



## Whistleblower Policy

### 1. Policy Purpose

Oxfam Australia (**Oxfam**) is committed to the highest standards of conduct and ethical behaviour in all of its activities, and also to promoting and supporting a culture of honest and lawful behaviour, compliance and good corporate governance. A statement of Oxfam's values can be found at [this link](#).

Oxfam encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving Oxfam, and will ensure that those persons who make a report shall do so without fear of intimidation, disadvantage or reprisal.

This Policy details the framework for receiving, investigating and addressing allegations of criminal, dishonest or unethical behaviour where that behaviour concerns the activities of Oxfam or current and former officers, agents, employees and contractors of Oxfam (**Organisation**).

### 2. Scope and Eligibility

The Policy applies to:

- a) a current or former:
  - i) employee of Oxfam;
  - ii) officer of Oxfam or a related body corporate, which includes a director or company secretary;
  - iii) contractor, or an employee of a contractor who has supplied goods or services to Oxfam; or
- b) a spouse, relative or dependant of one of the people referred to at (a);  
who makes or attempts to make a Protected Disclosure (whether anonymously or not) (each an **eligible whistleblower**).

### 3. Related Policies and Procedures

Oxfam's approach with respect to whistleblower laws and protections consists of this Policy, as well as additional components set out in various policies, procedures and ancillary documents from time to time, including:

- OAU Workplace Discrimination and Harassment Policy
- OAU Privacy Policy
- OAU Feedback and Complaints Policy (Program Partners and Beneficiaries)
- OAU Supporter Compliments and Complaints Handling Procedure
- One Oxfam Safeguarding Policies
- One Oxfam Misconduct Reporting Standard Operating Procedures
- Oxfam Anti-Fraud and Corruption Policy
- Oxfam Corruption Response Standard Operating Procedure



For the avoidance of doubt, the reporting mechanisms available under this Policy are in addition to those policies, such as the Reporting Misconduct Standard Operating Procedures, which also contain reporting mechanisms. However, only reports made under this Policy will attract the protections under Australian whistleblowing laws.

## 4. Objectives

The objectives of this Policy are to:

- a) encourage the reporting of Reportable Conduct;
- b) ensure that individuals who disclose Reportable Conduct can do so safely and securely and in the knowledge that they will be supported and protected from victimisation, detriment and retaliation;
- c) ensure any reports of Reportable Conduct are dealt with appropriately and in a timely way;
- d) provide transparency as to Oxfam's framework for receiving, handling and investigating disclosures of Reportable Conduct;
- e) afford natural justice and procedural fairness to anyone who is the subject of an allegation of Reportable Conduct;
- f) support Oxfam's values, the Oxfam Code of Conduct and the ACFID Code of Conduct;
- g) support Oxfam's long-term sustainability and reputation; and
- h) meet Oxfam's legal and regulatory obligations.

## 5. Disclosures covered by this Policy

### 5.1 What is Reportable Conduct?

A **Protected Disclosure** is a report of **Reportable Conduct** under this Policy by an eligible whistleblower who has reasonable grounds to suspect any of the following conduct (or the deliberate concealment of such conduct) in relation to Oxfam or a related body corporate (including their employees or officers):

- a) conduct which constitutes an improper state of affairs or circumstances in relation to Oxfam or a related body corporate;
- b) fraud, negligence, default, breach of trust and breach of duties under the *Corporations Act 2001* (Cth) (**Corporations Act**);
- c) conduct which constitutes an offence against, or a contravention of:
  - i) the Corporations Act or an instrument made under it, or other financial sector laws enforced by the Australian Securities Investments Commission (**ASIC**) or the Australian Prudential Regulation Authority (**APRA**);
  - ii) any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
  - iii) conduct which represents a danger to the public or the financial system (even if the conduct does not involve a breach of a particular law).

Examples of Reportable Conduct include:



- i) illegal conduct, such as theft, dealing in or use of illicit drugs, violence or threatened violence or criminal damage to property;
- ii) fraud, money laundering or misappropriation of funds;
- iii) offering or accepting a bribe;
- iv) financial irregularities;
- v) failure to comply with, or breach of, legal or regulatory requirements;
- vi) unethical or improper conduct which raises significant implications for Oxfam. This may include:
  - A) serious and/or systematic breaches of Oxfam policies;
  - B) bullying or harassment;
  - C) misuse of sensitive or confidential information;
  - D) unfair or unethical business behaviour or practices in dealing with an investor, other customer, contractor or supplier (including a potential investor, customer, contractor, supplier) or their employees;
- vii) conduct likely to damage Oxfam's financial position or reputation;
- viii) victimisation for making or proposing to make a disclosure under this Policy; and
- ix) any behaviour that poses a serious risk to the health and safety of any person at the workplace, or to public health or safety, or the environment (even where this does not constitute a breach of any law).

