

ASIC Report 758 Health Check

Good Practices for handling whistleblower disclosures

An effective whistleblower program is important for uncovering wrongdoing, promoting transparency and cultivating a safe workplace culture. How does your whistleblower program measure up against ASIC Report 758?

	Response			Comments
	Yes	No	Unsure	
Strong foundation for the program				
<i>Have we established a strong foundation for our program? How is our program equipped to handle disclosures?</i>				
We have a whistleblower policy, including information required under s1317A and RG 270, if relevant.				
Roles and responsibilities for the program are defined and allocated.				
We have designed and established supporting procedures or guidelines to manage whistleblowing in line with the Corporations Act.				
Our program has adequate information technology, resources and organisational measures to keep whistleblowers' personal information secure.				
Fostering a culture of encouraging & supporting whistleblowers				
<i>Are whistleblowers using our program to provide valuable information? If not, is there sufficient awareness of, and trust in, the program?</i>				
Whistleblowing is actively promoted, including through regular communications campaigns.				
We have considered authorising any pre-existing and well used 'speak-up' platforms to also receive disclosures from whistleblowers.				
We have clearly differentiated between the different channels to receive reports, complaints or feedback, and promoted the whistleblowing channel as being relevant for disclosures and the whistleblower protections.				
We have adequate measures and processes to actively protect and support whistleblowers who make disclosures, including processes for assessing and controlling the risk of detriment to whistleblowers.				
Visual reminders of how to make reports are regularly provided (eg reminder on intranet, posters in office re how to make a report).				

	Response			Comments
	Yes	No	Unsure	
Communications are translated into languages other than English where necessary.				
All employees are trained on when and how to make disclosures in accordance with the whistleblower policy.				
We have appointed a Whistleblower Protection Officer (WPO) with responsibility to proactively protect and support the whistleblower (when requested by the whistleblower).				
Employee awareness of whistleblowing channels and propensity to speak up with concerns is considered in staff surveys and tracked over time.				
If settlement agreements are entered into with whistleblowers, the terms of any confidentiality agreement do not limit the whistleblower's ability to raise potential disclosable matters with a relevant regulator or agency.				
Resources & training for relevant officers & employees				
<i>Have we prepared people involved in the program to protect whistleblowers and treat disclosures confidentially?</i>				
Eligible Recipients (including the Board, Executive Team and any additional people nominated by the organisation to receive whistleblower reports) are trained on commencement and annually in their obligations on how to handle disclosures and respond to whistleblowers in accordance with the organisation's whistleblower program and legal obligations.				
Any other employees involved in our whistleblowing program are trained on how to manage disclosures and support whistleblowers in accordance with legal obligations.				
Staff involved in our program periodically attend conferences or training delivered by external advisers about legal and industry developments and best practices re whistleblowing and related workplace culture and governance topics.				
Monitoring and review				
<i>Do we have mechanisms in place to monitor the effectiveness of the whistleblower program and implement improvements as required?</i>				
Periodic reviews are conducted of our policies and procedures.				
We have considered the objectives of our policy and program and identified corresponding indicators and metrics to monitor effectiveness.				
Feedback is sought from whistleblowers who have used the program regarding their experience.				

	Response			Comments
	Yes	No	Unsure	
Use of information				
<i>Are we using and sharing information from disclosures (where appropriate) to improve our operations?</i>				
Consideration given on how to best investigate a matter without compromising whistleblower anonymity (eg group audit or cultural review).				
Data from disclosures is analysed to identify anonymised insights (including trends and data changes) about types of allegations or issues raised; category of reporters making disclosure; team/business unit the allegation relates to; how disclosure are finalised.				
De-identified information about disclosures is periodically shared with Board and Senior Leadership Team to highlight emerging areas of risk.				
High level statistics from whistleblower program are included in annual reports.				
Senior executive accountability				
<i>Is there an identified senior leader accountable for the program and do they have access to the right information to discharge this responsibility?</i>				
A Senior Manager with primary accountability for the program reports to the CEO and has direct reporting line to Board Committee that oversees the program.				
The Senior Manager with responsibility for the program is involved in day-to-day operation of program and assessment of disclosures OR has an oversight role and is briefed on all disclosures or disclosures that meet a pre-defined risk threshold.				
The Senior Manager with responsibility for the program reviews 'escalations' from whistleblowers who have concerns about how a disclosure is handled.				
Effective director oversight				
<i>How is the Board overseeing the whistleblower program? Do they have access to the right information for this purpose?</i>				
We have formalised arrangements with our Board/Board Committee for oversight of the whistleblower policy and program.				
Periodic reporting occurs to the board with de-identified information about disclosures, progress and resolution.				
Our board and board committee receive sufficient information to perform their oversight function and are providing informed oversight over the policy and program.				

This checklist is a general information guide and does not constitute legal or professional advice.