

Whistleblower Policy

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 ethical standards and the NT PHN's Code of Conduct;
- (c) meet NT PHN's legal and regulatory obligations;
- (d) ensure appropriate protection and remedies are provided to Whistleblowers, and
- (e) ensure:
 - i. a fair and objective investigation of allegations of wrongdoing is conducted,
 - ii. appropriate action is taken; and
 - iii. where NT PHN deems appropriate, that feedback on the outcome of the investigation is provided to the Whistleblower.

2 Scope

This Policy applies to disclosures that qualify for whistleblower protection under the *Corporations Act 2001 (Cth)* (**Corporations Act**) or the *Taxation Administration Act 1953 (Cth)* (**Tax 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 of this Policy:

- (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 Tax Act (a **Disclosable Matter**);
- (c) the disclosure must in the first instance be made directly to:
 - an Eligible Recipient; or
 - Australian Securities & Investment Commission (ASIC) or Australian Prudential Regulation Authority (APRA), or another Commonwealth body as prescribed by the Corporations Act; or
 - the Australian Taxation Office (ATO) - Commissioner for Taxation.

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

Tax 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; or
- (d) a relative, spouse or dependent of any of the individuals listed in paragraphs (a) to (c) 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 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 Tax Act, Disclosable Matters refers to the disclosure of information that the Whistleblower has reasonable grounds to suspect:

- (a) indicates misconduct, or an improper conduct or circumstances, in relation to the tax affairs of NT PHN or an associate of NT PHN;
- (b) that such 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 Whistleblower shall qualify for protection under this Policy, even if the disclosure turns out to be incorrect, provided that the Whistleblower had reasonable ground to suspect the wrongdoing occurred or was occurring when the report was made.

While personal work-related grievances generally do not qualify as a Disclosable Matter, as dealt with in clause 3.1.3 below, a personal work-related grievance **may** 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:
- i. breached Commonwealth laws punishable by imprisonment for a period of 12 months or more, or
 - ii. engaged in conduct that represents a danger to the public;
- (c) Whistleblowerthe Whistleblower suffers from or is threatened with detriment for making a disclosure;
- (d) the Whistleblower 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 illegal, such as theft, fraud, or laundering money;
- is criminal in nature such as accepting or offering a bribe;
- fails to comply with regulatory requirements;
- involves substantial risk to the health and safety of NT PHN Employees or the public;
- threatens, intimidates, or adversely affects a person who has made a disclosure or is suspected to have made a disclosure or who is believed to be planning to make a disclosure.

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 Whistleblower, generally do not constitute a Disclosable Matter and do not qualify as a Protected Disclosure under this Policy. However, in certain instances, a disclosure which includes a personal work-related grievance may still qualify as a Disclosable Matter under this Policy. For example, an interpersonal conflict with a colleague or supervisor in circumstances where the reason for the conflict is the raising of concerns regarding financial wrongdoing by that colleague or supervisor.

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

- an interpersonal conflict between the Whistleblower and another employee arising from circumstances other than a Disclosable Matter;
- a decision about the engagement, transfer or promotion of the Whistleblower;
- a decision about the terms and conditions of engagement of the Whistleblower;
- a decision to terminate or suspend the appointment of the Whistleblower; or
- a decision to performance manage the Whistleblower due to their underperformance.

Non-Disclosable Matters should not be reported under this Policy. Complaints which do not fall under the terms

of this Policy may still be made, however they would be made under another NT PHN policy for example:

- the Internal Complaints and Grievance Policy (HRM0009), or
- the External Compliments and Complaints Policy (QUA0015),

or other applicable policy.

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 which includes 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, are permitted and protected under this Policy.

While a Whistleblower is entitled to make a disclosure to any Eligible Recipient, including ASIC or the ATO in the first instance, as NT PHN would like to identify any wrongdoing as early as possible, it would prefer that any disclosure by an Employee is initially 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 under the terms of this Policy or relevant legislation and oversee the investigation thereof in accordance with this Policy. An Eligible Recipient under this Policy is 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;
- any other person authorised to receive Protected Disclosures under this Policy, the Corporations Act, or the Tax Act.

3.1.4.2 Australian Securities & Investments Commission (ASIC)

A Whistleblower may report a Disclosable Matter under the Corporations Act directly to ASIC, APRA or such other Commonwealth body as prescribed by the Corporations Act.