## 5.2 What is not Reportable Conduct?

Reportable Conduct does not generally include a "personal work-related grievance".

Personal work-related grievances are grievances relating to a person's current or former employment with Oxfam which have, or tend to have, implications for the person personally but do not:

- a) have significant implications for Oxfam or a related body corporate; or
- b) relate to any conduct, or alleged conduct, regarding Reportable Conduct.

Examples of personal work-related grievances include, but are not limited to:

- c) an interpersonal conflict between the discloser and another employee;
- d) a decision relating to the engagement, transfer or promotion of the discloser;
- e) a decision relating to the terms and conditions of engagement of the discloser; and
- f) a decision to suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

Disclosures relating to these matters do not qualify for whistleblower protection under this Policy or Australian law.

A personal work-related grievance may still qualify for protection under this Policy if:

- a) it includes information about Reportable Conduct, or forms part of a disclosure which also includes Reportable Conduct;



- b) the disclosure is that the person has suffered, or have been threatened with, a detriment for making a disclosure of Reportable Conduct; or
- c) the person has made the disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.

If your disclosure solely concerns a personal work-related grievance, you should make it in accordance with clause 46 of the Enterprise Agreement which can be accessed on the [Fair Work Commission website](#) or by contacting the People & Capability team.

## 6. How to make a report

### 6.1 Eligible Recipients of disclosures under this Policy

Eligible whistleblowers must make a disclosure directly to one of the Recipients referred to in this section to qualify for protection as a whistleblower under this Policy and under Australian law.

When making a disclosure to one of the Recipients below, you should advise that you are doing so under this Policy.

Oxfam would like to identify and address wrongdoing as early as possible. We therefore encourage eligible whistleblowers to disclose Reportable Conduct to one of the following Recipients:

#### Recipients

##### a) Whispli Platform

The Whispli Platform is an independent and external service which is authorised to receive whistleblowing reports in relation to Oxfam and its related entities.

All reports received by Whispli are reported to Oxfam's Risk Manager and Director of Capability & Impact in accordance with this Policy.

The Whispli Platform enables reports to be made anonymously, confidentially and at any time. Where a report is made in respect of a recipient, the relevant individual will not receive the report.

The Whispli Platform reporting options include:

Anonymous reporting via any web-enabled device. Access will be granted through a pre-configured reporting form via the following URL or QR code:

- <https://app.whispli.com/OxfamAustralia>,
- QR Code:



If you do not have access to the internet, you can also report directly via the telephone number below:

- **+61 1800 088 110.**

b) The Chair of Oxfam Australia's Board or Chair of Oxfam Australia's Governance Committee.

However, if you do not wish to raise your concern via any of the above methods, eligible whistleblowers may still qualify for protection under Australian law if they:



- make a disclosure of Reportable Conduct to ASIC, APRA or any other Recipient as identified in **Annexure A**; or
- make a disclosure of information to an external legal practitioner for the purposes of obtaining legal advice or representation about making a disclosure under this Policy (even if the external legal practitioner concludes that a disclosure does not concern Reportable Conduct).

In limited circumstances, an eligible whistleblower may make a public interest disclosure or an emergency disclosure to a journalist or parliamentarian which qualifies for protection in accordance with Australian whistleblowing laws.

It is important to understand the criteria for making a disclosure in these circumstances, which includes, among other things:

- the discloser has first made the disclosure to ASIC, APRA or other Commonwealth prescribed body; and
- the discloser has provided written notice to that entity that they now intend to make a public interest or emergency disclosure in relation to this issue. In the case of public interest disclosures, at least 90 days must have passed since the original disclosure.

You may also report any concerns about Oxfam's operations directly to the Australian Charities and Not-for-profits Commission (ACNC) at: <https://www.acnc.gov.au/raise-concern>

For more information about the Australian whistleblower laws (including how to make a disclosure directly to ASIC or the ATO), see the information available on the ASIC website (including [Information Sheet 239: How ASIC handles whistleblower reports](#) and [Information Sheet 247: Company officer obligations under the whistleblower protection provisions](#)) and the ATO website.

