Whistleblower Policy

Category:	**Governance and Human Resources Policy**
Summary	**How to report serious wrongdoing at the Club, the legal protections available, and how the Club will protect whistleblowers and handle disclosures**
Officer Responsible	**General Manager, Matt Kook (Whistleblower Protection Officer)**
Title & Date Approved	**October 2026**
Version Number	**Version 2 (replaces August 2024 version)**
Review Date	**October 2027, or sooner if the law changes following the 2026 statutory review**
Relevant Legislation	**Corporations Act 2001 (Cth), Part 9.4AAA (whistleblower protections), including s 1317AI (whistleblower policy requirements)** **Taxation Administration Act 1953 (Cth), Part IVD (tax whistleblower protections)** **ASIC Regulatory Guide 270: Whistleblower policies** **Fair Work Act 2009 (Cth), Part 3-1 (general protections)** **Privacy Act 1988 (Cth)**
Related Documents	**Complaints and Grievance Resolution Policy (2026), Code of Conduct Discrimination, Bullying and Harassment Policy (2026), Sexual Harassment and Sex-Based Misconduct Policy (2026)**

1. Purpose

Finley Returned Soldiers Club Ltd (Finley RSC, the Club) is committed to honest, ethical and lawful conduct. The Club wants people to speak up about serious wrongdoing, and to feel safe doing so.

This policy explains:

- who can make a disclosure, and what can be reported,
- who disclosures can be made to, and how,
- the legal protections available to whistleblowers,
- how the Club will support and protect whistleblowers,
- how the Club will investigate disclosures,
- how the Club will ensure fair treatment of anyone mentioned in a disclosure, and
- how this policy is made available.

As a public company limited by guarantee, the Club is required by the Corporations Act 2001 (Cth) to have a whistleblower policy. Where this policy and the law differ, the law applies.

2. Who Can Make a Protected Disclosure

You are an eligible whistleblower if you are, or have been, any of the following:

- a Director, Company Secretary or other officer of the Club,
- an employee of the Club (full time, part time or casual, and including managers),
- a contractor, supplier or service provider to the Club (paid or unpaid), or an employee of a contractor or supplier,
- a volunteer, or
- a relative, spouse or dependant of any of the people listed above.

Former Directors, employees, contractors and suppliers are also protected.

3. What Can Be Reported

A **disclosable matter** is information that you have reasonable grounds to suspect concerns misconduct, or an improper state of affairs or circumstances, in relation to the Club. This includes conduct that:

- breaches the Corporations Act, the ASIC Act or other financial sector laws,
- is an offence against any Commonwealth law punishable by 12 months or more in prison,
- represents a danger to the public or the financial system, even if no law is broken, or
- relates to the Club's tax affairs (protected under the Taxation Administration Act 1953).

Examples of matters that may be disclosable include:

- fraud, theft or misappropriation of Club money, including cash, gaming, TAB or Keno takings,
- falsifying financial records, stocktakes, invoices or reports to the Board,
- money laundering, or deliberate breaches of the Club's anti-money laundering and counter-terrorism financing obligations,
- bribery, secret commissions or kickbacks, for example from suppliers or contractors,
- a Director or senior manager using their position for personal gain, or failing to disclose a conflict of interest,
- tax evasion or deliberately incorrect tax reporting,
- serious and deliberate breaches of liquor or gaming laws, and
- deliberately concealing any of the above, or taking detrimental action against someone who has reported it.

Reasonable grounds

You do not need proof, and you are still protected if your suspicion turns out to be wrong, as long as you had reasonable grounds for it. Your motive for making the disclosure does not affect whether you are protected. However, a person who makes a disclosure they know to be false is not protected and may face disciplinary action.

4. What Is Not Covered: Personal Work-Related Grievances

Personal work-related grievances are generally **not** protected under whistleblower laws. These are grievances about your own employment that affect you personally, such as:

- a conflict with a colleague or manager,
- a decision about your rosters, hours, pay, transfer, promotion or discipline, or
- a decision to end your employment.

These should be raised under the Complaints and Grievance Resolution Policy. Concerns about bullying, discrimination or harassment should be raised under the Discrimination, Bullying and Harassment Policy or the Sexual Harassment and Sex-Based Misconduct Policy. Those policies have their own protections against victimisation. Employees can access these policies through Tanda, and others can request a copy from the Club.

