

WHISTLEBLOWING POLICY

May 2025

1. POLICY OVERVIEW

- 1.1** Opportunity International Australia, and its wholly owned subsidiaries (**Opportunity**) is committed to achieving and maintaining high standards with regard to behaviour at work, service to the public and in all its working practices. Employees, interns and volunteers are expected to conduct themselves with integrity, impartiality, honesty and in line with Opportunity's Employee Code of Conduct and the Opportunity Way.

Opportunity seeks to develop a culture where individuals feel confident that they can speak up about inappropriate behaviour at all levels. To achieve this, Opportunity strongly encourages the reporting of genuine concerns about actual or suspected malpractice, illegal acts or serious failures to comply with Opportunity policies and recognised standards of work, without fear of reprisal or victimisation.

Opportunity has established processes and procedures by which individuals can raise issues of concern and how these can be acted upon. At the same time, Opportunity strives to ensure that individuals raising concerns are not subjected to victimisation or detriment.

Opportunity's Whistleblowing Policy (this **Policy**) is intended to complement statutory protection under both the *Corporations Act 2001* (Cth) and the *Taxation Administration Act 1953* (Cth) and associated regulations (together, the **Whistleblower Laws**).

This Policy also aims to enhance psychosocial safety by providing a safe and accessible mechanism for reporting misconduct or an improper state of affairs in relation to Opportunity. Complaints and concerns about bullying, harassment, psychosocial hazards or work allocation are best addressed through Opportunity's other relevant policies. However, where such conduct is serious or systemic, this conduct may be reported through this Policy. For the avoidance of doubt, an individual's statutory rights will not be affected in any way by this Policy.

This Policy is designed to provide protection for individuals and is accompanied by a procedure that should be followed when speaking up under this Policy. This Policy is not intended to be contractually binding and does not form part of any employment contract with Opportunity.

- 1.2** Opportunity will not tolerate harassment or victimisation of a whistleblower or suspected whistleblower (including informal pressures) and will treat such conduct as gross misconduct, which if proven, may result in disciplinary consequences up to and including dismissal for employees, or termination of engagement for suppliers.
- 1.3** Employees, officers and volunteers with reasonable grounds to suspect misconduct or an improper state of affairs in connection with Opportunity or its officers or employees are required to use the procedure in this Policy to report it. Other individuals in scope of this policy are likewise encouraged to follow its procedures to

make a report. Knowing about potential wrongdoing at an early stage will allow Opportunity to take the necessary steps to safeguard the interests of its people, others and protect the organisation.

Consistent with Opportunity's Prevention of Sexual Exploitation, Abuse and Harassment Policy, Opportunity does not require a survivor-victim of sexual exploitation, abuse and/or harassment to speak up about an incident that has happened to them. Refer to Opportunity's Prevention of Sexual Exploitation, Abuse and Harassment Policy for more detail. However, Opportunity strongly encourages reporting of any such incidents.

- 1.4** Opportunity reserves the right to amend this Policy as necessary to reflect operational requirements, and changes in the Whistleblower Laws.

2. WHO DOES THE POLICY APPLY TO?

This Policy applies to an individual who is (or has been):

- (a) an employee, officer or associate of Opportunity;
- (b) a supplier of services or goods (whether paid or unpaid) to Opportunity including an individual who is or has been employed by such a supplier. This includes employees of suppliers, interns and volunteers acting on behalf of Opportunity.

A disclosure made by a relative, spouse or dependant of an individual identified above will also be handled in accordance with this Policy and the protections in this Policy and the Whistleblower Laws will apply to such individuals.

An individual who is covered by this Policy and makes a report in accordance with this Policy (**Whistleblower Report**) is described as a **Whistleblower**.

3. WHAT IS WHISTLEBLOWING?

3.1 Reportable Conduct

It is not possible to provide an exhaustive list of the activities that should be reported for the purposes of this Policy (**Reportable Conduct**).