You may wish to obtain independent legal advice before making a disclosure. That communication with your legal adviser will also be protected under the Australian whistleblower laws.

You can also contact the Whistleblower Protection Officer for general advice about the operation of this Policy and Oxfam's whistleblower processes and procedures.

## 6.2 Information you should provide

When making a disclosure under this Policy, you should provide as much information as possible, including the details of the Reportable Conduct, people involved, dates, locations and any other evidence or material which may be relevant.

You must have reasonable grounds to believe that the information you are disclosing is true, however you will still qualify for protection under this Policy and under Australian law if the information you provide turns out to be incorrect.

## 6.3 Anonymous reports

Oxfam encourages eligible whistleblowers to provide their name when making a disclosure under this Policy, as it will assist Oxfam to investigate and address their report.

However, if you do not want to reveal your identity, you may make an anonymous disclosure under this Policy, and may choose to remain anonymous over the course of any investigation and after the investigation is finalised.

There are various mechanisms available for protecting your anonymity when making a disclosure under this Policy, including:



- communicating through the Whispli Platform;
- using an anonymised email address; and
- adopting a pseudonym for the purpose of your disclosure.

If you choose to make an anonymous disclosure under this Policy, any investigation will be conducted as best as possible in the circumstances. You may refuse to answer questions that you feel could reveal your identity at any time during the investigation or at any other time.

Disclosures which are made anonymously will still be protected under this Policy and under Australian law. However, Oxfam may be unable to provide you with the same level of practical support and protection if you do not provide your name.

If you wish to remain anonymous in making a disclosure of Reportable Conduct, you should, where possible, maintain ongoing communication with Oxfam so that Oxfam can seek further information or clarification to assist in investigating and addressing your disclosure, and provide you with feedback and updates regarding the progress of any investigation and outcomes.

## 7. Handling and investigating a disclosure

All disclosures made under this Policy will be treated sensitively and seriously, and will be dealt with promptly, fairly and objectively.

Where you have elected to provide your name in making the disclosure, it will only be disclosed with your consent, or in exceptional circumstances where the disclosure is allowed or required by law. If you have any concerns regarding this issue, you should discuss them with the Recipient.

### 7.1 Initial assessment of the disclosure

Subject to the confidentiality requirements outlined in this Policy, all disclosures of Reportable Conduct made pursuant to this Policy must be referred to the Whistleblowing Investigation Officer (**WIO**) (or, where there is a conflict of interest, another appropriate person).

The current WIO is the Risk Manager.

The WIO will assess the information provided and determine:

- a) whether the disclosure relates to Reportable Conduct and qualifies for protection under this Policy;
- b) whether an investigation is necessary or appropriate, taking into account whether sufficient information exists to allow the disclosure to be investigated.

The WIO may consult with Oxfam's Legal, People & Capability or other relevant subject matter experts during this process. This consultation will be carried out in accordance with the confidentiality requirements outlined in this Policy.

Oxfam may not be able to undertake an investigation in some circumstances, including if it is not able to contact the whistleblower to obtain necessarily consent or information to enable an investigation to proceed in a timely manner.

All Protected Disclosures will ultimately be reported to the Chair of Oxfam Australia's Board and Chair of the Board's Governance Committee, either as part of the Whistleblower Register, as standalone agenda items for Board or Committee meetings or as otherwise deemed appropriate in circumstances where the WIO or Chief Executive (where appropriate) determines this is warranted or necessary.



## 7.2 Investigating a disclosure

Where the WIO is satisfied that an investigation should be conducted, the WIO will determine the appropriate investigation process, including:

- a) the nature and scope of the investigation;
- b) who will conduct the investigation (including whether an external investigator should be engaged or whether an Incident Management Team will be stood up);
- c) the nature of any technical, financial or legal advice that may be required; and
- d) the timeframe for the investigation (having regard to the nature and scope of the Reportable Conduct, the complexity of the issues and any other relevant factors).

Oxfam will aim to conclude the investigations as soon as reasonably practicable, but that time may vary depending on the nature of your disclosure.

## 7.3 Communication with whistleblower

If you make a disclosure of Reportable Conduct under this Policy and are able to be contacted, Oxfam will contact you to acknowledge receipt of your disclosure, within 3 business days.

