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## P30 WHISTLEBLOWER POLICY

Scheduled Reviewed Triennially or as required

Date of Effect 1 January 2020

Date of Board Approval June 2020

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### 1. Objective of Policy

Karting Australia is committed to the highest standards of ethical conduct in all of our activities. The purpose of this Policy is to support Karting Australia's commitment to the highest standards of ethical conduct and to provide those covered by this Policy with the means to raise concerns, without the fear of retaliation, regarding Reportable Conduct

### 2. Scope of Policy

This Policy applies to Karting Australia and is applicable to all current and former directors, officers, employees, associates, volunteers and contractors (or any relative or dependent of these persons), as well as suppliers and service providers to Karting Australia and other persons who may be aware of Reportable Conduct.

### 3. Definitions

Capitalised terms used in this Policy have the following meanings unless stated otherwise:

**Karting Australia** means the Australian karting Association Ltd. trading as Karting Australia;

**Policy** means this policy;

**Reportable Conduct** means the conduct referred to in clause 5 of this Policy.

### 4. Who is an Eligible Whistleblower

(a) To be eligible to access the rights and protections of a whistleblower in the Corporations Act, an individual must meet the definition of an 'eligible whistleblower'.

(b) The criteria to be recognised as an eligible whistleblower can be found at:

<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections/#table1>

### 5. What is Reportable Conduct

Reportable Conduct can be actual or suspected and is anything that concerns misconduct or an improper state of affairs or circumstances in relation to Karting Australia, including that which is:

- Dishonest;
- Illegal or Fraudulent;
- Corrupt;
- A questionable practice relating to accounting or similar financial controls;
- A conflict of interest;
- An inappropriate offering or receiving of gifts or entertainment;
- Theft or embezzlement;
- A disclosure or misappropriation of confidential information;
- A danger to workplace health or safety;
- Harassment, discrimination or bullying;
- Violent or threatening;
- Indicative of a violation of local laws (including local taxation laws);
- Unethical or otherwise has the potential to damage Karting Australia's reputation;
- A breach of Karting Australia policies; or
- Attempts to conceal any of the above.

Reportable Conduct also includes any conduct which comprises retaliation against any person who raises concerns of Reportable Conduct under this policy or against anyone who helps address a concern raised.

## 6. How to raise a concern about possible Reportable Conduct?

- (a) If an individual becomes aware of any conduct which they consider or believe, on reasonable grounds or otherwise in good faith, may be Reportable Conduct, then they should initially raise it with a senior manager within Karting Australia.
- (b) If an individual has been subject to harassment, discrimination or bullying, then they should first raise the issue in accordance with the Karting Australia By-laws and Policies including but not limited to the Discipline Of Members By-law, Member Protection Policy and Anti-discrimination Harassment and Bullying Policy.
- (c) Karting Australia recognises that there may be issues of such sensitivity that an individual does not feel comfortable raising them with their senior manager or they may feel that a concern they have raised has not been adequately addressed. If that is the case, then the individual can submit a formal report of Reportable Conduct in accordance with the processes below.

## 7. How to submit a Report

To submit a formal report of Reportable Conduct, an individual can:

- (a) Reports can be made by email over the phone. In the first instance, they will be made to the CEO.
  - (i) Phone: 07 5655 4340
  - (ii) Email: [admin@karting.net.au](mailto:admin@karting.net.au)
- (b) All reports will be forwarded to Karting Australia's Company Secretary for assessment and, if they relate to Reportable Conduct, will be investigated under this policy.

## 8. Can a report be made anonymously?

If an individual makes a report, they may choose to remain anonymous and there is no requirement that they provide their name in order to qualify for protection under this policy.

## 9. What happens after a report is made?

If a report is raised under this policy, it will be assessed to determine if it relates to Reportable Conduct and, if so, will be investigated as appropriate. The investigation process includes:

- (a) Assigning an investigator. An investigator with the right knowledge and objectivity is assigned to investigate;
- (b) Conducting an investigation. The investigator determines the facts through interviews and/or review of documents as necessary. Unless there are confidentiality or other reasons not to do so, persons to whom the disclosure relates will be informed of the allegation at an appropriate time, and will be given a chance to respond to the allegations made against them;
- (c) Corrective action. If necessary, the team recommends corrective actions to the appropriate managers for implementation;
- (d) Feedback. The person raising the concern receives feedback on the outcome, to the extent he or she has made available a means to contact him/her.

If the individual is an external party and their report is assessed as relating to a concern or complaint about a product or service provided by Karting Australia rather than to Reportable Conduct, then the report will be referred to the relevant department for further investigation and resolution.

## 10. Will a report be treated confidentially?

If a report is raised under this policy then the information provided will be shared only on a strict "need-to-know" basis as necessary for investigating the concern raised. In any case, all reasonable steps will be taken to protect the individual's identity where the report is made on reasonable grounds, or otherwise in good faith. We will not disclose the individual's identity without their consent, except as permitted or compelled by legal and regulatory requirements.

All files and records created from an investigation will be retained under strict security.

## 11. Will an individual be protected if they submit a report?

Karting Australia will not tolerate any retaliation against any person who raises (or attempts to raise) a report of Reportable Conduct on reasonable grounds, or otherwise in good faith, or a person who helps



to address or investigate a concern raised. Retaliation occurs where a person causes or threatens detriment to another person, which may include (but is not limited to):

- (a) disadvantage or discrimination in employment (e.g. demoting, dismissing or suspending a person);
- (b) harassment or intimidation;
- (c) harm or injury (physical or psychological harm);
- (d) any damage to a person, including their property, reputation or financial position; or
- (e) any of the above actions when carried out against any person associated with the whistleblower.

Any such retaliatory action is grounds for disciplinary action up to and including dismissal. In some cases, retaliatory action may attract civil or criminal liability.

## 12. Reporting

Karting Australia's Company Secretary will report on whistleblower incidents to the Karting Australia Board as frequently as may be required so that the Board is properly apprised of all reportable incidents. These reports will be made on a 'no names' basis, maintaining the confidentiality of matters raised under this policy.

In addition, serious and/or material Reportable Conduct will be considered by the Karting Australia Company Secretary for immediate referral to the Chairman of the Karting Australia Board.

## 13. Availability of this policy

This policy is available on the Karting Australia website.

## 14. Review of this Policy

The Karting Australia Board will monitor and review the effectiveness of this policy triennially or as may be required.

## 15. Amendment of this Policy

This Policy can only be amended by the Karting Australia Board.

## 16. Related Rules, Policies or Procedures

- (a) Discipline of Members By-law
- (b) Member Protection Policy
- (c) Anti-Discrimination, Harassment and Bullying Policy
- (d) Privacy Policy

## 17. General

The Policy Manager is the Karting Australia Chief Executive Officer, to whom any questions in relation to this Policy should be directed.