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 the Corporations Act, they may in certain circumstances as detailed below, make a Protected Disclosure to a journalist or Member of Parliament. Such disclosures are referred to as Public Interest Disclosures or Emergency Disclosures.

To qualify as a Public Interest Disclosure to a journalist or Member of Parliament, the following requirements must be met before such disclosure can be made and receive Whistleblower protections under the terms of this Policy:

- (a) at least 90 days have passed since the disclosure was made to ASIC (or other prescribed Commonwealth authority);
- (b) the Whistleblower does not on reasonable grounds believe that any 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 other prescribed Commonwealth body to whom the initial disclosure was made) that:
 - includes sufficient information to identify the previous disclosure; and
 - states that the Whistleblower intends to make a Public Interest Disclosure.

Emergency Disclosures 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 other prescribed Commonwealth authority 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 prescribed Commonwealth body to whom the initial disclosure was made) that:
 - includes sufficient information to identify the previous disclosure; and
 - states that the Whistleblower 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.

3.1.5 Protection and Remedies for Whistleblowers

The disclosure of suspected wrongdoing within the organisation may be made without fear or victimisation. NT PHN encourages all eligible whistleblowers to make the disclosure and acknowledges 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 apply to disclosures made to Eligible Recipients and to public

interest and Emergency Disclosures made in accordance with this Policy.

3.1.6 Confidentiality

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

If the identity of the Whistleblower is known by NT PHN, the identity or any information that may lead to the identification of the Whistleblower may not be disclosed, 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 the matter(s) raised in the Protected Disclosure, where reasonable steps have been taken to reduce the risk that the Whistleblower will be identified as a result of the disclosure of information for the purposes of an investigation.

Measures to protect the confidentiality of a Whistleblower's identity, include, but are 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 an independent person, whether conducted internally or externally;**
- **all hardcopy and electronic documents will be stored securely;**
- **access to all information relating to a disclosure will be limited to persons, including staff directly involved in the Protected Disclosure being made and the investigations;**
- **the identity of the Whistleblower, if known, will only be disclosed as provided in this Policy.**

3.1.7 Protection from Detrimental Acts or Omissions

Victimising conduct 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, implied, conditional or unconditional. Detrimental conduct includes the following:

- dismissal of an Employee;
- injury of an Employee whilst undertaking their employment;
- 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 or conduct which could cause detriment to 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 Whistleblower from detriment, or
- managing a Whistleblower'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 are not limited to, the following:

- **the assessment of the risk of detriment to a Whistleblower and other persons will commence as soon as possible after receiving a Protected 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 support service. Further details, including how to access the Employee Assistance Program, is available to staff on SharePoint;**
- **Eligible Recipients are trained on the management of Protected Disclosures and on their responsibilities as an Eligible Recipient to ensure the protection available to Whistleblowers is 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, APRA or ATO) in such an instance.

3.1.8 Civil, Criminal or Administrative Liability Protection

A Whistleblower will not, where the Protected Disclosure is made with a genuine belief that the wrongdoing has occurred or is occurring, 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. 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, including as a result of inquiries or investigations arising from the Protected Disclosure.

3.1.9 No Enforcement of Contractual Rights

No contractual rights will be enforced against the Whistleblower for making the Protected Disclosure, provided the Whistleblower had a reasonable basis to believe the wrongdoing had occurred or was occurring.

This protection does not apply where the Whistleblower made the Protected Disclosure knowing it was inaccurate or false.

3.1.10 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 Whistleblower's conduct/actions, or
- the falsity of the information.

3.1.11 Claims for Loss or Detriment

Whistleblowers who believe they have suffered a loss or detriment may raise with NT PHN a claim for such loss or detriment.

NT PHN will assess any claim that is made to it and may in its sole discretion take steps to remedy a loss or detriment if NT PHN determines such has occurred (the determination is in NT PHN's sole discretion).

This does not prevent NT PHN defending court proceedings if commenced.

3.1.12 No Cost Orders

Should the Whistleblower bring proceedings against NT PHN arising out of a Protected Disclosure made under the terms of this Policy, which are unsuccessful resulting in the court ordering the Whistleblower pay the costs of NT PHN in those proceedings, NT PHN will not seek to enforce that costs order unless proceedings were instituted in circumstances where:

- the proceeding had no prospects of success; or
- commenced without reasonable cause or vexatiously.