In addition, where practicable, once the matter has been passed to the WIO, you will be contacted within 14 business days to discuss next steps and during key stages in the process such as:

- when the investigation process has begun (or if no investigation is to be conducted, to advise you of this);
- when the investigation is in progress;

provided that you are able to be contacted and that the contact does not compromise your anonymity.

In some circumstances, Oxfam may be required to refer an allegation of Reportable Conduct to the Police or other agency (e.g. ASIC). In such circumstances, Oxfam may not be able to keep you informed of the progress of a Protected Disclosure.

## 7.4 Fair treatment

The WIO will ensure that any employee who is the subject of a disclosure made under this Policy is treated fairly during the course of an investigation of Reportable Conduct.

Employees will have the opportunity to be informed of, and respond to, any report of Reportable Conduct made against them during the investigation.

## 7.5 Investigation findings

Oxfam will apply principles of procedural fairness and natural justice to the conduct of any investigation conducted under this Policy.

Once the investigation is completed, the WIO will determine the recommended course of action (if any) that Oxfam should take in response to the findings. Such action may include a disciplinary process or another form of escalation of the report within or outside of Oxfam and its subsidiaries.



The outcome of the investigation will be reported (protecting your identity, if applicable) to the Incident Management Team and the Chief Executive (except in the event that they are the subject of the investigation) and may, if the Whistleblower Investigation Officer considers appropriate, be shared with you and any persons affected by the disclosure as considered appropriate by the Whistleblower Investigation Officer. Where an investigation is in respect of the Chief Executive, the outcome will be reported to the Chair of Oxfam Australia's Board.

The method of documenting and reporting the findings of any investigation will depend on the nature of the disclosure. If appropriate, and subject to any applicable confidentiality, privacy or legal constraints, the WIO will notify the whistleblower, and any employee who is the subject of a disclosure, of the outcome of the investigation. However, there may be circumstances where it is not appropriate to provide details of the outcome to the whistleblower or the person who is the subject of the disclosure.

Oxfam will ensure that, in accordance with this Policy, publication of an investigation's findings will not breach the whistleblower's confidentiality.

## 8. Protections available

In order to be eligible for the protections under this Policy, you must:

- a) be an eligible whistleblower;
- b) make a disclosure of Reportable Conduct to an eligible Recipient or as otherwise provided in accordance with the Policy;
- c) be acting honestly with genuine or reasonable belief that the information in the allegation is true or likely to be true; and
- d) have not engaged in serious misconduct or illegal conduct in relation to the Reportable Conduct.

The protections in this Policy apply not only to disclosures of Reportable Conduct made to eligible Recipients, but also to:

- disclosures made to legal practitioners for the purpose of obtaining legal advice or representation regarding the operation of whistleblowing provisions under Australian law;
- disclosures to regulatory and other external bodies;
- "public interest" and "emergency" disclosures that are made in accordance with the Corporations Act.

You can still qualify for the protections under this Policy even if your disclosure turns out to be incorrect or your legal practitioner has advised you that your disclosure is not Reportable Conduct.

If you have made a Protected Disclosure you must, at all times during the reporting process, continue to comply with this Policy.

### 8.1 Identity protection

If you make a disclosure of Reportable Conduct in accordance with this Policy, the eligible Recipient cannot disclose your identity, or information that is likely to lead to your identification, except:

- a) to ASIC, APRA, or a member of the Australian Federal Police;
- b) to a legal practitioner for the purpose of obtaining legal advice or legal representation about the whistleblowing provisions of the Corporations Act;





- c) to a person or body prescribed by the Corporations Act regulations; or
- d) with your consent.

The information contained in a disclosure made by you under this Policy may be disclosed without your consent if the disclosure of this information is reasonably necessary to investigate the issues raised in the report, provided that:

- a) the information does not include your identity; and
- b) all reasonable steps have been taken by Oxfam to reduce the risk that your identity will be revealed from the information provided.

It is unlawful for a person to identify a whistleblower or disclose information that is likely to lead to the identification of the whistleblower, outside of the circumstances listed above.

