

## Document Details

<b>Document Name</b>	Whistleblower Policy
<b>Document ID</b>	GAR020
<b>Authority</b>	Board
<b>Responsible Role</b>	Chief Executive Officer

### 1 Purpose

Northern Territory PHN (**NT PHN**) is committed to the achievement of high ethical standards and a culture of integrity and accountability, as embodied in its Code of Conduct.

The purpose of this Whistleblower Policy (**the Policy**) is to:

- (a) provide a framework that encourages and facilitates the disclosure of wrongdoing within the organisation without fear of victimisation
- (b) deter wrongdoing and promote behaviour in line with NT PHN's Code of Conduct
- (c) ensure appropriate protection and remedies are provided to Whistleblowers, and
- (d) ensure a fair and objective investigation of allegations of wrongdoing is conducted, appropriate action is taken and feedback on the outcome of the investigation is provided to the Whistleblower, as may be appropriate.

### 2 Scope

This Policy applies to disclosures that qualify for whistleblower protection under the Corporations Act or the Taxation Administration Act (Protected Disclosures). To qualify as a Protected Disclosure, the disclosure must meet each of the following criteria, each of which are dealt with in more detail in clause 3.1:

- (a) The disclosure must be made by an eligible Whistleblower.
- (b) The disclosure must relate to wrongdoing that qualifies for protection under the Corporations Act or the Taxation Administration Act (a **Disclosable Matter**).
- (c) The disclosure must in the first instance be made directly to:
  - an Eligible Recipient; or
  - ASIC or another Commonwealth body prescribed in accordance with the Corporations Act; or
  - the ATO.

Any concerns or issues that do not meet these criteria should not be reported under this Policy, but rather in accordance with NT PHN's Internal Complaints and Grievance Policy or the External Compliments and Complaints Policy, as may be applicable.

### 3 Policy Statements

#### 3.1 Protected Disclosures

##### 3.1.1 Eligible Whistleblowers

A Protected Disclosure must be made by an eligible Whistleblower, as defined in the Corporations Act and the Taxation Administration Act. An eligible Whistleblower is any individual who is, or has been, any of the following in relation to NT PHN:

- (a) an Employee or Officer of NT PHN
- (b) an associate of NT PHN
- (c) a supplier or service provider of NT PHN or any of their employees,

which shall include a relative, spouse or dependant of the individuals listed in paragraph (a) to (d) above.

### **3.1.2 Disclosable Matters**

This section sets out the types of wrongdoing that can be reported in accordance with this Policy which are protected under the whistleblower protection regime embodied in the Corporations Act and the Tax Administration Act (**Disclosable Matters**).

Under the Corporations Act, Disclosable Matters refer to the disclosure of information that the Whistleblower has reasonable grounds to suspect that the information indicates misconduct or an improper state of affairs or circumstances in relation to NT PHN (or any of its Officers or Employees). Without limiting the general nature of this statement, this would include conduct that:

- (a) constitutes an offence against, or a contravention of, a provision of any of the following Commonwealth laws (or any instrument made under these laws):
  - the Corporations Act
  - the Australian Securities and Investments Commission Act 2001
  - the Banking Act 1959
  - the Financial Sector (Collection of Data) Act 2001
  - the Insurance Act 1973
  - the Life Insurance Act 1995
  - the National Consumer Credit Protection Act 2009
  - the Superannuation Industry (Supervision) Act 1993
- (b) constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more
- (c) represents a danger to the public or the financial system, or
- (d) may be prescribed under regulations issued under the Corporations Act.

Under the Taxation Administration Act, Disclosable Matters refer to the disclosure of information that the Whistleblower has reasonable grounds to suspect that:

- (a) indicates misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of NT PHN or an associate of NT PHN; and
- (b) the Whistleblower considers that the information may assist the ATO to perform its functions or duties under a taxation law in relation to NT PHN or an associate of NT PHN, or assist the Eligible Recipient to perform functions or duties in relation to the tax affairs of NT PHN or an associate of NT PHN.

A Disclosable Matter is not only about conduct that involves the contravention of a particular law.

