

Whistleblower Policy



1. Introduction and purpose

Racing Analytical Services Ltd (RASL) is committed to ensuring that the behaviours of all employees are lawful, ethical and appropriate.

This policy:

1. encourages the reporting of any instances of suspected unethical, illegal, or fraudulent conduct by any employee of RASL;
2. provides protections to those persons who make a report, so they may do so confidentially and without fear of intimidation, disadvantage or reprisal; and
3. outlines how Whistleblower reports will be investigated.

2. Scope

This policy applies to all employees, Board Members of RASL, and external parties wishing to make reports about Disclosable Conduct (as outlined below).

3. Who can make a report?

Eligible Whistleblowers include all employees and Board Members of RASL, as well as external parties, who wish to make a report about Disclosable Conduct.

4. What is Disclosable Conduct?

Eligible Whistleblowers may make a report under this policy if they have reasonable grounds to suspect that a RASL Manager, employee, Board Member, contractor, or supplier who has business dealings with RASL, has engaged in Disclosable Conduct. Disclosable Conduct includes (but is not limited to):

1. illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property;
2. fraud, money laundering, or misappropriation of funds;
3. offering or accepting a bribe;
4. financial irregularities;
5. failure to comply with, or breach of, legal or regulatory requirements;
6. engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a disclosure; and
7. behaviour that is unethical or constitutes serious misconduct (such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching RASL's policies).

Disclosable matters include conduct that may not involve a contravention of a particular law.

Information that indicates a significant risk to public safety or the stability of, or confidence in the racing industry is also a disclosable matter, even if it does not involve a breach of a particular law.

A Whistleblower can still qualify for protection even if their disclosure turns out to be incorrect, providing the disclosure has been made in good faith.

5. What is not covered by this policy

This Policy does not apply to disclosures that relate solely to personal work-related grievances.

Personal work-related grievances are matters relating to the discloser's employment or former employment which has implications for the discloser personally, including (without limitation):

- a. interpersonal conflict between a discloser and another employee;
- b. decisions relating to the engagement, transfer or promotion of the discloser;
- c. decisions relating to the terms and conditions of engagement of the discloser; or
- d. decisions relating to the disciplinary treatment, suspension or termination of engagement of the discloser.

Examples of personal work-related grievances that are not covered by this policy include:

- a. an interpersonal conflict between the discloser and an employee of RASL;
- b. a decision that does not involve a breach of workplace laws;
- c. a decision about the engagement, transfer or promotion of the discloser;
- d. a decision about the terms and conditions of engagement of the discloser; or
- e. a decision to suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

RASL is committed to resolving personal work-related grievances. These will generally be dealt with in accordance with RASL's Grievance Policy.

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5. What is not covered by this policy (continued)

In addition, this policy does not apply to matters that are covered by other RASL policies, including but not limited to harassment, bullying, or intimidation, such as behaviour that breaches RASL's Sexual Harassment Prevention Policy, or Workplace Bullying Prevention Policy.

A personal work-related grievance may still qualify for protection under this policy if:

- a. it includes information about misconduct, or if the information about misconduct is accompanied by a personal work-related grievance (i.e., a mixed report);
- b. RASL has breached employment or other laws, 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; or
- c. the discloser suffers from or is threatened with detriment for making a disclosure.

6. Who can I make a report to?

RASL has several channels for making a report if you become aware of any issue or behaviour that you consider to be Disclosable Conduct.

Reports can be made to any of the following:

**Laboratory Director,
David Batty**
T: 03 9376 6760 or
0438 014 806
E: dbatty@rasl.com.au

**Chairperson of RASL's Board,
Maryjane Crabtree**
T: 0411 221 706
E: maryjane.crabtree@gmail.com

**The Office of the Racing
Integrity Commissioner**
(where the matter relates to the
Victorian Racing Industry)
Racing Integrity Hotline
T: 03 9882 4480
E: racingintegrity@stopleveline.com.au

7. Making a report

Reports can be made in writing or by phone, using the contact details provided above.

