

Whistleblower Policy

Purpose

South Australian Cricket Association Limited (**SACA**) seeks to foster an environment of open communication, transparency, accountability and integrity.

The SACA Whistleblower Policy provides a framework for making whistleblower disclosures or reports in relation to SACA – specifically, raising concerns about misconduct or an improper state of affairs (**Improper Conduct**) involving or within SACA through appropriate channels, confidentially, and without fear of reprisal.

The identity of an eligible whistleblower and the contents of any disclosure or report will remain confidential, in accordance with applicable legislation.

Disclosures or reports under this policy will only be shared with those directly involved in investigating or addressing the matter, where necessary, and secure record-keeping practices will be implemented.

This policy aims to:

- encourage people to speak up, knowing they will be supported and treated fairly;
- demonstrate SACA's commitment to providing a safe, secure and supportive environment where people feel confident to raise concerns;
- outline how SACA will offer support and protection to eligible whistleblowers;
- deter Improper Conduct and address it promptly and appropriately; and
- promote ethical behaviour and accountability.

Further detail regarding the process for receiving, investigating and managing whistleblower disclosures or reports under this policy is provided in the SACA Whistleblower Procedure.

Scope

The SACA Whistleblower Policy applies to, and provides protections for, eligible whistleblowers, who may include current or former:

- SACA Directors, officers and employees;
- SACA contractors;
- SACA volunteers;
- persons undertaking an internship, work experience, secondment or similar with SACA;



- a relative, dependent or spouse of any persons within this policy's scope; or
- any other person who is an eligible whistleblower in accordance with applicable legislation, including the *Corporations Act 2001* (Cth).

Note: *Personal work-related grievances or disputes will not ordinarily fall within the scope of the SACA Whistleblower Policy, as these matters generally have implications for specific individuals rather than significant and broader implications. Such complaints will be addressed under the SACA Grievance Procedure. However, depending on their nature, a personal work-related grievance may qualify for whistleblower protections in some circumstances, for example, where Improper Conduct is also involved, where there is a systemic issue, or where victimisation, detriment, or reprisal occurs following a whistleblower disclosure or report. If a concern relates to or involves an affiliated Club or Association, please consider whether the Affiliated Clubs and Associations Affiliate Protection Policy may be relevant.*

Improper Conduct

For the purposes of this policy, Improper Conduct may include for example (without limitation) any known actual or reasonably suspected:

- failure to comply with SACA's Code of Conduct, SACA's Safety and Wellbeing Policy or other relevant and applicable SACA or Australian Cricket policies, codes, procedures or standards;
- illegal conduct or breach of the law;
- misconduct, fraud, theft, misappropriation, corruption, bribery, integrity breaches or criminal activity;
- dishonesty, misleading or deceptive conduct or other unethical behaviour;
- behaviour endangering health, safety (including public safety) and/or wellbeing (including unsafe work practices) or the environment;
- harassment, bullying, abusive, threatening or exploitive behaviour, victimisation, vilification and/or discrimination or other serious unacceptable behaviour;
- serious or significant misuse, mismanagement or waste of funds or resources;
- behaviour likely to cause substantial financial or non-financial loss or be detrimental to SACA's (or Australian Cricket's) interests;
- unauthorised use or disclosure of confidential information, breach(es) of privacy or serious misuse of information;
- a breach of, or offence under, the *Corporations Act 2001*(Cth), *Australian Securities and Investment Commission Act 2001* (Cth) or any other relevant law punishable by a period of imprisonment of 12 months or more;



- any detrimental, damaging or harmful behaviour towards, or action(s) taken against, a person, or victimisation, as a result of any disclosure or report (whether actual or suspected) under this policy.

How can I speak up?

You can make a whistleblower disclosure or report, in a way that feels safe and appropriate for you. This may include making a disclosure or report of Improper Conduct:

- to a SACA leader, the SACA Chief Executive Officer (**CEO**), a member of the SACA Executive Leadership Team (**ELT**) or a SACA director or officer;
- to SACA's external auditors (as notified in SACA's annual financial reports from time to time);
- by contacting the Cricket Integrity Hotline on 1300 FAIR GAME (1300 3247 4263) (an externally monitored hotline); or
- to any other person(s) authorised by SACA to receive disclosures or reports under this policy (as notified by SACA from time to time).

A disclosure or report may be made verbally or in writing.

It is important to understand that not all reports or disclosures will be 'protected disclosures' qualifying for whistleblower protections under the *Corporations Act 2001* (Cth). If unsure, SACA recommends seeking independent legal advice.

Investigation and management

The SACA Whistleblowing Procedure details how a whistleblower disclosure or report will be received, investigated and managed by SACA.

Whistleblower protections

Confidentiality and identity protection

The identity of an eligible whistleblower and the contents of any disclosure or report will remain confidential, in accordance with applicable legislation.

Disclosures or reports under this policy will only be shared with those directly involved in investigating or addressing the matter, where necessary, and secure record-keeping practices will be implemented.

An eligible whistleblower may choose to make a confidential disclosure and remain anonymous or partially anonymous (for example, by using a pseudonym so your identity is not known to others), and SACA will respect that choice. Anonymous or partially anonymous disclosures will be accepted, however anonymity may, in some circumstances, limit aspects of the investigation process or the provision of support. Sufficient information must still be provided to allow the matter to be properly investigated. Steps will be taken to reduce the risk of identification. Anonymous reports may also be made via the Cricket Integrity Hotline.





Protection from detriment

Eligible whistleblowers making protected disclosures or reports are protected by law from any form of detriment or reprisal (including threats of such actions). This includes discrimination, victimisation, harassment, retaliation, demotion or alteration to role or responsibilities, dismissal or other relevant loss, damage or injury resulting from making a protected disclosure. Concerns regarding such impacts may be raised under the Grievance Procedure.

An eligible whistleblower who suffers loss, damage or injury because of making a disclosure or report may, in some circumstances, be entitled to compensation or other remedies. Individuals in this situation should seek independent legal advice.

Protection against legal action

Any eligible whistleblower who makes a protected disclosure in accordance with this policy is protected by law from criminal, administrative and contractual liability in relation to the making of the disclosure. These protections do not grant immunity for any misconduct the whistleblower has engaged in that is revealed through the disclosure or report.

Support

SACA will seek to maintain contact and provide access to the following support to the whistleblower:

- access to our Employee Assistance Program (EAP) for any SACA employee;
- referral to other support options or resources to assist in maintaining wellbeing;
- a dedicated support person to assist throughout the process;
- status and progress updates, where feasible and appropriate; and
- assistance in addressing any detrimental conduct report.

Such support can also extend to people involved in, or the subject of, an investigation.

Where the whistleblower is not current SACA personnel, SACA may still be able to offer certain support, although this may differ from the support provided to current SACA personnel for practical reasons.

Policy compliance, enforcement and availability

SACA will consider any substantiated breach of this policy as serious and appropriate disciplinary action will be taken, which may include a verbal warning, written warning or termination of employment or engagement other relevant contractual arrangement(s) in place.





Deliberately false or misleading or vexatious disclosures or reports will also breach this policy and may lead to disciplinary or other action.

This policy will be made available to SACA employees and on the SACA intranet and SACA website (www.saca.com.au) and must be read and implemented in conjunction with the *Corporations Act 2001* (Cth), as amended by the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019* (Cth) and other relevant legislation or regulations.