A discloser shall qualify for protection under this Policy, even if their disclosure turns out to be incorrect, provided that the Whistleblower had reasonable ground to suspect the misconduct reported.

While personal work-related grievances generally do not qualify as a Disclosable Matter, as dealt with in clause 3.1.3 below, it may in certain instances qualify as a Disclosable Matter if:

- (a) it includes information about misconduct, or the information about misconduct includes or is accompanied by a personal work-related grievance (as a mixed report)
- (b) NT PHN has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances
- (c) the discloser suffers from or is threatened with detriment for making a disclosure
- (d) the discloser is seeking legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.

**Examples of Disclosable Matters include conduct by NT PHN (or any of its Officers or Employees) that:**

- **is fraudulent or corrupt**
- **is criminal in nature**
- **constitutes a material breach of Northern Territory or Commonwealth laws**
- **constitutes a material breach of NT PHN's Code of Conduct**
- **involves substantial risk to the health and safety of NT PHN Employees or the public**
- **would constitute reasonable grounds for dismissing or terminating the services of an Employee that was engaged in the conduct.**

### **3.1.3 Non-Disclosable Matters**

Not all complaints, concerns and issues are Disclosable Matters that qualify as a Protected Disclosure under this Policy.

Disclosures that relate solely to personal work-related grievances, and that do not relate to detriment or threat of detriment to the discloser, generally do not constitute a Disclosable Matter and do not qualify as a Protected Disclosure under this Policy. In certain instances, a disclosure about, or including, a personal work-related grievance may still qualify as a Protected Disclosure, as dealt with in 3.1.2 above.

**Examples of personal work-related grievances not covered under this Policy include:**

- **an interpersonal conflict between the discloser and another employee**
- **a decision that does not involve a breach of workplace legislation**
- **a decision about the engagement, transfer or promotion of the discloser**
- **a decision about the terms and conditions of engagement of the discloser**
- **a decision to terminate or suspend the appointment of the discloser, or to discipline the discloser.**

Non-Disclosable Matters should not be reported under this Policy, but rather in accordance with NT PHN's Internal Complaints and Grievance Policy (HRM0009) or the External Compliments and Complaints Policy (QUA0015), as may be applicable.

### **3.1.4 Persons to whom Protected Disclosures must be made**

This section of the Policy sets out who, internally and externally, can receive disclosures made under this Policy. Generally, Protected Disclosures must be made to an Eligible Recipient, ASIC or the ATO. In limited

circumstances, a Protected Disclosure may also be made to a journalist or member of Parliament. Disclosures made to the Whistleblower Protection Officer or a legal practitioner for purposes of seeking further information or legal advice, respectively, is permitted and protected under this Policy.

While a Whistleblower is entitled to make a disclosure to any Eligible Recipient, ASIC or the ATO in the first instance, NT PHN would like to identify any wrongdoing as early as possible and would prefer that any disclosure by an Employee is made to the following persons (preferably in the order as set out below), recognising that in certain circumstances it may not be appropriate:

- any Executive Manager or the Whistleblower Protection Officer
- Chief Executive Officer (CEO)
- Board Chair.

For the Disclosable Matters listed below, it is preferred that the disclosure be made to the following Eligible Recipients, recognising again that in certain circumstances it may not be appropriate:

- Where a Protected Disclosure involves the CEO, it is preferred that the matter be reported to the Board Chair.
- Where a Protected Disclosure involves the Board Chair, it is preferred that the matter be reported to the CEO or another Director.
- Where a Protected Disclosure involves both the CEO and Board Chair or other Directors of NT PHN, it is preferred that the matter be reported to ASIC.

#### *3.1.4.1 Eligible Recipients*

To qualify as a Protected Disclosure, a disclosure must be made directly to an Eligible Recipient, whose role it is to receive disclosures and oversee the investigation thereof in accordance with this Policy. An Eligible Recipient includes any one of the following:

- the Whistleblower Protection Officer
- any NT PHN Officer (i.e. any Director, the CEO or Company Secretary)
- any member of SELT
- NT PHN's internal or external auditor or a member of the audit team
- any other person authorised to receive Protected Disclosures in terms of this Policy or the Corporations Act (or regulations).