However, by way of general guidance, Reportable Conduct includes any information that a Whistleblower has reasonable grounds to suspect indicates misconduct¹ or an improper state of affairs in relation to Opportunity, for example, conduct of Opportunity or any employee, volunteer or officer of Opportunity as follows:

- (a) dishonest, corrupt or illegal acts (including theft, illegal drug sales/use, violence or threatened violence and criminal property damage);

¹ For these purposes, 'misconduct' includes fraud, negligence, default, breach of trust and breach of duty.

- (b) misleading or deceptive conduct including practices or representations which amount to improper or misleading accounting or financial reporting practices, or the improper use of money intended for charitable purposes;
- (c) conduct amounting to an offence against or contravention of the *Corporations Act 2001* (Cth), *ASIC Act 2001* (Cth), or tax legislation, or against any other Commonwealth law that carries a penalty of at least 12 months imprisonment;
- (d) conduct which poses a danger to the public or the financial system;
- (e) unethical behaviour (e.g., representing a serious breach of Opportunity's Code of Conduct or generally);
- (f) a serious breach of Opportunity's policies and procedures;
- (g) conduct which exposes any person to a serious safety risk;
- (h) conduct likely to cause financial or non-financial loss to Opportunity or that is otherwise detrimental to the interests of Opportunity; or
- (i) serious and systematic contraventions of the Fair Work Act, failure to comply with the requirements of the ACNC Act, and other relevant regulations.

Reportable Conduct also includes conduct of the nature outlined above engaged in by a person outside of Opportunity but who has a business connection to Opportunity (for example, a supplier, contractor or other business partner) where the conduct could have legal implications for Opportunity or materially impact the reputation of Opportunity.

3.2 Personal work-related grievances

Personal work-related grievances are not generally considered Reportable Conduct under this Policy and should be reported through the other channels Opportunity has established to receive these complaints. Personal work-related grievances have or tend to have implications for the discloser personally. Examples include:

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

Personal work-related grievances may be protected under other laws, such as the *Fair Work Act 2009* (Cth) and anti-discrimination or equal opportunity legislation. Opportunity encourages individuals to speak up about these concerns to an immediate manager, a member of the Executive Team, or the People and Culture

Manager. These concerns will be addressed through Opportunity's Grievance Policy and Procedure.

However, if a report of a personal work-related grievance:

- (a) has significant implications for Opportunity; and
- (b) concerns conduct or alleged conduct referred to at 3.1 above,

then it will be considered to be Reportable Conduct and should be reported in accordance with this Policy.

Further:

- (a) where a personal work related grievance relates to alleged or threatened victimisation or detrimental treatment;
- (b) that victimisation or detrimental treatment is taken against an individual because they (or another person) are believed or suspected to have made, or may have made, propose to make, or could make a protected disclosure under this Policy and the Whistleblower Laws; and
- (c) the above belief or suspicion is the reason (or part of the reason) for the victimisation or detrimental treatment,

then it will be considered to be Reportable Conduct and should be reported in accordance with this Policy.

4. PROTECTIONS AND SUPPORT FOR WHISTLEBLOWERS

4.1 Protections for Whistleblowers

Opportunity is committed to ensuring that the protections available under the Whistleblower Laws are afforded to an individual who is a Whistleblower, and who makes a disclosure which qualifies for protection under this Policy and the Whistleblower Laws.

The protections under this Policy and the Whistleblower Laws available to a Whistleblower include protections in respect of confidentiality and victimisation.

4.2 Victimisation and Detrimental Treatment

Opportunity is committed to ensuring that a Whistleblower making a Whistleblower Report under this Policy or the Whistleblower Laws will not suffer victimisation or detrimental treatment or be disadvantaged as a result of making that report, even if the Whistleblower Report is subsequently determined to be incorrect or is not substantiated. Opportunity will assess the risk of detriment to the Whistleblower and relevant individuals connected to the Whistleblower Report.

