

Version

2

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PURPOSE

Harry Perkins Institute of Medical Research Inc (the **Perkins**) is committed to high standards of research, ethical behaviour and good corporate governance. The Perkins' ethical values are set out in the Perkins Code of Conduct.

This policy provides a framework for employees and others within which to raise concerns about unethical, illegal or improper conduct and provides guidance on dealing with disclosures about Reportable Conduct and the protections available to persons making a disclosure.

This policy will be made available on the Perkins Intranet.

The objectives of this policy are to:

- (a) encourage Eligible Persons to disclose unethical, illegal or improper conduct of which they become aware;
- (b) provide protection for Eligible Persons who disclose allegations of unethical, illegal or improper conduct (**Whistleblowers**); and
- (c) indicate when and how such disclosures will be investigated; and
- (d) ensure the Perkins acts in compliance with the *Corporations Act 2001* (Cth) protections for Whistleblowers.

SCOPE

This policy applies to all current and former employees, volunteers and suppliers (whether paid or unpaid) of the Perkins¹. Other persons (such as contractors, secondees, relatives, dependents or dependents of spouses of any employee) may use the procedures in this policy (**Eligible Persons**).

POLICY

1. Whistleblower protections and reportable conduct

1.1 Whistleblower protection

- (a) To the maximum extent practicable, a Whistleblower who genuinely discloses an allegation or concern about compliance with laws or other standards of behaviour will be protected from any adverse action (such as dismissal, demotion, suspension, harassment, or other forms of discrimination) because they have raised such allegations.
- (b) Subject to this policy, a Whistleblower is protected, even if the allegations prove to be incorrect or unsubstantiated (although a person who maliciously or vexatiously makes disclosures or makes false disclosures may be subject to disciplinary action).
- (c) Every reasonable effort will be made to protect the anonymity of the Whistleblower, if the Whistleblower does not wish their identity to be disclosed, including but not limited to:
 - (i) redacting all personal information about the Whistleblower in relevant documents;
 - (ii) discussing with the Whistleblower what aspects of the disclosure may inadvertently identify the Whistleblower;
 - (iii) using gender neutral language.

1.2 Reportable conduct

Reportable conduct that can be the subject of a protected Whistleblower report is anything the Eligible Person has reasonable grounds to suspect unethical, illegal or improper conduct.

¹ For the purpose of this policy, researchers and students working at the Perkins but employed by other entities are considered unpaid suppliers of the Perkins.

Examples of things that may be considered unethical, illegal or improper conduct include but are not limited to:

- (a) dishonesty, fraud, or corruption;
- (b) illegal activities (including theft, drug sale/use, violence, threatened violence, or criminal damage against the Perkins' assets/property);
- (c) discrimination, vilification, sexual harassment, harassment, bullying and victimisation;
- (d) acts or omissions in breach of commonwealth or state legislation or local authority by-laws;
- (e) unethical behaviour;
- (f) other serious improper conduct (including gross mismanagement, serious and substantial waste of the Perkins' resources, or repeated breaches of administrative procedures);
- (g) unsafe work-practices likely to cause serious harm;
- (h) practices endangering the environment;
- (i) research misconduct;
- (j) any other conduct which may cause financial or non-financial loss to the Perkins or be otherwise detrimental to the interests or reputation of the Perkins; or
- (k) the deliberate concealment of information tending to show any of the matters listed above.

1.3 Conduct that is not reportable under this policy

This policy does not apply to:

- (a) personal grievances;
- (b) general employment grievances and complaints by a person about their own employment or situation; or
- (c) minor health and safety hazards.

The issues referred to in 1.3(a) and (b) above are covered by the Grievance Resolution Procedure.

2. How to speak up

2.1 Eligible Recipients within the Perkins

Any Eligible Person who has reasonable grounds to suspect that Reportable Conduct as defined in clause 1.2 or a breach of a law or other standard of behaviour has occurred, is encouraged to report that suspicion to:

- (a) persons within the Perkins who are authorised to receive a disclosure, which include the Directors, Chief Executive Officer, Chief Financial Officer, Chief People Officer; and any senior manager of the Perkins (**Eligible Recipients**);
- (b) a member of the Perkins' auditing or actuarial team. The Perkins external auditor can be found in its Annual Report and, as at October 2024, was PricewaterhouseCoopers Australia (PwC) (William Meston, Lead Auditor).