Oxfam will take all reasonable steps to reduce the risk that a person will be identified as a result of making a disclosure under this Policy and to ensure their identity remains confidential throughout the investigation process. Measures that Oxfam may take to protect a whistleblower's confidentiality include:

- a) ensuring that disclosures will be handled and investigated by qualified staff;
- b) redacting all personal information or reference to a whistleblower witnessing an event;
- c) using gender neutral terms when referring to a whistleblower;
- d) where possible, liaising with a whistleblower to identify any aspects of their disclosure that could inadvertently identify them;
- e) securely storing documents (whether electronic or paper) relating to disclosures;
- f) limiting access to information to those or investigating the disclosure;
- g) restricting the number of people who may be made aware of a whistleblower's identity;
- h) putting in place measures to prevent information about investigations of disclosures being sent to an email address or printer that can be accessed by other staff; and
- i) reminding those persons handling investigations of their confidentiality obligations.

However, you should be aware that, in practice, people may be able to guess a discloser's identity if:

- the discloser has previously mentioned to other people that they are considering making a disclosure;
- the discloser is one of a very small number of people with access to the information; or
- the disclosure relates to information that a discloser has previously been told privately and in confidence.

No-one at Oxfam may disclose or produce to a court or tribunal any information or documents which disclose your identity (or information likely to lead to your identification) without seeking the advice of the Oxfam Australia legal team.

The unauthorised disclosure of a whistleblower's identity, or information which may identify the whistleblower, may be regarded as a disciplinary matter to be dealt with in accordance with Oxfam's disciplinary procedures. It may also, in some circumstances, be a criminal and civil offence under the Corporations Act.

Any concerns regarding breach of confidentiality should be raised with the WIO. You may also lodge a complaint with a regulator, such as ASIC, APRA or the ATO, for investigation.



## 8.2 Protection from detriment

A person must not cause, or threaten to cause, detriment to a person because they have made, may make, proposes to make or could make, a disclosure that qualifies for protection under this Policy and Australian law.

Examples of detrimental conduct include dismissal, discrimination, harassment or intimidation, altering a person's position in employment to their prejudice, altering an employee's position or duties to their disadvantage, physical or psychological harm; or damage to a person's property, reputation, business or financial position.

Actions that are not detrimental conduct include:

- administrative action that is reasonable for the purpose of protecting a discloser from detriment (e.g. moving a person who has made a disclosure from their immediate work area to another location where necessary to prevent detriment from occurring); and
- managing a whistleblower's unsatisfactory work performance, where the action is in line with Oxfam's performance management framework.

Oxfam is committed to making sure that eligible whistleblowers are treated fairly and do not suffer detriment for making a Protected Disclosure under this Policy. Oxfam may take the following measures to ensure that eligible whistleblowers who have made a Protected Disclosure are protected from detriment:

- a) put in place processes for assessing risks of detriment against the whistleblower and other persons, which will commence as soon as possible after receiving a disclosure;
- b) provide a whistleblower with support services including counselling or other professional services;
- c) develop strategies to help a whistleblower minimise and manage stress, time or performance impacts, or other challenges resulting from the disclosure or investigation;
- d) allow the whistleblower to perform duties to another location;
- e) reassign or relocate the whistleblower to another role at the same or substantially the same level;
- f) make modifications to the whistleblower's workplace or way they perform their duties;
- g) develop processes for ensuring that management are aware of their responsibilities to maintain the confidentiality of disclosure, address the risks of isolation or harassment, manage conflicts, and ensure fairness when managing the performance of, or taking other management action relating to, a whistleblower;
- h) develop procedures for how a whistleblower can make a complaint if they believe they have suffered detriment and the actions Oxfam will take in response to such complaints;
- i) intervene where detrimental conduct has already occurred, including investigating and taking disciplinary action, allowing the whistleblower to take extended leave, develop career development plan for the whistleblower that includes new training and career opportunities, or other compensation or remedies.

Oxfam will investigate any reports of adverse action taken against a person who is eligible for protection under this Policy. If proven, those who have engaged in such behaviour may be subject to disciplinary proceedings and potential criminal and civil liability under the Corporations Act or the Taxation Administration Act.



## 8.3 Whistleblower Protection Officer (WPO)

Where you have made a disclosure of Reportable Conduct which is eligible for protection under this Policy, Oxfam may appoint a WPO to support and help protect you. Oxfam can only appoint a WPO where you have agreed to share your identity with the WPO.

The role of the WPO is to:

- a) safeguard the interests of a whistleblower;
- b) assess the immediate welfare and protection needs of a whistleblower and, where the whistleblower is an employee, assist in providing the whistleblower with a supportive work environment; and
- c) respond as appropriate and necessary to any concerns or reports of victimisation or detriment by a whistleblower.