All reasonable steps will be taken by Opportunity to ensure that a Whistleblower does not suffer detrimental treatment and is not subject to any form of victimisation

because they have made, may have made, propose to make or could make a report in accordance with this Policy or the Whistleblower Laws.

Detrimental treatment includes dismissal, injury, demotion, discrimination, harassment, intimidation, disciplinary action, bias, threats or other unfavourable treatment.

A person who subjects a second person (including a Whistleblower) to detrimental treatment because they believe or suspect the second person (or another person) made, may have made, propose to make or could make a Whistleblower Report will be in breach of this Policy and in contravention of relevant Whistleblower Laws, and will be dealt with under Opportunity's disciplinary procedures. This is a serious matter which may result in disciplinary outcomes up to and including termination of employment (or otherwise termination of engagement), and may expose the person to significant civil and criminal penalties.

4.3 Support for Whistleblowers

Opportunity is committed to providing appropriate support to Whistleblowers. The nature of the support that may be offered will depend on the nature of the Reportable Conduct reported and the personal circumstances of the Whistleblower.

Examples of the support provided for Whistleblowers include:

- (a) encouraging anonymous Whistleblower Reports (and see further at section 5.8 below);
- (b) handling Whistleblower Reports on a confidential basis in accordance with section 7 below;
- (c) ensuring protection from detrimental conduct and victimisation including monitoring and assessing detrimental risk;
- (d) access for employees and volunteers to Opportunity's Employee Assistance Provider for confidential counselling and support services; and
- (e) offering support from human resources and providing such support where sought by a Whistleblower.

5. OPPORTUNITY'S WHISTLEBLOWING PROCEDURE

Who to report to at Opportunity

5.1 Opportunity is committed to identifying and addressing wrongdoing as early as possible. In summary, a Whistleblower may make a report to:

- (a) Opportunity's Complaints Officer (refer details below);
- (b) any officer or senior manager of Opportunity;
- (c) the Chair of the Audit & Risk Committee;
- (d) an auditor or member of an audit team conducting an audit of Opportunity; or

- (e) any other employee or officer of Opportunity who has functions or duties that relate to the tax affairs of Opportunity.

Our preference is that a Whistleblower makes a report to the Complaints Officer in the first instance. The designated officers for receiving reports at Opportunity are set out below, along with Opportunity's recommended reporting process. Opportunity recommends that Whistleblower Reports made for the purpose of this Policy are made to these designated persons so they can ensure the report is handled in accordance with this Policy.

Recommended process for making a report to Opportunity

- 5.2** A Whistleblower is recommended to first make their Whistleblower Report to the Complaints Officer who is the nominated Opportunity officer with responsibility for dealing with Whistleblower Reports raised under this Policy and ensuring, where necessary and appropriate, that an investigation is conducted. The Complaints Officer can be contacted on 02 9270 3300 or at complaints@opportunity.org.au.
- 5.3** Alternatively, if the Whistleblower Report is about an Opportunity Director, the CEO or the Company Secretary, and the Whistleblower does not want to report as recommended above, the Whistleblower Report can be made directly to the Chair of Opportunity's Audit and Risk Committee who will decide what action should be taken. The contact details for the Chair of Opportunity's Audit and Risk Committee will be provided by the Company Secretary who can be contacted on 02 9270 3300 or via opinfo@opportunity.org.au.
- 5.4** If the Whistleblower is unhappy with the initial response they receive following Opportunity's receipt of their Whistleblower Report, they may report their concerns to the Chair of the Board who can be contacted through the Chair of the Audit and Risk Committee or through the Complaints Officer. This option will not apply where concerns have been unsubstantiated following any action Opportunity takes, including any investigation conducted.
- 5.5** If in doubt, the Whistleblower should speak to the CEO. This conversation will be treated in absolute confidence. The CEO can be contacted on 02 9270 3300 or through the Complaints Officer.
- 5.6** The identity of the Whistleblower, or information likely to lead to their identification will be kept confidential in accordance with section 7 below, subject to law.