Eligible persons may also communicate with PwC by accessing the [PwC Ethics Helpline](https://www.pwc.com/ethicshelpline) ([pwc.com/ethicshelpline](https://www.pwc.com/ethicshelpline)) where details of how to report by phone or online can be found.

- (c) a lawyer for the purpose of taking advice about Whistleblower protections.

2.2 Disclosure to external regulatory bodies

While it is the Perkins' preference for disclosures to be made internally, so that the Perkins can investigate and deal with the disclosures, a Whistleblower may choose to raise disclosable matters outside of the Perkins with a relevant regulatory body.

2.3 Public interest disclosures

Public interest disclosures may be made to journalist or members of Parliament (Commonwealth or State) but only if the Whistleblower complies with the following requirements:

- (a) the Whistleblower must have first made a qualifying disclosure to ASIC or a prescribed Commonwealth authority;
- (b) at least 90 days has passed since the qualifying disclosure was made;
- (c) the Whistleblower does not have reasonable grounds to believe that action is being, or has been, taken to address the matters to which the qualifying disclosure related;
- (d) the eligible Whistleblower has reasonable grounds to believe that making a public interest disclosure would be in the public interest;

- (e) after 90 days has passed, the eligible Whistleblower must give the body to which the qualifying disclosure was originally made, a written notification that: includes sufficient information to identify the qualifying disclosure; and states that the eligible Whistleblower intends to make a public interest disclosure; and
- (f) the extent of the information disclosed in the public interest disclosure is no greater than to inform the journalist or member of Parliament of the misconduct or improper state of affairs or circumstances, or other conduct falling within the scope of the Whistleblower Policy.

2.4 Emergency disclosures

Emergency disclosures may be made to journalists and members of Parliament but only if the Whistleblower strictly complies with the following requirements:

- (a) the Whistleblower must have first made a qualifying disclosure to ASIC or a prescribed Commonwealth authority;
- (b) the Whistleblower has reasonable grounds to believe that information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- (c) the discloser gave notice to the body to which the qualifying disclosure was made that states:
 - (i) that they intend to make an emergency disclosure; and
 - (ii) includes sufficient information to identify the qualifying disclosure; and
- (d) the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the recipient of the substantial and imminent danger.

2.5 Content of disclosures

- (a) All disclosures should provide specific, adequate and relevant information with respect to dates, places, persons, witnesses, amounts, and other relevant information, in order to allow for a reasonable investigation to be conducted.
- (b) If the Whistleblower's name is disclosed in the disclosure, the person receiving the disclosure will acknowledge having received the disclosure and may initiate a follow-up meeting. However, if the disclosure is submitted on an anonymous basis, there will be no follow-up meeting regarding the disclosure and the Perkins will be unable to communicate with the Whistleblower if more information is required, or if the matter is to be referred to external parties for further investigation.

- (c) All disclosures received will be dealt with on a confidential basis and Whistleblowers are encouraged to disclose their identities, to obtain the protection afforded to them at law.

3. Confidentiality and anonymity

The Perkins recognises that maintaining appropriate confidentiality is crucial in ensuring that potential Whistleblowers come forward and make disclosures in an open and timely manner and without fear of reprisals being made against them.

The Perkins will take all reasonable steps to keep the identity of the Whistleblower confidential and will adhere to any statutory requirements in respect of the confidentiality of disclosures made.

Civil or criminal sanctions may apply to persons who disclose a Whistleblower's identity, or disclose information that is directly or indirectly likely to lead to disclosure of the Whistleblower's identity, subject to the following exceptions:

- (a) the Whistleblower has consented to the disclosure;
- (b) in the process of obtaining advice from a legal practitioner or legal representation in relation to the operation of the Whistleblower provisions of the Corporations Act.
- (c) the disclosure has been made to ASIC or the Police, or any relevant Commonwealth or State authority for the purposes of assisting the authority in the performance of its functions or duties.