4 How to make a disclosure

Prior to making a disclosure under this Policy, a person should consider the criteria for a Protected Disclosure, as set out in this Policy. If uncertain, please contact the Whistleblower Protection Officer or, you may wish to 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. If the Protected Disclosure is made to NT PHN it is preferred that the Whistleblower Complaint Form is used.

A disclosure to an Eligible Recipient at NT PHN may be made in person or by post, email or phone. The contact details for the disclosure are:

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 (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 may be made under the terms of another NT PHN policy, such as the:

- Internal Complaints and Grievance Policy (HRM0009), or
- External Compliments and Complaints Policy (QUA0015),

or other policy as may be applicable.

A Whistleblower is entitled to make an anonymous Protected Disclosure. However, when deciding whether to make a report anonymously, please be aware that anonymity may limit NT PHN's ability to investigate the matters reported. NT PHN encourages Whistleblowers to disclose their identity when making a report under this Policy, noting the protections provided, as this will assist NT PHN to:

- fully investigate the matters raised,
- seek any further information needed from the Whistleblower;

- enable NT PHN to monitor the Whistleblower's wellbeing, and
- provide the protections set out in this Policy.

The disclosure should be accompanied by all 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(s);
- names of persons involved; and
- a detailed description of the alleged wrongdoing.

A false report could have significant effects on the reputation of NT PHN, its Employees, Board Members, service providers or suppliers and must not knowingly be made. Any deliberate false report will be treated as a serious disciplinary matter and may, depending on the circumstances be a matter that is reported to a relevant Commonwealth or Northern Territory authority.

A false report does not include a report made in circumstances where the Whistleblower genuinely believed the wrongdoing had occurred or was occurring but that belief was mistaken.

5 Investigation of protected disclosures

5.1 Preliminary Assessment

Each disclosure made in accordance with this Policy shall be assessed to determine whether it qualifies as a Protected Disclosure and if so, what steps will then be taken. Such assessment shall be made by the Eligible Recipient who receives the disclosure (or such other appropriate persons contemplated in clause 3.1.4 above).

If the disclosure is determined not to be a Protected Disclosure under this Policy, the Whistleblower shall, where their identity is known, be informed of this and of the appropriate NT PHN policy under which the disclosure/complaint may be made.

If the disclosure is determined to constitute a Protected Disclosure, an investigator (either internal or external) will be appointed to conduct the investigation in accordance with this Policy. The investigator will be instructed to conduct the investigation and determine whether the claims made by the Whistleblower are substantiated.

If the claims made by the Whistleblower are substantiated, the decisionmaker (this will not be the Eligible Recipient who received the disclosure, or the investigator) will determine what action is required to be taken in response to such finding.

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 involved in the Protected Disclosure.

The timeframe for an investigation will depend on the nature of the complaint. Where possible:

- an investigation will commence within 7 business days of receiving the complaint;
- the investigation should be finalised 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 outlined in this Policy.

5.3 Remedial Actions and Feedback

Following finalisation of an investigation, the decision maker will decide on what action is to be taken.

Subject to confidentiality restrictions, and the identity of the Whistleblower being known, feedback may be provided to the Whistleblower during the course of the investigation and on the findings of the investigator, to the extent possible.

5.4 Reporting

The Whistleblower Protection Officer shall maintain a Register of protected disclosures, investigations and decisions. This information is kept confidentially. Where required, the information may be deidentified. Access to the register is restricted to the relevant authorised individuals.

Where it is appropriate to do so, 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 will review annually the security of NT PHN's arrangements, including the Whistleblower Policy, to ensure protected whistleblower disclosures are adequately protected and comply with all relevant legislation. Any recommendations or changes suggested by the Committee, will be made 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 from time to time.

The Policy shall also be made publicly available on NT PHN'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 Tax 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. NT PHN recognise that such enquiries and complaints are confidential and confirms that they will be dealt with in the utmost confidence.

7 Roles and Responsibilities

7.1 Board

- Oversees the adequacy of this Policy and the whistleblower protection regime. This includes reviewing the 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 alleged misconduct of the CEO or a Director.