Supporting documentation

- 5.7** While Opportunity does not expect a Whistleblower to have absolute proof or evidence of Reportable Conduct, a report should show the reasons for their concerns and make full disclosure of the relevant details and supporting documentation. If a report is made it will be valued and appreciated, even if it is not confirmed by subsequent investigation, or is otherwise unsubstantiated.

Anonymous reports

- 5.8** A Whistleblower may elect to make a report anonymously. Opportunity will respect the Whistleblower's right to not identify themselves. However, electing to make a report anonymously may hinder Opportunity's ability to fully action or investigate the matter.

The investigation

- 5.9** Opportunity will decide how to respond to a Whistleblower Report in a responsible and appropriate manner under this Policy. A decision as to whether an investigation, including any preliminary investigation, should be carried out, will be made as soon as practicable after the Whistleblower Report has been received.

If Opportunity decides that an investigation is necessary and appropriate, it will be conducted by an internal and/or external investigator as efficiently and sensitively as possible, and in a fair and thorough manner. An official written record will be kept at each stage of the investigation and all records and related documents will be kept confidential.

- 5.10** If an internal investigation is appropriate, the Complaints Officer or Chair of Opportunity's Audit & Risk Committee will investigate a Whistleblower Report made under this Policy as follows:
- (a) if appropriate (and provided the Whistleblower has not made their report anonymously), arrange an initial interview with the Whistleblower to ascertain a better understanding of their area/s of concern and afford them an opportunity to provide further details or information regarding their report. This interview will remain confidential;
 - (b) the notes taken during the interview will be sent to the Whistleblower to approve as an accurate record of the matters that were discussed;
 - (c) the Whistleblower will be asked whether they want their identity to be disclosed to relevant persons within Opportunity, or otherwise in accordance with the law, and will be reassured about the protections from victimisation or detrimental treatment under this Policy and the Whistleblower Laws;
 - (d) the Whistleblower will be asked if they are prepared to make a written statement (if they have not already done so), and/or otherwise engage with the investigation process;
 - (e) regardless of whether the Whistleblower Report was made anonymously, an internal or external investigator as appropriate will then be instructed to conduct further investigations. The investigation may be conducted by the auditors of Opportunity, for example in the case of financial irregularity or suspected fraud. They will aim to complete the investigation as soon as is reasonably practicable;
 - (f) any person(s) against whom allegations are made as part of the disclosure will be provided with an opportunity to respond to those allegations. However, it

may be necessary to conduct the investigation in confidence (ie without informing the subject of the relevant substance of the Whistleblower Report) until (or if) it becomes necessary to do so..

- 5.11** A Whistleblower is entitled to be accompanied by a support person of their choice throughout the procedure when making a Whistleblower Report. This person must adhere to obligations of confidentiality.
- 5.12** To avoid jeopardising an investigation, a Whistleblower, and all persons involved in an investigation, must keep confidential the fact that a Whistleblower Report has been made, as well as the information contained in the Whistleblower Report (subject to law). Their involvement in the process must also be kept confidential (including in accordance with section 7 of this Policy).

Outcome of the investigation

- 5.13** If the Whistleblower Report is substantiated (in whole or in part) following investigation, and if appropriate, a disciplinary procedure will be initiated against the person(s) who is the subject of the substantiated report.
- 5.14** The Whistleblower will be informed of the outcome of the investigation, to the extent and in the form appropriate, within a reasonable time following completion of the investigation. The exact nature of any disciplinary action taken against any person in connection with the outcome of the investigation will remain confidential.
- 5.15** Whether or not the Whistleblower Report was substantiated (in whole or in part), and provided that the report was made on reasonable grounds, Opportunity will ensure that the Whistleblower is protected from reprisal or victimisation as a result of their report. Opportunity's ability to monitor this may be reduced in the case of an anonymous report.
- 5.16** If a Whistleblower is not satisfied with the outcome of the investigation, they may consider informing other bodies as appropriate. Opportunity is not obliged under this Policy to reopen any investigation which has been concluded. If a Whistleblower believes the ACFID Code of Conduct has been breached, they are entitled to make a complaint directly to ACFID at www.acfid.asn.au/code-of-conduct.