For more information or to request the appointment of a WPO under this Policy, please contact WIO.

## 8.4 Other remedies and protections

There are a number of other legal protections if you make a Protected Disclosure under Australian whistleblowing laws including:

- a) in some circumstances (e.g. if the disclosure has been made to a regulator) the information you provide is not admissible in evidence against you in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information;
- b) you are protected from liability in relation to your disclosure:
  - civil liability (e.g. any legal action against you for breach of an employment contract, duty of confidentiality or other contractual obligation);
  - criminal liability (e.g. attempted prosecution for unlawfully releasing information, or other use of your disclosure against you in a prosecution (other than for making a false disclosure); or
  - administrative liability (e.g., disciplinary action for making the disclosure); and
- c) no contractual or other remedy may be enforced or exercised against you based on the disclosure.

The protections do not grant eligible whistleblowers immunity from any misconduct they were involved in that is revealed in the disclosure.

## 8.5 Consequences of making a false report

Anyone who knowingly makes a false report of Reportable Conduct, or who otherwise fails to act honestly with reasonable belief in respect of the report may be subject to disciplinary action, including dismissal (in the case of employees) or professional conduct sanction (in the case of members).

The disciplinary action or sanction will depend on the severity, nature and circumstance of the false report.

## 9. Record keeping and accountability

Oxfam's Risk Manager is the officer responsible for:

- a) establishing and maintaining Whispli Platform;



- b) generating and distributing Whispli Platform details to the WPOs and WIO;
- c) communicating this Policy and the Independent Whistleblower Service details to Oxfam business units and members; and
- d) otherwise ensuring maintenance and adherence to this Policy.

Oxfam will establish and maintain a Whistleblower Register, which contains details of the Protected Disclosures received in accordance with this Policy.

The WIO will:

- a) coordinate and support the impartial investigation of Protected Disclosures;
- b) submit information in a quarterly summary report to the Oxfam Australia Board and Chief Executive, which whilst maintaining confidentiality, provides statistics of:
  - i) the number of reports received, per quarter;
  - ii) for each report, the type of misconduct alleged, the level of seniority of the alleged wrongdoer and the level of perceived risk;
  - iii) for each report, the time taken to investigate it;
  - iv) the conclusion of each investigation (upholding or dismissing the report) and the nature of the action taken (such as disciplinary action).
- c) periodically review the Whistleblower Register to ensure that proper processes are being followed.

## 10. Training and Information

The Policy will be made available on Oxfam's website which can be accessed at:

<https://www.oxfam.org.au/> and intranet which can be accessed at: <https://compass.oxfam.org/>

All employees should receive regular training on this Policy as part of Oxfam's internal training program.

All employees who are eligible Recipients, WPOs or WIOs must receive training on their roles, obligations and responsibilities under this Policy prior to any such appointment and at least annually thereafter. Where relevant, such training should include training on the use of any external whistleblowing platform which is authorised to receive whistleblowing reports in relation to Oxfam Australia and its related entities.

All staff should be updated following any update or review of the Policy. People & Capabilities will provide training to all relevant staff and eligible Recipients once a review and update of the Policy is complete.

## 11. Monitoring and Review

Oxfam will conduct a review of the matters reported under this Policy as appropriate to enable identification and management of any emerging risks. The Board or its delegated committee will also be informed of any material incidents reported under this Policy.

The General Counsel and the Oxfam Australia Board of Oxfam will review this Policy at least every three years.

The General Counsel and the Oxfam Australia Board may, in its discretion, adjust or exclude a specific requirement of this Policy from time to time, either generally or on a case-by-case basis.

This Policy may be amended, ceased or replaced, by resolution of the Oxfam Australian Board.



## 12. Responsibility & Authority

Assign any decision-making authorities required under the policy.