7.2 CEO

- Ensures effective implementation of this Policy and the whistleblower protection regime, which includes 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 may oversee the investigation of a Protected Disclosure made in accordance with this Policy. The CEO will oversee the investigation of a Protected Disclosure made against the Board Chair.

7.3 Whistleblower Protection Officer

- Supports the CEO in the implementation of the whistleblower protection regime, which includes the review of this Policy and supporting procedures.
- Serves as point of contact for Whistleblowers requiring further information or who wish to lodge a complaint about an investigation or suspected breach of any of the protections available to Whistleblowers.
- 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 Protection Officer's involvement (if any) in a Protected Disclosure will depend on the nature of the Protected Disclosure but will generally support any investigation of Protected Disclosures made in accordance with this Policy.
- Conducts routine testing on the Whistleblower Complaint Form and reports annually to the Finance, Audit and Risk Management (FARM) Committee.

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 do so, as part of any investigation, while ensuring that all protections available to Whistleblowers are maintained.

7.5 Eligible Recipients

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

8 Further Information

<p>Definitions</p>	<p>ASIC – the Australian Securities & Investments Commission</p> <p>ATO – the Australian Taxation Office</p> <p>Corporations Act – the <i>Corporations Act 2001</i> (Cth) (as amended by, amongst others, the <i>Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019</i> (Cth)).</p> <p>Disclosable Matter – 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>Eligible Recipient – any person or organisation authorised to receive protected disclosures by a Whistleblower in relation to this Policy, the Corporations Act or the Taxation Administration Act, as set out in clause 3.1.4 of this Policy.</p> <p>Employee – any individual who is, or has been, an NT PHN employee or volunteer worker, whether permanent, part-time, fixed-term, casual or temporary.</p> <p>Officer – 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> <p>Personal Information – 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 <i>Privacy Act 1988</i> (Cth) and includes health information and sensitive information.</p> <p>Protected Disclosure – a disclosure of information that meets the requirements set out in clause 3.1 of this Policy.</p> <p>SELT – 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>Taxation Administration Act – the Taxation Administration Act 1953 (Cth) (as amended by, amongst others, the <i>Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019</i> (Cth)).</p> <p>Whistleblower – an individual, as defined in clause 3.1.1, making a protected disclosure under this Policy.</p> <p>Whistleblower Protection Officer – the NT PHN Company Secretary, who is responsible for implementing the Company’s whistleblower</p>
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	<p>protection regime in accordance with this Policy and applicable legislation.</p> <p>In the event of Company Secretary being on extended leave, the Board Chair will act as the Whistleblower Protection Officer mainly to monitor complaints lodged, if any.</p> <p>Whistleblowing – the act of making a protected disclosure by a Whistleblower in accordance with this Policy and the Corporations Act.</p>
Related Controlled Documents	<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>
Relevant Legislation	<p>ASIC Information Sheet 238: Whistleblower rights and protections (issued 1 July 2019)</p> <p>ASIC Information Sheet 239: How ASIC handles whistleblower reports (issued 1 July 2019)</p> <p>ASIC Regulatory Guide 270: Whistleblower Policies (issued November 2019)</p> <p>Australian Taxation Office webpage on Tax Whistleblowers</p> <p><i>Corporations Act 2001</i> (Cth) (in particular Part 9.4AAA – Protection for whistleblowers (as amended by the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth))</p> <p><i>Privacy Act 1988</i> (Cth)</p> <p><i>Tax Administration Act 1953</i> (Cth) (in particular Part IVD – Protection for whistleblowers (as amended by the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth))</p>

9 Version History

Date of Original Adoption		February 2014	Due Date for Next Review		23 October 2025
Responsible Role:		Company Secretary			
Version	Author	Approved by	Date Adopted	Sections Modified	
6	Governance and Risk Manager /	NT PHN Board, Board Resolution 505	7 September 2020	Review of policy to ensure compliance with ASIC Regulatory Guide 270: Whistleblower Policies.	

	Company Secretary			
7	Company Secretary	NT PHN Board, Board Resolution 737	11 May 2023	Addition of routine testing of the form under clause 7.3. Amendments to the definition of Whistleblower Protection Officer. Other minor format changes.
8	Company Secretary	NT PHN Board, Board Resolution 796	23 October 2023	Minor format changes. Changes in Clause 9.1.9, 9.1.11,3.1.12,4,5.1, and 5.2.

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