If the Disclosable Matter relates to the tax affairs of NT PHN, the disclosure may also be made to any one of the following Eligible Recipients:

- any NT PHN Employee who has functions or duties that relate to NT PHN's tax affairs
- a registered tax or BAS agent (within the meaning of the Tax Agent Services Act 2009) who provides tax agent or BAS services to NT PHN
- any other person authorised to receive Protected Disclosures in terms of the Taxation Administration Act (or regulations).

#### *3.1.4.2 Australian Securities & Investments Commission (ASIC)*

A Whistleblower may report a Disclosable Matter under the Corporations Act directly to ASIC or such other Commonwealth authority prescribed by regulation.

#### 3.1.4.3 Australian Taxation Office (ATO)

If a Whistleblower considers that the information may assist the ATO to perform its functions or duties under any taxation law in relation to NT PHN or an associate of NT PHN, the disclosure may be made directly to the ATO.

#### 3.1.4.4 Journalist or Member of Parliament (Public Interest and Emergency Disclosures)

If a Whistleblower has previously made a Protected Disclosure directly to ASIC (or such other Commonwealth authority prescribed by regulation) under the Corporations Act, it may under certain limited circumstances, make a Protected Disclosure to a journalist or member of Parliament, herein referred to as **Public Interest Disclosures** and **Emergency Disclosures**.

A Public Interest Disclosure to a journalist or member of Parliament must meet each of the following requirements:

- (a) at least 90 days have passed since the disclosure was made to ASIC (or such other Commonwealth authority prescribed by regulation)
- (b) the Whistleblower does not have reasonable grounds to believe that action is being, or has been taken, in relation to the disclosure
- (c) the Whistleblower has reasonable grounds to believe that making a further disclosure would be in the public interest
- (d) before making the Public Interest Disclosure, the Whistleblower has given written notice to ASIC (or such other Commonwealth body prescribed by regulation to whom the initial disclosure was made) that includes sufficient information to identify the previous disclosure; and states that the discloser intends to make a Public Interest Disclosure.

An Emergency Disclosure to a journalist or member of Parliament must meet the following requirements:

- (a) at least 90 days have passed since the disclosure was made to ASIC (or such other Commonwealth authority prescribed by regulation to whom the initial disclosure was made)
- (b) the Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health and safety of one or more persons or to the natural environment
- (c) before making the Emergency Disclosure, the Whistleblower has given written notice to ASIC (or such other Commonwealth body prescribed by regulation to whom the initial disclosure was made) that includes sufficient information to identify the previous disclosure; and states that the discloser intends to make an Emergency Disclosure
- (d) the extent of the information disclosed in the Emergency Disclosure is no greater than is necessary to inform the journalist or member of Parliament of the substantial and imminent danger.

## 3.2 Protection and Remedies for Whistleblowers

The disclosure of wrongdoing within the organisation without fear or victimisation is encouraged, acknowledging that it can be a very difficult and stressful decision. The following protection and remedies are available to Whistleblowers who have made Protected Disclosures. The protections do not only apply to internal disclosures, but also includes disclosures to legal practitioners, regulatory and other external bodies, journalists or members of Parliament (in the case of Public Interest and Emergency Disclosures).

### 3.1.5 Confidentiality

Any disclosures made in accordance with this Policy shall be treated as confidential, observing the protection, use and disclosure requirements of NT PHN's Confidentiality Policy (DIN032) and Privacy Policy (BRD0014).

The identity or any information that may lead to the identification of the Whistleblower may not be disclosed to any other person, unless with the consent of the Whistleblower or otherwise permitted by law.

Information (not including the identity of the Whistleblower) relating to a Protected Disclosure may only be disclosed to another person where it is reasonably necessary for the purposes of investigating any matter relating to the Protected Disclosure and reasonable steps have been taken to reduce the risk that the Whistleblower will be identified as a result of the disclosure.

