive behaviour;
- accepting or providing offers or promises of an illegal advantage by doing or not doing certain functions in the course of an individual employment; and
- conduct that is detrimental to YWCA's business and/or reputation;
- engaging in or threatening to engage in detrimental conduct against a person who has made a speak up report or is believed or suspected to have made, or be planning to make, a speak up report; and
- concealment of any of the above.

**Reporter:** refers to a person who speaks up about Improper Conduct under this Policy.

## 5. Responsibilities

### 5.1 All Individuals

All individuals are encouraged to speak up about any known or suspected instances of Improper Conduct in accordance with this Policy and are responsible for familiarising themselves and complying with this Policy. This includes YWCA's current and past employees (including secondees), directors, suppliers, contractors and consultants.

Any individual may speak up about a matter directly or anonymously. Feedback on the outcome of the matter raised will be provided where appropriate.

All employees are responsible for behaving in a fair and legal manner and to be seen to be doing so. All individuals are expected to comply with and support any investigation or other process being undertaken under this Policy including keeping matters confidential to the extent YWCA or the law requires.

### 5.2 Disclosure Officers

The Disclosure Officers have a central role in the speak up reporting system. The Disclosure Officers are designated with responsibility for receiving confidential speak up reports from staff in relation to Improper Conduct and are the primary points of contact in the organisation for the Reporter. The Disclosure Officers will receive and manage all matters referred back to the organisation by the Disclosure Hotline. See section 6.1 below for the current contact details of the Disclosure Officers.

The Disclosure Officers have a responsibility to:

- acknowledge speak up reports and provide updates and feedback to the Reporter; and
- ensure that the information is heard by YWCA and appropriate follow-up occurs, as well as to ensure that the Reporter feels supported and protected.

The Disclosure Officers also have a responsibility for:

- coordinating the organisation's response to a speak up report;
- assessing how to keep the Reporter's identity confidential;
- assessing the risk of Detriment and workplace conflict related to or likely to arise out of a speak up report, and develop strategies to manage any identified risk; and
- where required, providing or coordinating support to staff involved in the investigation process, including protecting the interests of any person the subject of a speak up report.

### 5.3 All Managers and Supervisors

All managers and supervisors who receive a verbal or written complaint from a Reporter should, immediately, or as soon as reasonably possible following a speak up report being made, encourage the Reporter to make the complaint to a Disclosure Officer, or seek the consent of the Reporter to pass on the complaint to a Disclosure Officer.

## 5.4 Investigating Officer

The role of the Investigating Officer is to investigate the substance of the complaint in order to determine whether there is evidence in support of the matters raised which may need to be taken further.

## 5.5 Decision-maker

The Decision-maker will:

- make decisions following any investigation; and
- take appropriate action where wrongdoing is substantiated, or systemic problems are identified.

## 5.6 People and Culture Team

The People and Culture Team are responsible for maintaining this Policy and for providing procedurally relevant guidance and support in the interpretation of the Speak Up Policy and supporting relevant parties in the resolution of any reported situation.

# 6 Making a speak up report

## 6.1 Speaking up about actual or suspected Improper Conduct

Reporters should speak up about actual or suspected Improper Conduct to a designated Disclosure Officer. As noted above, the role of Disclosure Officer is to ensure that the information is heard by YWCA and appropriate follow-up occurs, as well as to ensure that the Reporter feels supported and protected.

The Disclosure Officers are:

- Director, People and Culture, currently Joanna Mallon on 0411 150 245 and [joanna.mallon@ywca.org.au](mailto:joanna.mallon@ywca.org.au); and
- Company Secretary, currently Kate O'Donohue, on 0416 795 798 and [kate.odonohue@ywca.org.au](mailto:kate.odonohue@ywca.org.au)

Speak up reports can be submitted in writing, over the phone, or face to face. The Reporter should provide as much information as possible, including details of the Improper Conduct, people involved, dates, locations and if any more evidence may exist.