A personal work-related grievance **may** still be protected if it:

- also includes information about a disclosable matter (a mixed report),
- relates to a breach of law punishable by 12 months or more in prison, or a danger to the public,
- is about detriment you have suffered, or been threatened with, because you made or were thought to be making a whistleblower disclosure, or
- is made to a lawyer to obtain advice about whistleblower protections.

5. Who You Can Report To

To be protected, a disclosure must be made to an eligible recipient. The Club encourages you to report internally first, so it can act quickly, but you may report externally at any time.

Inside the Club

Eligible recipient	Contact
Whistleblower Protection Officer: Matt Kook, General Manager	In person at the Club, by phone on 03 5883 1366 (ask for the General Manager), or in writing marked "Confidential: Whistleblower"
President of the Board, or any Director	In writing marked "Confidential: Whistleblower", sent by post to the address below, or in person. Use this option if the matter involves the General Manager.
The Club's external auditor (or a member of the audit team)	Contact details available from the Whistleblower Protection Officer, or in the Club's annual report
By post	Marked "Private and Confidential: Whistleblower Protection Officer" (or "President of the Board" if the matter involves the General Manager), Finley Returned Soldiers Club Ltd, PO Box 117, Finley NSW 2713

Duty managers and supervisors are not eligible recipients. If you raise a disclosable matter with them, they should refer you to one of the people above.

Outside the Club

- the Australian Securities and Investments Commission (ASIC), asic.gov.au,
- the Australian Prudential Regulation Authority (APRA), or another Commonwealth body prescribed by law,
- the Australian Taxation Office (ATO), for tax matters, and
- a lawyer, to get advice about the whistleblower protections, even if the lawyer concludes the matter is not a disclosable matter.

Public interest and emergency disclosures

In limited circumstances, a disclosure may be made to a journalist or a member of Parliament and still be protected. These disclosures have strict conditions. For example, a public interest disclosure can only be made after a disclosure has been made to ASIC, APRA or another prescribed body, at least 90 days have passed, and written notice has been given to that body. You should get independent legal advice before making a public interest or emergency disclosure.

The Fair Work Ombudsman and Liquor & Gaming NSW are not eligible recipients under the Corporations Act. Reports to them may be covered by other laws, but not by this policy's protections.

6. How to Make a Disclosure

- You can make a disclosure in person, by phone or by post, at any time, using the contact details in Section 5.
- Include as much detail as you can, such as what happened, when and where, who was involved, and any documents or other evidence. You do not have to investigate the matter yourself, and you should not try to.
- **You can stay anonymous.** You can make a disclosure without giving your name, use a pseudonym, refuse to answer questions that could identify you, and remain anonymous during and after any investigation. You are still protected. Using an anonymous email address will allow the Club to ask follow-up questions and keep you updated.
- If you are unsure whether something is a disclosable matter, you can speak to the Whistleblower Protection Officer in confidence first, or seek independent legal advice.

7. Legal Protections for Whistleblowers

An eligible whistleblower who makes a disclosure about a disclosable matter to an eligible recipient is protected by law, whether the disclosure is made internally or externally.

Confidentiality of your identity

It is against the law for anyone to disclose your identity, or information likely to lead to your identification, without your consent. The only exceptions are disclosures to ASIC, APRA or the Australian Federal Police, to a lawyer for advice about whistleblower protections, or where the information is reasonably necessary to investigate the matter and all reasonable steps are taken to stop you being identified.

Protection from detriment

It is against the law for anyone to cause, or threaten to cause, you detriment because they believe or suspect you have made, may have made, or could make a disclosure. Detriment includes:

- dismissal, demotion, or changing your duties or rosters to your disadvantage,
- reducing your shifts or hours,
- harassment, intimidation, exclusion or other hostile treatment, and
- harm to your reputation, property, business or financial position.

Reasonable management action, such as managing unsatisfactory performance in line with Club policies, or reasonable steps taken to protect you from detriment (such as temporarily changing reporting lines), is not detriment.

Other protections

- **Compensation and remedies:** you can seek compensation and other remedies through the courts if you suffer loss or detriment because of a disclosure, including where the Club failed to take reasonable precautions to prevent it.
- **Immunity:** you cannot be subject to civil, criminal or administrative action (including disciplinary action) for making a protected disclosure, and the information cannot be used against you in most legal proceedings. These protections do not cover your own misconduct revealed in the disclosure.