**Measures to protect the confidentiality of a Whistleblower's identify, include, but not limited to, the following:**

- **Personal Information, or information that may identify a Whistleblower, will be redacted.**
- **Whistleblowers will be referred to in a gender-neutral context.**
- **Investigations will be conducted by independent and senior staff.**
- **All paper and electronic documents will be stored securely.**
- **Access to all information relating to a disclosure will be limited to staff directly involved in the investigations, with only a restricted number be made aware of the identity of the Whistleblower.**

### 3.1.6 Protection from Detrimental Acts or Omissions

Victimising conduct causing actual detriment or threatening to cause detriment against a Whistleblower (or a person who may have made, proposes to make, or could make) a Protected Disclosure is prohibited. A threat may be express or implied, or conditional or unconditional. Detrimental conduct includes the following:

- dismissal of an Employee
- injury of an Employee
- alteration of an Employee's position or duties to their disadvantage
- discrimination between an Employee and other Employees
- harassment or intimidation of a person
- harm or injury to a person, including psychological harm
- damage to a person's property, reputation, business or financial position.

Any person involved in the receipt or investigation of a Protected Disclosure must refrain from any activity that is, or could be, perceived to be, victimisation or harassment of a person who makes a Protected Disclosure.

Conduct that is not detrimental includes, but is not limited to, the following: administrative action that is reasonable for the purpose of protecting a discloser from detriment, and managing a discloser's unsatisfactory work performance in line with NT PHN's performance management framework.

Examples of measures that will be taken to avoid detriment include, but not limited to, the following:

- The assessment of the risk of detriment against a Whistleblower and other persons will commence as soon as possible after receiving a disclosure, and will be monitored throughout the investigation of a Protected Disclosure.
- Employees are encouraged to make use of the Employee Assistance Program, which offers a confidential and free counselling and information service. Further details, including how to access the Employee Assistance Program, is available to staff on The Vault.
- Eligible Recipients are trained on the management of Protected Disclosures and their responsibilities to ensure the protection and remedies available to Whistleblowers are maintained.

A Whistleblower should immediately contact the Whistleblower Protection Officer or any other Eligible Recipient if they believe they have suffered detriment. A Whistleblower may also seek independent legal advice or contact the appropriate regulatory body (ASIC or ATO) in such an instance.

### **3.1.7 Civil, Criminal or Administrative Liability Protection**

A Whistleblower will not be subject to civil (e.g. legal action for breach of an employment contract), criminal (e.g. prosecution for unlawfully releasing information) or administrative liability (e.g. disciplinary action for making the disclosure) for making a Protected Disclosure. However, this does not include protection from liability for misconduct by the Whistleblower that is revealed by the disclosure.

### **3.1.8 No Enforcement of Contractual Remedies**

No contractual or other remedies may be enforced, and no contractual or other right may be exercised against the Whistleblower on the basis of the Protected Disclosure.

### **3.1.9 Information Not Admissible as Evidence**

Information that is part of a Protected Disclosure is not admissible as evidence against a Whistleblower in criminal proceedings or proceedings involving a penalty, except in proceedings about the falsity of the information.

### **3.1.10 Compensation and Other Remedies**

Whistleblowers who has suffered detriment are entitled to various remedies including the right to claim monetary compensation; an apology; an injunction to prevent, stop or remedy the detrimental conduct; reinstatement of employment (in the case of dismissal as a result of the Protected Disclosure).

A Whistleblower may seek compensation and other remedies through the courts if:

- they have suffered loss, damage or injury because of a disclosure, and
- NT PHN has failed to take reasonable precautions and to exercise due diligence to prevent the detrimental conduct.

### **3.1.11 No Cost Orders**

Whistleblowers and victims are protected from an award of costs against them where they seek compensation, unless proceedings have been instituted without reasonable cause or vexatiously.

## 4 How to make a disclosure

Prior to making a disclosure under this Policy, a person should consider the three criteria for a Protected Disclosure, as set out in clause 3.1. If uncertain, please contact the Whistleblower Protection Officer or seek independent legal advice.