4. How will the Perkins deal with a Whistleblower report?

- (a) Upon receipt of a disclosure, an Eligible Recipient will notify the CEO, or if the disclosure is about the CEO then the Chair of the Perkins Board.
- (b) The Eligible Recipient and the CEO (or Chair) will consider whether the disclosure is covered by this policy, the degree of seriousness of the alleged Reportable Conduct, what steps should be taken to support the Whistleblower, what steps should be taken to protect the identity of the Whistleblower, and what measures should be taken to deal with the disclosure.
- (c) If the disclosure warrants further investigation, an internal or external investigator will be appointed.
- (d) Any investigation in relation to a disclosure will be conducted promptly and fairly, with due regard for the nature of the allegation and the rights of the persons involved in the investigation. This would usually involve giving those persons an opportunity to respond to the subject matter of the disclosure having regard to principles of procedural fairness.

- (e) Any evidence gathered during an investigation, including any materials, documents or records, must be held confidentially and securely by the investigator.
- (f) During the investigation, the investigator will be permitted access to all of the relevant materials, documents, and records. The Directors, Officers, employees and agents of the Perkins must cooperate fully with the investigator.
- (g) Following the investigation, a final report will be issued by the investigator which outlines findings about the relevant facts and evidence relied on to make those findings, whether the allegation(s) have been substantiated, and recommendations for actions to be taken.
- (h) Access to the disclosure and the investigation records will be limited to the investigator(s) and the Eligible Recipients.
- (i) The Perkins will take appropriate action where necessary upon receipt of the report.

5. Support and protection of a Whistleblower following a disclosure

5.1 When will the policy operate

This policy protects the Whistleblower against any reprisals, provided that the Whistleblower identifies themselves to the Perkins, and the disclosure is:

- (a) reportable conduct under clause 1.2 of this policy;
- (a) submitted in good faith and without any malice or intentionally false allegations;
- (b) based on the Whistleblower's reasonable belief that the alleged conduct, or issue related to the alleged conduct constitutes, or may constitute Reportable Conduct; and
- (c) does not result in a personal gain or advantage for the Whistleblower.

5.2 No reprisals

- (a) The Perkins will not take any adverse action against a Whistleblower because they have made a disclosure, which meet the conditions set out in this policy, unless the Whistleblower is a participant in the prohibited activities with respect to which the complaint is made.
- (b) If the Whistleblower was involved in the conduct, which was the subject of the disclosure, the fact that the Whistleblower has made the disclosure may be taken into account in determining the severity of the disciplinary measures, if any, that may eventually be taken against such Whistleblower.

- (c) Any reprisals against a Whistleblower are a serious breach of this policy and may result in disciplinary action, including dismissal. This protection also applies to anyone providing information related to an investigation pursuant to this policy.
- (d) While it is the right of the Whistleblower to remain anonymous, if the Whistleblower does not identify themselves and requires complete anonymity, it will be difficult for the Perkins to apply the protections in this policy.
- (e) Whistleblowers whose identity has been disclosed without their consent or who have been subject to detrimental acts or detrimental omissions because they made a protected disclosure may be entitled to compensation and other remedies.

6. Communications with the Whistleblower

Provided the disclosure was not made anonymously, the Perkins will ensure that the Whistleblower is kept informed of the steps to be taken in an investigation (or if no action is taken the reasons for this), of the progress of an investigation, completion and outcomes of the investigation of the allegations, subject to the considerations of privacy of those against whom allegations are made, legal obligations and any other factors the Perkins considers relevant in the particular situation.

7. Policy implementation

The Perkins will provide training to Eligible Recipients regarding their responsibilities under this policy. The Perkins will take steps to ensure workers are aware of the protections of this policy.

The Perkins will periodically review this policy and may amend this policy from time to time.

DEFINITIONS

Term	Description
Eligible Persons	Means current and former employees, volunteers, suppliers of the Perkins, third-party contractors, customers, and the relatives, dependents, or dependents of spouses of any employee.
Eligible Recipient	Means a person at the Perkins who is authorized to receive a disclosure. This includes the members of the Board, the Chief Executive Officer, Chief Financial Officer, Chief People Officer or any senior manager of the Perkins.
Senior Manager	Generally means a member of the Executive Team.
Whistleblowers	Means an Eligible Person who discloses reportable conduct under this policy.

RELATED DOCUMENTS

- POL-013 Code of Conduct
- PRO-016 Grievance Resolution Procedure
- POL-017 Performance and Misconduct Policy

SUPPORTING DOCUMENTS

- Corporations Act 2001 (Cth)

APPROVALS

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