Any person making a speak up report will be expected to have reasonable grounds to suspect the information being provided is true, but the Reporter will not be penalised even if the information turns out to be incorrect. However, a Reporter must not make a speak up report that they know to be false or misleading. A Reporter who has knowingly made a false speak up report may be in breach of the YWCA Code of Conduct and may be subject to disciplinary action up to and including termination of their employment or engagement.

## 6.2 Disclosure Hotline

YWCA aims to ensure that our people feel comfortable raising concerns, even if those concerns relate to people within the organisation. Speak up reports can be made to the organisation's external independent whistleblowing service, Your Call, using any of the following methods:

- Website (24/7) <https://www.yourcall.com.au/report>
- Calling the hotline number 1300 790 228

Online reports can be made via the website address listed above. You will be required to enter YWCA Australia's unique identifier code **YWCA**.

The operators taking calls on this hotline are not associated with YWCA, and are experienced specialists trained in dealing with whistleblowers and their concerns. The operator will prepare a summary of the issues raised and forward this to the Disclosure Officer for action.

### 6.3 Anonymous speak up reports

Speak up reports can be made anonymously, if the person making the speak up report does not want to reveal their identity. It is recognised that sometimes anonymous speak up reports limit the extent of information available for consideration and investigation, and limit YWCA's ability to seek further information from the Reporter and investigate the matter effectively. The matter will still be actioned, but where a Reporter identifies themselves the organisation is better able to provide any necessary protection and support, as well as feedback about what action has been or will be taken to deal with the issues raised, or the outcome of any investigation.

When a speak up report is made, the Disclosure Officer (or other person receiving the speak up report) will seek the Reporter's consent before recording the Reporter's name. Reporters should feel supported and safe in providing information, and to consent to the limited sharing within YWCA of their identity. Reporters are encouraged to provide their name, as this will assist YWCA's investigation of the speak up report. However, they are not required to do so, and if the Reporter elects to remain anonymous, YWCA will investigate the speak up report as best as possible in the circumstances. However, an investigation may not be possible if sufficient information is not provided, or the Reporter does not give consent to the limited sharing within YWCA of their identity and the details of their speak up report.

The measures and mechanisms in place to protect a Reporter's anonymity include:

- communication through anonymous telephone hotlines and anonymised email addresses; and
- giving the Reporter the option to adopt a pseudonym for the purpose of their speak up report.

## 7 Confidentiality

All speak up reports will be treated with the highest degree of confidentiality in any investigation. Unless a person gives permission for their identity to be known, it is unlawful for a person who receives a speak up report to make the identity of the Reporter known, or to disclose any information that is likely to lead to the identification of the person. This means that the person who receives an allegation (in circumstances where the person making the allegation wishes to remain anonymous) may only pass on the details of the allegation to a Disclosure Officer, and may not reveal any information that may state or suggest who has made the speak up report. The allegation will be assessed, not the credibility of the person who speaks up.

If the Reporter does provide their name, YWCA will only disclose the Reporter's identity if they provide their consent, or in exceptional circumstances where the disclosure is allowed or required bylaw (e.g. in dealings with a regulator). YWCA will limit any disclosures to a strictly "need to know" basis. Any person who receives verbal permission to release a Reporter's identity should document the fact and have it confirmed by the Reporter.

It is important to realise that an anonymous speak up report may not prevent the Reporter from being identified by the subject of the speak up report or by others. However, all reasonable steps will be taken to reduce the risk of the identity of the Reporter becoming known. Enquiries and investigations will be conducted so as to maintain the confidentiality of any person who is the subject of an allegation.

Regardless of whether the Reporter's identity is known to an Investigating Officer, the Reporter may still be required to participate in the investigation process.

## 8 Assessing speak up reports

All speak up reports will be assessed by YWCA to determine what action will be taken to deal with the speak up report. YWCA's response to the speak up report will vary depending on the nature of the speak up report and the amount of information provided.