Once satisfied that a disclosure may be made under this Policy, a Whistleblower may submit their complaint to any Eligible Recipient, ASIC or the ATO, as set out in clause 3.1.4, preferably using the **Whistleblower Complaint Form**. A disclosure to an Eligible Recipient at NT PHN may be made in person or by post, email or phone at the contact details provided below:

**Physical address:** Northern Territory PHN, 23 Albatross St, Winnellie NT 0820

**Postal address:** Northern Territory PHN, GPO Box 2562, Darwin NT 0801

**Email:** [ethics@ntphn.org.au](mailto:ethics@ntphn.org.au) (this email address is monitored by the Whistleblower Protection Officer)

**Phone:** 08 8982 1000

If the disclosure does not qualify as a Protected Disclosure under this Policy, a disclosure could be made in accordance with NT PHN's Internal Complaints and Grievance Policy (HRM0009) or the External Compliments and Complaints Policy (QUA0015), as may be applicable.

A Whistleblower is entitled to make an anonymous Protected Disclosure. It should be noted that this may affect the ability to investigate the matter properly and to communicate with the Whistleblower about the investigation.

The disclosure should be accompanied by relevant documentation in support of the disclosure and include specific and detailed information to enable a proper investigation including:

- whether the Whistleblower wishes to remain anonymous
- the date of the incident
- names of persons involved
- detailed description of the type of wrongdoing
- suggested resolution (if applicable).

A false report could have significant effects on the reputation of NT PHN or its Employees and strongly discouraged. Any deliberate false report will be treated as a serious disciplinary matter.

## 5 Investigation of Protected Disclosures

### 5.1 Preliminary assessment by CEO and Board Chair

Each disclosure made in accordance with this Policy shall be assessed to determine whether it qualifies as a Protected Disclosure and a formal investigation is required. Such assessment shall be made by the CEO and Board Chair (or such other appropriate persons contemplated in clause 3.1.4 above).

If the disclosure is determined to not constitute a Protected Disclosure, the Whistleblower shall be informed and the matter shall be referred to be investigated in accordance with NT PHN's Internal Complaints and Grievance Policy or the External Compliments and Complaints Policy, as may be applicable.

If the disclosure is determined to constitute a Protected Disclosure, an investigations team shall be appointed to conduct the investigation in accordance with this Policy, with the objective of determining whether the claims made by the Whistleblower are substantiated and rectifying or addressing any wrongdoing.

## **5.2 Fair, Objective and Independent Investigation**

The general principles of an investigation, as set out in the External Compliments and Complaints Policy, shall be followed to the extent possible, irrespective of whether the complaint is made by an Employee or an external party.

The investigation process will vary depending on the precise nature of the conduct being investigated. The investigation will be fair, objective and independent of the Whistleblower and anyone who is the subject of the Protected Disclosure. Generally, the investigation will be conducted internally by the CEO and relevant Executive Manager, unless the disclosure involves them, in which case an investigator who is independent of the area where the wrongdoing is alleged to have occurred will be appointed. If the circumstances require, an external investigator independent of NT PHN will be engaged.

Whether a formal or informal investigation should be followed shall depend on the severity and precise nature of the conduct under investigation. The timeframe for the conclusion of an investigation is:

- An informal investigation should be resolved within 7 business days.
- A formal investigation shall require an Investigation Plan and should be resolved within 30 business days.

All Whistleblower protections shall be maintained throughout the investigation.

The confidentiality and anonymity (where required) of all information relating to a Protected Disclosure shall be maintained throughout an investigation. Irrespective of whether a Whistleblower has elected to remain anonymous, no information may be disclosed to any other person during an investigation that is likely to lead to the identification of the Whistleblower, subject to the exclusions listed in clause 3.2.1 above.

## **5.3 Remedial Actions and Feedback**

Following the outcome of the investigation, action will be taken as appropriate to the circumstances.

Subject to confidentiality restrictions, feedback shall be provided to the Whistleblower during the course of the investigation and on the outcome of the investigation, to the extent possible.

## **5.4 Reporting**

The Whistleblower Protection Officer shall maintain a Register of Protected Disclosures, with details of the Protected Disclosure and status of recommended remedial action, while maintaining the confidentiality of information. Where required, the information may be deidentified. Access to the register shall be restricted to the relevant authorised individuals.