Breaching a whistleblower's confidentiality or causing them detriment can be a criminal offence and attract significant civil penalties, for both the Club and the individual responsible.

8. How the Club Will Support and Protect Whistleblowers

The Club will:

- store all disclosure records securely, with access limited to the people directly involved in handling the matter,
- remove or redact your name and identifying details from documents, and refer to you in a gender-neutral way, unless you consent otherwise,
- remind everyone involved in handling or investigating a disclosure of their legal confidentiality obligations,
- assess the risk of detriment to you as soon as a disclosure is received, and put protective measures in place, such as changes to rosters, reporting lines or work location, where appropriate and with your agreement,
- monitor for, and act promptly on, any detriment or threat of detriment,
- make support available, including through the Whistleblower Protection Officer and, if you wish, a support person, and
- treat any breach of confidentiality or any detrimental conduct as serious misconduct.

If you believe your confidentiality has been breached or you have suffered detriment, tell the Whistleblower Protection Officer or the President of the Board immediately. You may also seek legal advice or contact ASIC.

9. How Disclosures Will Be Handled and Investigated

Stage	What happens	Target timeframe
Receipt	The disclosure is recorded securely and, where the whistleblower can be contacted, acknowledged.	Within 2 business days
Assessment	The Whistleblower Protection Officer assesses whether the disclosure is a disclosable matter and whether it should be investigated, referred to another policy, or reported to a regulator or police. Where the disclosure involves the General Manager, the President of the Board takes on this role.	Within 10 business days
Investigation	Where an investigation is needed, it will be thorough, objective, fair and independent of anyone the disclosure concerns. An external investigator will be used where the matter is serious, complex, or involves the General Manager or a Director.	Aim to complete within 60 days, depending on complexity
Updates	The whistleblower will be given updates on progress, where they can be contacted.	At least every 4 weeks
Outcome	The whistleblower will be told when the investigation is finished, and the outcome where appropriate. Some details may not be shared for privacy or legal reasons. Findings are reported to the Board (or, where a Director is involved, to the President or an independent Director), with the whistleblower's identity protected.	On completion

The Club's ability to investigate may be limited if a disclosure is anonymous and the whistleblower cannot be contacted. Where the Club is required by law to report a matter (for example to police, AUSTRAC or Liquor & Gaming NSW), it will do so while protecting the whistleblower's identity as far as the law allows.

If you are not satisfied with how your disclosure was handled, you may ask for a review by the President of the Board. You may also make a disclosure to ASIC, APRA or the ATO at any time.

10. Fair Treatment of People Mentioned in a Disclosure

Anyone who is the subject of, or mentioned in, a disclosure will be treated fairly. The Club will:

- keep the disclosure and their involvement confidential as far as possible,
- presume no wrongdoing until the investigation is complete,
- tell them about the allegations at an appropriate time, before any adverse findings are made, and give them a fair opportunity to respond, with a support person,
- base any decision on the evidence, and
- offer support, and inform them of the outcome where appropriate.

11. Availability of This Policy and Training

- This policy is published on the Club's website, www.finleyrsc.com.au, so that it is available to current and former Directors, employees, contractors, suppliers, volunteers and their relatives.
- Employees and officers can also access this policy through Tanda and in staff areas, and a copy is available from the Whistleblower Protection Officer on request.
- Directors, managers and anyone who may receive disclosures will receive training on their obligations under this policy and the law.

12. Breach of Policy

Any person who breaches a whistleblower's confidentiality, causes or threatens detriment to a whistleblower, or interferes with an investigation, may be subject to disciplinary action, which *may* include termination of employment or engagement, and may also face civil penalties or criminal prosecution. A person who knowingly makes a false disclosure may also be subject to disciplinary action.

13. Review of Policy

The Club reserves the right to review, amend, or replace this policy at any time to ensure ongoing compliance, operational effectiveness, and alignment with business needs and current legal requirements. This policy will be reviewed at least every 12 months. The Australian Government began a statutory review of the corporate and tax whistleblower laws in 2026, and this policy will be updated if the law changes.

14. Disclaimer

This policy does not form part of any employee's contract of employment and may be amended, varied, or withdrawn by the Club at any time. Nothing in this policy limits any protection a person has under the law.