The Disclosure Officer is responsible for assessing the speak up report. All speak up reports will be assessed on the information available to the Disclosure Officer at the time. The Disclosure Officer will decide whether an investigation should be carried out and how that investigation should occur. In assessing a speak up report the Disclosure Officer may decide that the speak up report should be referred elsewhere or that no action should be taken on the speak up report.

## 9 Investigating speak up reports

As all situations are different, where an investigation of Improper Conduct takes place, it will be conducted in a manner appropriate to the circumstances and in accordance with Paragraph 9.2.

### 9.1 Preliminary Investigation

For a speak up report to be investigated, it must contain sufficient information for YWCA to have a basis for considering the speak up report to be genuine and taking further steps to investigate. It can be oral or in writing and the Reporter should, where possible, provide:

- their name (unless the speak up report has been made anonymously);
- the nature of the Improper Conduct;
- all relevant facts giving rise to the Improper Conduct, including dates and locations;
- name of relevant YWCA Business Unit where the Improper Conduct has arisen;
- names of the individual(s) involved;
- details of any other entities involved; and

- any other evidence that may exist.

Reporters will also be asked to declare:

- that they have reasonable grounds to believe the information provided is true and accurate; and
- whether they consent to the disclosure of their name and the information contained in their speak up report as required for the purpose of any investigation or reporting.

## 9.2 Investigation Process

The process for investigation will be determined by considering a range of factors that include, but are not limited to:

- the seriousness of the allegations;
- the context in which the conduct occurred;
- the potential consequences of the conduct;
- the extent of the conduct and whether multiple people may be involved;
- if an anonymous speak up report, the amount of information provided and its level of detail;
- whether the matter is already known and whether it is being, or has already been addressed;
- whether the matter may be addressed through alternative means, e.g. WHS management processes or the grievance process; and
- whether the matter is a systemic issue arising from problems with the organisation's processes and procedures.

Any investigations commenced will be conducted in a timely manner appropriate to the circumstances and will be independent from any persons to whom the speak up report relates. Depending on the circumstances, an Investigating Officer will investigate the matter, or YWCA may appoint an appropriately qualified external investigator, or other additional resources (for example, a specialist with IT or forensic investigatory skills) seconded internally or sourced externally where required to supplement the investigator in order to conduct a formal investigation.

All employees and contractors must cooperate fully with any investigations.

If appropriate, the Reporter will be told how YWCA has decided to respond to their speak up report, including whether an investigation will be conducted. This may not occur until after an investigation has been concluded. However, it may not always be appropriate to provide Reporters with this information, and may not be possible unless contact details are provided when making the speak up report.

Any comment on the investigation and outcomes will be mindful of the right to confidentiality of those involved in the process.

## 10 Protecting Reporters



YWCA is committed to making sure that Reporters do not suffer Detriment because they speak up. This section outlines how YWCA will protect those who make a speak up report under this Policy. The law may also contain protections for Reporters, which are summarised in Attachment 1 below.

It is illegal to cause Detriment or threaten to cause Detriment to a person because of a suspicion that any person has, will or could make a speak up report. It is also illegal to intentionally, or recklessly act in any way so as to cause a person to fear that such a threat will be carried out. It does not matter whether the threat is a direct threat, is implied, conditional or unconditional.

Any person making a speak up report in accordance with this Policy will not be disadvantaged in their employment or engagement with YWCA because of the fact they have made a speak up report, regardless of whether or not the speak up report is substantiated. However, where it is established that a Reporter has made malicious, false or vexatious allegations of Improper Conduct, the Reporter may be subject to disciplinary action up to and including termination of their employment or engagement.

YWCA will not tolerate any Detrimental action against staff who speak up about Improper Conduct. Any person involved in causing Detriment to a Reporter may be subject to disciplinary action (including, but not limited to, termination of their employment or engagement). In some circumstances, this may also be a criminal offence punishable by imprisonment. YWCA may refer any person that has engaged in causing Detriment to a Reporter to law enforcement authorities for further investigation.