Fair treatment of employees

- 5.17** Opportunity is committed to ensuring the fair treatment of any Opportunity officer or employee who is mentioned in a disclosure made pursuant to this Policy by:
- (a) maintaining the confidentiality of information contained in Whistleblower Reports in accordance with the requirements of this Policy;
 - (b) applying the investigation process in sections 5.9 to 5.12 above; and
 - (c) providing access to human resources support as necessary.

6 REPORTING TO A REGULATOR, OTHER AGENCY OR LAWYER

A Whistleblower Report may also be made to ASIC, APRA or another Commonwealth body prescribed by law. This report will qualify for protection under the Whistleblower Laws, even if it was not first made to one of the persons listed in section 5.1. (See ASIC Information Sheet 239 *How ASIC handles whistleblower reports* (INFO 239) for more information.)

For reports relating to the tax affairs of Opportunity, a Whistleblower Report may also be made to:

- (a) the Taxation Practitioners Board (**TPB**) or the Commissioner of Taxation (the ATO) where the discloser considers the information may assist the ATO or TPB to perform its functions under a taxation law;
- (b) the Inspector-General of Taxation, a prescribed body of which the discloser is a member of the purpose of obtaining assistance; or
- (c) a medical practitioner or psychologist, for the purpose of obtaining medical or psychiatric care, treatment or counselling.

A report of Reportable Conduct may be made to a legal practitioner for the purpose of obtaining legal advice or representation relating to the operation of the Whistleblower Laws. This report is protected even if the lawyer concludes that it does not concern Reportable Conduct or is otherwise not a Whistleblower Report.

A public interest or emergency disclosure may also be made to a journalist or Member of Parliament, subject to specific requirements prescribed in the Corporations Act 2001 (Cth).

Reports of Reportable Conduct made in accordance with section 6 will not be dealt with in under this Policy.

7 CONFIDENTIALITY

Opportunity is committed to ensuring that Whistleblower Reports are managed with appropriate confidentiality and in accordance with the Whistleblower Laws.

Subject to law, when implementing any process under this Policy, Opportunity will:

- (a) not disclose the identity of a Whistleblower without their consent;
- (b) ensure that information contained in a Whistleblower Report is only disclosed to the extent necessary to conduct an investigation or administer this Policy; and
- (c) take all reasonable steps to reduce the risk that the Whistleblower will be identified as a result of the Whistleblower Report (including any process conducted under this Policy).

Nothing in this Policy prevents Opportunity or any person from disclosing information required or permitted by law. Opportunity may also disclose the information received to a legal practitioner for the purpose of obtaining legal advice in relation to the operation of the Whistleblower Laws.

Other than in circumstances required or permitted by law (including as contemplated above), any unauthorised disclosure of information regarding or in relation to the Whistleblower's identity without consent of the Whistleblower will be a breach of this Policy and will be dealt with under Opportunity's disciplinary procedures. It may also be an offence subject to individual penalties under the Whistleblower Laws.

All records and other materials produced as part of an investigation will be securely retained by Opportunity.

8 AVAILABILITY OF THIS POLICY AND TRAINING

This Policy is available to all Opportunity's officers, volunteers and employees through Opportunity's induction and training processes, in its Employee Handbook, and on Opportunity's website at

<https://opportunity.org.au/content/2019/1%20About%20Us/Policies/Whistleblowing-Policy.pdf>

Training on this Policy will be provided to all officers, volunteers and employees at induction and then at least every three years.

9 REVIEW OF THIS POLICY

This Policy will be reviewed at least every three years, or sooner if required, with any material changes approved by the Opportunity Board. This policy is next due to be reviewed in 2028.