Feedback shall be provided to the Board on the outcome of the investigation and the actions taken.

The Board's Finance, Audit and Risk Management Committee shall annually review the adequacy and security of NT PHN's arrangements, including the Whistleblower Policy, for enabling protected whistleblower disclosures in accordance with relevant legislation, making recommendations to the Board.

## 6 General

### 6.1 Communication

This Policy shall be made available to all Employees on the NT PHN Controlled Documents Register and will be included in induction programs for Employees and Directors of NT PHN. Mandatory training for all staff and Eligible Recipients will be conducted at regular intervals.

The Policy shall also be made publicly available on the Company's website.

### 6.2 Legal Advice

A person may seek legal advice or representation about the operation of the whistleblower protections under this Policy, the Corporations Act or the Taxation Administration Act, or its applicability. Such disclosures will be protected even if the legal practitioner concludes that a disclosure does not relate to a Disclosable Matter.

### 6.3 Questions and Complaints

A person may contact NT PHN's Whistleblower Protection Officer for more information about the Policy and its implementation, or to lodge any complaints about an investigation or suspected breach of any of the protections available to the Whistleblower, which enquiries and complaints will be dealt with in the utmost confidence.

## 7 Roles and Responsibilities

### 7.1 Board

- Oversees the adequacy of the Company's whistleblower protection regime, including the regular review of this Policy, upon recommendation of the Finance, Audit and Risk Management Committee.
- The Board Chair will generally oversee the investigation of a Protected Disclosure made in accordance with this Policy relating to the misconduct of the CEO or another Director.

### 7.2 CEO

- Ensures effective implementation of the Company's whistleblower protection regime, which includes the regular review of this Policy and supporting procedures.
- Provide assistance and direction to the Whistleblower Protection Officer, as required.
- The CEO's involvement (if any) in an investigation will depend on the nature of the Protected Disclosure, but will generally oversee the investigation of a Protected Disclosure made in accordance with this Policy, in particular also if it relates to the misconduct of the Board Chair.

### 7.3 Whistleblower Protection Officer

- Supports the CEO in the implementation of the Company's whistleblower protection regime, which includes the regular review of this Policy and supporting procedures.
- Serves as point of contact for Whistleblowers requiring further information or who wishes to lodge a complaint about an investigation or suspected breach of any of the protections available to Whistleblowers.
- Advises on any options for review should the Whistleblower remain dissatisfied with the outcome of an

investigation.

- Maintains up to date knowledge of relevant legislation and best practice relating to whistleblower protection.
- Ensures regular training of the Board, SELT and staff on the Company’s whistleblower protection regime and the investigation of Protected Disclosures.
- The Whistleblower Protections Officer’s involvement (if any) in an investigation will depend on the nature of the Protected Disclosure, but will generally support any investigation of Protected Disclosures made in accordance with this Policy.

#### 7.4 Staff

- Participate in training or information sessions provided.
- Submit any Protected Disclosures in accordance with this Policy.
- Provide assistance and information, when requested, to support any investigation, while ensuring that all protections and remedies available to Whistleblowers are maintained.

#### 7.5 Eligible Recipients

- Ensure that all protections and remedies available to Whistleblowers are maintained.
- Ensure the preliminary assessment of disclosures and the independent investigation of Protected Disclosures are conducted in accordance with the Policy and supporting procedures.

