



Therapy Focus

Whistleblower Policy and Procedures

Approved: 26th February 2024

Due to be reviewed: February 2026

Document Approval: Board

1. Purpose & Scope

The purpose of this policy is to encourage and support the reporting of actual and suspected wrongdoing and misconduct.

A person who reports a wrongdoing or misconduct under this policy is known as an eligible whistleblower. An eligible whistleblower has legal rights and protection under the *Corporations Act 2001* and the *Taxation Administration Act 1953* and this policy complies with these rights.

This policy will be available on the company intranet and website and will be part of the employee and director induction program.

2. Policy Statement

Therapy Focus' core belief that 'that every person's journey should be extraordinary' and this underpins our ongoing commitment to promoting and maintaining a culture of good corporate governance and ethical behaviour with an open working environment in which everyone is able to report instances of unacceptable, undesirable, unlawful or unethical conduct without fear of intimidation.

3. Who this Policy applies to

This policy applies to current and former people in the following categories and their relatives, dependents or spouse:

- Employees and volunteers
- Supplier of goods and services (and their employees)
- Consultants
- An individual who is an associate (as defined in the *Corporations Act* at s1317AAA) of Therapy Focus.
- Directors

4. What disclosures are Protected

A disclosure should be reported by the whistleblower if they have objective reasonable grounds to suspect any misconduct or wrong doing which may include:

- Fraud, theft or dishonest conduct (including falsification of records);
- Bribery, corruption, money laundering or secret commissions;
- Illegal, unethical or improper conduct;
- Breaches of an internal policy (e.g. Code of Conduct, Conflicts of Interest);
- Breach of employment, labour or workplace health and safety;
- Representing a danger to the public or financial system;

- An offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more and;
- Breaches of regulation under the *Corporations Act 2001 and the Taxation Administration Act 1953*

Reportable disclosures under this policy does not include personal work-related grievances.

Examples of grievances that may be personal work-related grievances include but not limited to:

- interpersonal conflicts between employees;
- work performance issues;
- a decision relating to the terms and conditions of engagement, transfer, suspension or termination of an employee.

Personal work-related grievances will be dealt with under the Therapy Focus Grievance Policy and Procedures.

5. How to make a reportable disclosure

A reportable disclosure should be made to an ‘eligible recipient’. Eligible recipients in Therapy Focus include:

Eligible recipients	What type of disclosure
Executive Team Member	Any disclosure concerning an employee, volunteer supplier, consultant or associate
Executive Manager People, Talent & Culture	Any disclosure concerning an employee, volunteer supplier, consultant or associate
CEO	Any disclosure concerning an employee, volunteer supplier, consultant or associate
Chair of the Board	Any disclosure concerning the CEO or Board member
Deputy Chair of the Board	Any disclosure concerning the Chair of the Board
Therapy Focus external auditor	Any potential breach of the <i>Corporations Act 2001</i>
ASIC	Any potential breach of the <i>Corporations Act 2001</i>
The Commissioner of Taxation (ATO)	Any potential tax avoidance behaviour

Disclosures may be made face-to-face, by telephone, by email or post. Disclosures can be made anonymously. If a disclosure is initially made face-to-face or by telephone it is recommended that the whistleblower follows this up in writing.

If a whistleblower makes a disclosure to a person who is not an ‘eligible recipient’, the person to whom the disclosure is made to must:

- keep it strictly confidential;
- not disclose the name of the person who made the disclosure;

- direct the whistleblower to this policy and encourage them to report it to an 'eligible recipient' as listed above.

All disclosures will be treated in strict confidence and the name of the whistleblower will not be disclosed.

6. How Therapy Focus will investigate disclosures

The investigation of a disclosure will be undertaken by appropriately qualified parties, depending on the matter or content of the material disclosed. This may include an external investigator if deemed necessary. The CEO is responsible for determining the most appropriate investigator for each matter unless the CEO is the subject of the disclosure in which case the Board Chair will assume this responsibility.

Investigations will be conducted in accordance with the usual principles that apply to ensure a fair investigation occurs. The exact procedure will be determined on a case by case basis.

Where appropriate to do so, the whistleblower will receive relevant and timely feedback on the progress of the investigation, which may vary on a case by case basis.

If the whistleblower chooses to disclose an issue anonymously, Therapy Focus will still assess the material that is provided and investigate to the extent possible.

At the conclusion of the investigation, the whistleblower will be informed of the outcomes of the investigation.

7. How Therapy Focus will support whistleblowers

Therapy Focus will provide this policy and training to all eligible recipients to ensure they are aware of their strict obligation not to reveal a whistleblower's identity and to ensure they are aware of the obligations in relation to no detriments or reprisals to be made towards the whistleblower.

If a whistleblower is concerned that they have suffered any detriment or reprisals as a result of having made a disclosure, the whistleblower is encouraged to contact the Executive Manager People, Talent and Culture and provide full details of what has occurred.

Where the whistleblower is a current Therapy Focus employee, the Employee Assistance Program (EAP) is also available as a source of support.

A whistleblower is entitled to protections under the *Corporations Act* including:

- not to have their identity revealed by Therapy Focus, and
- not to have information revealed by Therapy Focus that is likely to lead to the identification of the whistleblower.

These requirements will not be contravened where Therapy Focus provides information to ASIC, the relevant statutory child protection authorities, a member of the Australian Federal Police, a legal practitioner for the purpose of obtaining legal advice, a Commonwealth or State authority for the purpose of assisting the authority in the performance of its functions, or where the whistleblower consents. Furthermore, provided the identity of the whistleblower is not revealed and all reasonable steps are taken to reduce the risk that the discloser's identity will be revealed, steps may be taken that are reasonably necessary for the purpose of investigating the matter.

A whistleblower is also entitled to:

- protection from civil or criminal liability for making the disclosure;
- not suffer any detriment (real or threaten) as a result of the disclosure;
- have their contract terminated on the basis of their disclosure, and
- protection from victimisation.

A whistleblower must not be disadvantaged by any form or detriment or victimisation including reprisals such as dismissal, demotion, alteration of their position or duties, blocking of promotion, discrimination, harassment, intimidation, harm or injury (including psychological harm), damage to property, damage to reputation, damage to their business or financial position or any other damage.

Therapy Focus, through the Executive Manager People, Talent and Culture, will take reasonable steps to protect other employees who have been requested to assist in investigating from any detriment or reprisal as a consequence of their involvement in an investigation.

Where an employee, volunteer, supplier, consultant, associate or director breaches the Whistleblower Policy by acts of intimidation, retaliation and victimisation this will be considered to be a breach of Therapy Focus' Code of Conduct Policy.

Unsubstantiated, malicious allegations which are proven to be false will be viewed as a serious disciplinary matter and followed up with appropriate disciplinary action.

8. Reporting

All whistleblower disclosures will be reported to the CEO and the Board unless the CEO is the subject of the disclosures in which case the disclosures will only be reported to the Board. This reporting will include (to the extent permitted by confidentiality) details of the disclosure including subject matter, type of person involved, action taken, timeline for finalising and outcomes of disclosure.

9. Date of Review

This policy is to be reviewed every two years to ensure that its contents remain appropriate. The Board is responsible for the review and approval of the Whistleblower Policy and Procedures.

10. Related Documents

- Code of Conduct
- Conflict of Interest Policy
- *Corporations Act 2001 (Cth)*
- *Taxation Administration Act 1953*
- *Fair Work Act 2009*