### 10.1 Protections available for Reporters

The protections offered to Reporters will be determined by YWCA and depend on things such as the Improper Conduct and the people involved. Protections may include the following, in YWCA's absolute discretion and as appropriate in the circumstances:

- monitoring and managing the behaviour of other employees;
- relocating the Reporter or other individuals (which may include the people alleged to have been involved in the Improper Conduct) to a different business unit or office;
- offering the Reporter a leave of absence or flexible workplace arrangements while a matter is investigated;
- a Reporter who is a current or former employee may access the YWCA Employee Assistance Program and may also request additional support from YWCA (such as counselling or other support services); and/or
- rectifying any Detriment that the Reporter has suffered.

A Reporter's identity (and any information that YWCA has because of their speak up report that someone could likely use to work out the Reporter's identity) will only be disclosed if:

- the Reporter gives their consent to YWCA to disclose that information; or
- the disclosure is allowed or required by law (for example, the disclosure by YWCA to a lawyer in order to get legal advice); or

- in the case of information likely to identify the Reporter, it is reasonably necessary to disclose the information for the purposes of an investigation, but all reasonable steps are taken to prevent someone from working out the Reporter's identity.

Subject to the Reporter's consent, measures which YWCA may adopt to protect the Reporter's identity may include some or all of the following, as appropriate in the circumstances:

- using a pseudonym in place of the Reporter's name;
- if the Reporter chooses to remain anonymous, communicating with the Reporter through the anonymous avenues available through the Disclosure Hotline, Your Call;
- redacting personal information or references to the Reporter;
- referring to the Reporter in a gender-neutral context;
- where possible, consulting with the Reporter to help identify the aspects of their speak up report that could inadvertently identify them;
- ensuring paper and electronic documents and other materials relating to the speak up report are stored securely;
- limiting access to all information relating to a speak up report to those directly involved in managing and investigating the speak up report;
- only disclosing the Reporter's identity or information that is likely to lead to the Reporter's identification to a restricted number of people who are directly involved in handling and investigating the speak up report; and
- reminding each person who is involved in handling and investigating a speak up report about the confidentiality requirements, including the consequences of an unauthorised disclosure.

YWCA will look for ways to support all people who disclose Improper Conduct, but it will of course not be able to provide non-employees with the same type and level of support that it provides to employees. Where this Policy cannot be applied to non-employees (for example, because YWCA cannot itself offer flexible workplace arrangements to a supplier), YWCA will still seek to offer as much support as practicable.

## 10.2 Managing the risk of Detriment

When a speak up report of Improper Conduct is made, the Disclosure Officer will undertake a risk assessment to identify the risk of Detriment to the Reporter. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate. Any suggestion by the Disclosure Officer to relocate, transfer, or permit a leave of absence will only be made where appropriate for the purposes of risk management, and not as punishment. Any such measures may only occur in consultation with the Reporter.

## 10.3 Responding to allegations of Detriment

YWCA will treat any report of victimisation or Detriment very seriously. Where a person believes that Detrimental action has been or is being taken because they have, propose to or could speak up about Improper Conduct, they should immediately notify a Disclosure

Officer. If YWCA becomes aware of or suspects that Detriment is being or has been caused to a person who has made a speak up report, the organisation will:

- assess the report of Detriment to determine whether it warrants investigation, or if other action should be taken to resolve the issue;
- if it is established that Detriment is occurring against a Reporter, take steps to stop that activity and protect the Reporter; and
- take appropriate disciplinary action against anyone proven to have taken or threatened any Detriment for making a speak up report.

Disciplinary action may include, but is not limited to termination of employment or engagement. In some circumstances, victimisation or Detriment may also be a criminal offence punishable by imprisonment. YWCA may refer any person that has engaged in causing Detriment to a Reporter to law enforcement authorities for further investigation.