8. Protections for Whistleblowers

RASL will provide the following protections for Whistleblowers:

1. RASL will not disclose the identity of a Whistleblower unless the Whistleblower has given their permission to disclose their identity, or unless required by law;
2. If RASL needs to investigate a report and interview people about allegations made, we will be careful not to disclose information that could lead to the identification of a Whistleblower.
3. Any disclosures of your identity or information likely to reveal your identity will be made on a strictly confidential basis.
4. RASL also provides Whistleblowers with the option of making anonymous disclosures.

Where the Whistleblower's identity is known:

- all personal information or reference to the discloser witnessing an event will be redacted;
- the discloser will be referred to in a gender-neutral context;
- where possible, the discloser will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
- disclosures will be handled and investigated by a qualified employee or an independent, third-party investigator.

While RASL's aim will always be to protect Whistleblowers, you may wish to seek legal advice prior to making a disclosure.

9. Making an anonymous disclosure

Anonymous disclosures can be made using the above contact details, either by the discloser or by a third party on behalf of the discloser, and the discloser will not be obligated to reveal their identity.

Alternatively, you can make an anonymous report via RASL's website, using the "[Whistleblower Form](#)"

When the identity of a Whistleblower and disclosure reports may be passed on

Where the identity of a discloser is known, RASL may reveal the identity and/or the details of what they have reported to a legal practitioner for the purposes of obtaining legal advice or legal representation.

10. Confidentiality

All files and records created from any investigations into Whistleblower reports will be stored securely. Furthermore:

- access to all information relating to a disclosure will be limited to those directly involved in managing and investigating the disclosure;
- only a restricted number of people who are directly involved in handling and investigating a disclosure will be made aware of a Whistleblower's identity (subject to the Whistleblower's consent) or information that is likely to lead to the identification of the Whistleblower;
- each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a Whistleblower's identity may be a criminal offence.

Unauthorised release of information to someone who is not involved in the investigation (other than senior managers or directors), without the consent of the Whistleblower will be a breach of this policy and will result in disciplinary action.

11. Investigation of Disclosable Conduct

RASL will investigate all matters reported by a Whistleblower as soon as practicable after the matter has been reported.

1. RASL may appoint an investigator to investigate the reported conduct.
2. The investigation may be conducted by:
 - a. an employee of RASL; or
 - b. an external party.
3. In determining whether the investigation will be conducted by an employee or an external party, RASL will take into account:
 - a. the nature of the report and the complexity involved in investigating the matter;
 - b. whether the investigation of allegations of improper conduct will create a conflict of interest if conducted by an employee of RASL; and
 - c. the importance of impartiality of the investigator in carrying out the investigation.
4. The investigation will determine if the Whistleblower's report amounts to a "qualifying disclosure", which is a disclosure that meets the threshold of this policy, or if the matter is better dealt with in accordance with one of RASL's other policies.
5. If the investigation determines that the report amounts to a qualifying disclosure, further investigation of the matter will occur, with the objective being to determine whether there is enough evidence to substantiate or refute the matters reported.
6. Where appropriate (and where the identity of the Whistleblower is known), RASL will provide feedback to the Whistleblower regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations may have been made).

Fair treatment of individuals mentioned in a disclosure

To ensure fair treatment of individuals mentioned in a disclosure, an employee or Board Member who is the subject of a disclosure will be advised about the subject matter of the disclosure as and when required by principles of natural justice and procedural fairness, prior to any actions being taken—for example, if the disclosure will be the subject of an investigation.

12. False Claims

Where an employee makes a false report (i.e., where the discloser knows that what they are reporting is untrue), this may result in disciplinary action, up to and including termination of employment. Where a person that is not an employee of RASL makes a false report (i.e., a report which they know to be untrue), RASL may refer the matter to an appropriate authority, such as the police.

13. Access to this policy

This policy will be made available as follows:

- a. the policy will be available on RASL's website;
- b. as part of implementation, the policy will be communicated to all employees; and
- c. the policy will be communicated and provided to all new employees as part of RASL's induction system.