Activity	When	Who in Australia	Who in Country	Is it transferable?
Procedure is accessible on Oxfam Australia's intranet and public website and maintain the Whispli platform	Ongoing	WIO	NA	No
Awareness and understanding of this Procedure amongst staff and third parties	Ongoing and at induction	All Managers	All Managers	No
Confirm receipt of information	Within 3 business days	Oxfam Australia	-	Yes
Contact informant and discuss next steps	Within 14 business days of receipt of information	WIO	-	No
Feedback to Informant	In a timely manner	WIO	-	Yes
Determine whether the disclosure qualifies for protection under this Policy and whether an investigation is necessary or appropriate	In a timely manner on receipt of a report	WIO		
Coordinate and support the investigation of Protected Disclosures	Following a report assessment	WIO	-	No
Determine the recommended course of action (if any)	In response to the findings of an investigation	WIO	-	No
Notify the informant or others of the outcome of the investigation	If appropriate, and once findings and a determination have been made	WIO	-	No



## 13. Information about this policy

<b>Policy No.</b> <b>Whistleblower Policy</b>	<b>Policy Name</b>	<b>Effective (Issue Date)</b> 12 June 2020	<b>Month Year</b>
Supersedes	Policy Reference/None	Reviewed	Month Year
Confidential Reporting (Whistleblowing) Standard Operating Procedures (2017)			May 2024
Policy Owner	Section Director Capability and Impact	Approved by Oxfam Australia Board	Name/Position
Author	Name/Position	No. of pages: 16	
Carla Williams	General Counsel		



## Annexure A

### WHISTLEBLOWER PROTECTIONS UNDER AUSTRALIAN LAW

A whistleblower who discloses specified information to certain people or organisations is protected by Australian law.

Examples of this information and recipients are outlined in the following table:

Information reported or disclosed	Recipient of disclosed information
<p>Information about actual or suspected misconduct, or an improper state of affairs or circumstances in relation to Oxfam or a related body corporate.</p> <p>This includes information that Oxfam or any officer or employee of Oxfam has engaged in conduct that:</p> <ul style="list-style-type: none"> <li>• contravenes or constitutes an offence against the following Commonwealth legislation: <i>Corporations Act; Australian Securities and Investments Commission Act 2001; Banking Act 1959; Financial Sector (Collection of Data) Act 2001; Insurance Act 1974; Life Insurance Act 1973; National Consumer Credit Protection Act 2009; and Superannuation Industry (Supervision) Act 1993</i>;</li> <li>• represents a danger to the public or financial system;</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> <p>Note that personal work-related grievances are not Protected Disclosures under the law, except as noted below.</p>	<ul style="list-style-type: none"> <li>• a person authorised by Oxfam to receive Protected Disclosures under this Policy;</li> <li>• officers or directors of Oxfam or a related body corporate;</li> <li>• an auditor or member of an audit team conducting an audit of Oxfam or a related body corporate;</li> <li>• ASIC or APRA;</li> <li>• a legal practitioner for the purpose of obtaining legal advice or legal representation regarding the operation of the whistleblowing provisions under the Corporations Act.</li> </ul>
<p>Information that may assist the Commissioner of Taxation to perform his or</p>	<ul style="list-style-type: none"> <li>• Commissioner of Taxation</li> </ul>



<p>her functions under a taxation law in relation to Oxfam or a related body corporate.</p>	
<p>Information about misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of Oxfam or a related body corporate.</p>	<ul style="list-style-type: none"> <li>• an auditor, or a member of an audit team conducting an audit, of Oxfam or a related body corporate.</li> <li>• a registered tax agent or BAS agent who provides tax services or BAS services to Oxfam or a related body corporate.</li> <li>• a director, secretary or senior manager of Oxfam or a related body corporate.</li> <li>• an employee or officer of Oxfam or a related entity who has functions or duties that relate to the tax affairs of Oxfam or a related body corporate.</li> </ul>

It is important to note that a disclosure must be made directly to one of the above specified recipients in order to qualify for protection as a whistleblower under Australian law.

The law also protects certain disclosures made in “emergency” and “public interest” circumstances, which allows for the disclosure to be made to a journalist or parliamentarian. You should seek independent legal advice before making a “public interest” or “emergency” disclosure.

### **Protections and remedies available under Australian law**

In addition to the protections specified in this Policy, additional legislative protections may also be available to eligible whistleblowers, including but not limited to:

- compensation for loss, damage or injury suffered as a result of detrimental conduct arising from making a disclosure or where an entity failed to take reasonable cautions and exercise due diligence to prevent the detrimental conduct;
- an injunction to prevent, stop or remedy the effects of the detrimental conduct;
- an order requiring an apology for engaging in the detrimental conduct;
- if the detrimental conduct wholly or partly resulted in the termination of an employee’s employment: reinstatement to their position; and
- any other order the court thinks appropriate.

You are encouraged to seek independent legal advice in relation to these matters.