YWCA will at all times be able to raise and address with a Reporter matters that arise in the ordinary course of their employment or engagement with YWCA (for example, any separate performance or misconduct concerns).

## 11 The rights of persons the subject of a speak up report

YWCA is committed to ensuring staff who are mentioned in, or the subject of a speak up report of Improper Conduct are treated fairly and reasonably. This includes keeping the identity of any person the subject of a speak up report confidential as far as possible.

Where a matter is to be investigated and it is deemed appropriate to do so, any person the subject of a speak up report will be advised of the allegations against them (to the extent permitted by law) at an appropriate time and be given an opportunity to respond before any adverse findings are made.

The organisation will support the person the subject of a speak up report where the allegations are clearly wrong or have been investigated and unsubstantiated. The allegations and investigation will be kept confidential unless otherwise agreed to by the person the subject of the speak up report.

## 12 Investigation outcomes

### 12.1 What happens after an Investigation

Reporters will be informed of the investigation outcome if appropriate. However, it may not always be appropriate to provide Reporters with this information. If appropriate, the persons to whom the speak up report relates will also be informed of the findings of any investigation. However, the formal report recording the results of an investigation will not be provided to a Reporter or any other person subject to investigation.

### 12.2 Reporting to the Board

The Board will receive a summary of speak up reports made under this Policy on a periodic basis, including appropriate metrics on speak up reports made.

### 12.3 False Reporting

Where it is established that a Reporter has knowingly made false, malicious or vexatious allegations of Improper Conduct, the matter will be treated seriously and the Reporter may be subject to disciplinary action up to and including termination of employment or engagement.

### 12.4 Reporting to Third Parties

Where required by law, YWCA may report the matter to the appropriate authority.

## 13 Accessing this Policy

This Policy will be published on the YWCA Australia intranet and the YWCA Australia website. Any updates to the policy will be advised via a memorandum from the CEO.

This Policy does not form part of any terms of employment or engagement and YWCA may change, apply or withdraw this Policy in its discretion.

## Attachments

Attachment 1– Protections provided by Australian Law

Document Control Data	
Policy Framework	
<b>Responsible Body</b>	Board of Directors
<b>Accountable Officer</b>	Director People and Culture
<b>Application</b>	Current and former employees (including secondees), volunteers, officers, managers, directors, consultants, contractors, suppliers (and their employees), as well as their spouses and dependants, and anonymous disclosers
<b>Supersedes</b>	Not applicable
<b>Associated documents</b>	Code of Conduct, Grievance Policy and Procedure
<b>Legislation</b>	The Corporations Act 2001

Approval and Amendment history				
Review period – 2 years				
Approval date	Effective from	Version	Amendments	Next review
		1.0	Initial policy approval	2 years

# ATTACHMENT 1: Protections provided by Australian law

## 1. When legislative protections may apply

Under Australian law, including the *Corporations Act 2001* (Cth) ('the Act'), legislative protections for making disclosures are available to certain persons (including current and former employees, volunteers, officers, contractors, suppliers, employees of suppliers, associates, as well as those people's relatives and dependants) who make a "protected disclosure" to certain people.

YWCA encourages people to speak up to a Disclosure Officer described under section **Error! Reference source not found.** and 6.1 of the above Policy. However, the law offers the same protections if the Reporter makes a "protected disclosure" to a disclosure recipient or to some other persons (in some cases) as set out below. For example, the Reporter can disclose certain information to a longer list of people, beyond the disclosure recipients outlined in section 6.1 and 6.2. A disclosure can qualify for protection under the Act even if it is made anonymously or turns out to be incorrect, for example, where the disclosure is made to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the Act.

Details of those persons to whom a "protected disclosure" can be made are set out below in section 2 to this Attachment.

Further details of some specific protections and remedies available to those who make a "protected disclosure" are set out in section 3 to this Attachment.