## 8 Further Information

<b>Definitions</b>	<p><b>ASIC</b> – the Australian Securities &amp; Investments Commission</p> <p><b>ATO</b> – the Australian Taxation Office</p> <p><b>Corporations Act</b> – the Corporations Act 2001 (Cth) (as amended by, amongst others, the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)).</p> <p><b>Disclosable Matter</b> – the types of wrongdoing that can be reported under this Policy, as set out in clause 3.1.2, and which does not include the non-Disclosable Matters, as set out in clause 3.1.3.</p> <p><b>Eligible Recipient</b> – any person or organisation authorised to receive Protected Disclosures by a Whistleblower in terms of this Policy, the Corporations Act or the Taxation Administration Act, as set out in clause 3.1.4 of this Policy.</p> <p><b>Employee</b> – any individual who is, or has been, an NT PHN employee or volunteer worker, whether permanent, part-time, fixed-term or temporary.</p> <p><b>Officer</b> – has the meaning of an “officer” as defined in the Corporations Act. In the NT PHN context, this will generally be limited to the Directors, the CEO and the Company Secretary.</p>
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	<p><b>Personal Information</b> – information or an opinion, whether true or not, and whether recorded in a material form or not, about an identified individual, or an individual who is reasonably identifiable (as defined in the Privacy Act 1988 (Cth) and includes health information and sensitive information.</p> <p><b>Protected Disclosure</b> – a disclosure of information that meets the requirements set out in clause 3.1 of this Policy.</p> <p><b>SELT</b> – the Senior Executive Leadership Team of NT PHN, which is considered as senior managers within the meaning of the Corporations Act and the Taxation Administration Act.</p> <p><b>Taxation Administration Act</b> – the Taxation Administration Act 1953 (Cth) (as amended by, amongst others, the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)).</p> <p><b>Whistleblower</b> – an individual, as defined in clause 3.1.1, making a Protected Disclosure under this Policy.</p> <p><b>Whistleblower Protection Officer</b> – the NT PHN Governance and Risk Manager / Company Secretary, who is responsible for implementing the Company’s whistleblower protection regime in accordance with this Policy and applicable legislation.</p> <p><b>Whistleblowing</b> – the act of making a Protected Disclosure by a Whistleblower in accordance with this Policy and the Corporations Act.</p>
<p><b>Related Controlled Documents</b></p>	<p>Whistleblower Complaint Management Procedure (GAR021)</p> <p>Whistleblower Complaint Form (GAR021-A)</p> <p>Privacy Policy (DIN017)</p> <p>Code of Conduct (PPC007)</p> <p>Board Charter (BRD040)</p> <p>Internal Complaints and Grievance Policy (PPC012)</p> <p>External Compliments and Complaints Policy (GAR060)</p> <p>Data Governance Policy (DIN016)</p> <p>Confidentiality Policy (DIN032)</p>
<p><b>Relevant Legislation</b></p>	<p><a href="#">ASIC Information Sheet 238: Whistleblower rights and protections (issued 1 July 2019)</a></p> <p><a href="#">ASIC Information Sheet 239: How ASIC handles whistleblower reports (issued 1 July 2019)</a></p> <p><a href="#">ASIC Regulatory Guide 270: Whistleblower Policies (issued November 2019)</a></p> <p><a href="#">Australian Taxation Office webpage on Tax Whistleblowers</a></p>

	<p>Corporations Act 2001 (Cth) (in particular Part 9.4AAA – Protection for whistleblowers (as amended by the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth))</p> <p>Privacy Act 1988 (Cth)</p> <p>Tax Administration Act 1953 (Cth) (in particular Part IVD – Protection for whistleblowers (as amended by the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth))</p>
<b>References</b>	List external references used to develop the document

## 9 Version History

<b>Date of Original Adoption</b>		February 2014	<b>Due Date for Next Review</b>		September 2022
<b>Version</b>	<b>Author</b>	<b>Approved by</b>	<b>Date Adopted</b>	<b>Sections Modified</b>	
1	CGLU	Dr Andrew Bell, NTML Chair	02.2014	Creation of Policy	
2	CGLU	Dr Andrew Bell, NTML Chair	10.2014	Review of Policy	

3	CGLU	Dr Andrew Bell, NT PHN Chair	30.05.2016	Review of policy to include NT PHN branding and minor wording updates.	
4	Board Support	Board, Resolution 369	03.06.2019	Various amendments to align with the <i>Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019</i> .	
5	Company Secretary	Board, Resolution 430	25.11.2019	Eligible recipients of disclosures expanded to ensure compliance with Corporations Act. The tax whistleblower regime has been included. Other minor corrections.	
6	Governance and Risk Manager / Company Secretary	NT PHN Board, Board Resolution 505	7 September 2020	Review of policy to ensure compliance with ASIC Regulatory Guide 270: Whistleblower Policies.	

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