If the Reporter makes a "protected disclosure" that does not comply with the Policy, the Reporter will still be entitled to the legal protections under applicable Australian law.

Please contact YWCA's Director People and Culture if you would like more information about the protections available under the law.

## 2. Protected disclosures

To be a "protected disclosure" qualifying for protection under the Act, the disclosure must relate to a "disclosable matter" and be made directly to an "eligible" recipient of "protected disclosures" under the Act. Examples of this type of information and recipients are outlined in the following table:

Information reported or disclosed	Recipient of disclosed information
<ul style="list-style-type: none"><li>Information about misconduct, or an improper state of affairs or circumstances in relation to YWCA or a related body corporate.</li><li>Information that YWCA or any officer or employee of YWCA's has engaged in conduct that:</li></ul>	<ul style="list-style-type: none"><li>A person authorised by YWCA to receive protected disclosures – i.e. Disclosure Officers under this Policy.</li><li>An officer or senior manager of YWCA or of a related body corporate.</li></ul>

<ul style="list-style-type: none"> <li>○ contravenes or constitutes an offence against certain legislation (e.g. the Act);</li> <li>○ represents a danger to the public or the financial system; or</li> <li>○ constitutes an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more.</li> </ul> <ul style="list-style-type: none"> <li>• Note that “personal work-related grievances” (as referred to in section 2 of the Policy) are not protected disclosures under the law.</li> </ul>	<ul style="list-style-type: none"> <li>• An auditor, or a member of an audit team conducting an audit, of YWCA or of a related body corporate.</li> <li>• An actuary of YWCA or of a related body corporate.</li> <li>• ASIC, APRA or another Commonwealth body prescribed by regulation.</li> <li>• A legal practitioner for the purposes of obtaining legal advice or legal representation (even if the legal practitioner concludes the disclosure does not relate to a disclosable matter).</li> <li>• Journalists or parliamentarians, under certain circumstances allowing emergency and public interest disclosures. It is important for you to understand the criteria for making a public interest or emergency disclosure before doing so.</li> </ul>
<ul style="list-style-type: none"> <li>• Information that may assist the Commissioner of Taxation to perform his or her functions or duties under a taxation law in relation to YWCA.</li> </ul>	<ul style="list-style-type: none"> <li>• Commissioner of Taxation.</li> </ul>
<ul style="list-style-type: none"> <li>• Information about misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of YWCA, which the employee considers may assist the eligible recipient to perform functions or duties in relation to the tax affairs of YWCA.</li> </ul>	<ul style="list-style-type: none"> <li>• An auditor or a member of an audit team conducting an audit of YWCA.</li> <li>• A registered tax agent or BAS agent who provides tax services or BAS services to YWCA.</li> <li>• A director, secretary or senior manager of YWCA.</li> <li>• An employee or officer of YWCA who has functions or duties that relate to the tax affairs of YWCA.</li> </ul>

A person making a disclosure is expected to have reasonable grounds to suspect that the information being disclosed concerns a disclosable matter to the best of their knowledge and belief. If a person is found to deliberately make a false or malicious report, this may be considered a serious matter and result in disciplinary action.

### 3. Specific protections and remedies

If a person makes a “protected disclosure”, the law provides:

- it is illegal for a person to disclose that the discloser's identity in connection with the disclosure, or information likely to lead to their identification, except in certain circumstances (e.g. with the discloser's consent);
- the discloser is not subject to any civil, criminal or administrative liability for making the disclosure;
- no contractual or other remedy may be enforced or exercised against the discloser on the basis of the disclosure;
- in some circumstances (e.g. if the disclosure has been made to a regulator), the information the discloser provides is not admissible in evidence against the discloser in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information; and
- the discloser is protected from detrimental acts or omissions in relation to making the disclosure and can seek compensation and other remedies through the Courts if they suffer loss, damage or injury because of a disclosure and YWCA has failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

Additional legislative protections and remedies may also be available.