

1 BACKGROUND

The Centre for Eye Research Australia (“**CERA**”) is committed to the highest standards of conduct and ethical behaviour, research integrity and good corporate governance. One aspect of ensuring that CERA continues to operate legally in accordance with applicable legislation and regulations as well as ethically, in accordance with recognised ethical principles, is to encourage the reporting of protected disclosures and support all Whistleblowers to make reports of reportable conduct based on reasonable grounds involving CERA’s activities including but not limited to its scientific research.

2 PURPOSE & SCOPE

This policy applies to all CERA Staff, Whistleblowers and the CERA Board of Directors. The purpose of this policy is to:

- (a) encourage the reporting of matters that may cause harm to individuals, or financial or non-financial loss to CERA, or damage to CERA’s reputation; and
- (b) provide support and ensure that any Whistleblower who makes a report of reportable conduct based on reasonable grounds involving CERA’s activities can do so anonymously if they wish, without fear of intimidation, disadvantage or reprisal and without fear of being penalised in any way.

This policy defines who can make a protected disclosure (“**Whistleblowers**”), defines matters about which a protected disclosure can be made (“**Reportable Conduct**”), identifies who can receive a protected disclosure (“**Eligible Recipients**”) and establishes a process for Whistleblowers to make a protected disclosure and a corresponding process for CERA to address reports from Whistleblowers.

3 POLICY STATEMENTS

CERA encourages the reporting of any matter which may cause harm to individuals and/or loss or damage to CERA. This policy addresses in particular the reporting of a Reportable Conduct in accordance with the processes set out in section 4 of this policy, which constitutes a protected disclosure under Australian legislation. In making a protected disclosure:

- a Whistleblower is not required to disclose their identity to receive Whistleblower protections under this policy but is required make a report of Reportable Conduct in accordance with section 4 of this policy.
- subject to certain legal requirements, the identity of a Whistleblower, including information that is likely to lead to identification of the Whistleblower, will not occur without the consent of the Whistleblower.
- where anonymity has been requested, the Whistleblower is also required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorised persons.

- CERA will ensure that if a Reportable Conduct is made to an Eligible Recipient in accordance with Section 4 of this policy, all reasonable steps will be taken to ensure that the Whistleblower does not suffer any detriment (including dismissal, demotion, harassment, discrimination, disciplinary action, bias, threats or other unfavourable treatment) on account of having made a protected disclosure, providing the report made:
 - (a) is based on reasonable grounds; and
 - (b) conforms to the designated procedures outlined in Section 4 of this policy.
- Although CERA will take all reasonable steps to ensure that the Whistleblower is not disadvantaged on account of reporting a Reportable Conduct, Whistleblowers will not necessarily be absolved from the consequences of their involvement in any misconduct which is the subject of the Reportable Conduct.

4 PROCEDURES

4.1 REPORTING A REPORTABLE CONDUCT

If you become aware, based on reasonable grounds of any issue or behaviour that amounts to Reportable Conduct and you wish to report your concerns, then you must report that concern to an Eligible Recipient. A report of Reportable Conduct may also be made via email to disclosures@cera.org.au, which will be viewed by CERA's Whistleblower Protection Officer and CERA's Head of Commercialisation and Legal. Reporting of any matters which do not constitute a Reportable Conduct or which is not reported to an Eligible Recipient in accordance with this policy will not constitute a protected disclosure and will not be afforded protection under this policy.

Where possible, a report of Reportable Conduct should be in writing and should contain, as appropriate, details of:

- (a) the nature of the alleged breach;
- (b) the person or persons responsible for the breach;
- (c) the facts on which the Whistleblower's belief that a breach has occurred are based; and
- (d) the nature and whereabouts of any further evidence that would substantiate the Whistleblower's allegations, if known.

4.1.1 WHAT IS A REPORTABLE CONDUCT?

Reportable Conduct is:

- (a) conduct which is dishonest, fraudulent or corrupt, including financial fraud or bribery;
- (b) illegal activity including but not limited to theft, drug sale or use, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law;
- (c) official misconduct or maladministration;
- (d) unethical conduct or conduct in breach of CERA's policies, including but not limited to dishonestly altering company records or data, adopting questionable accounting practices or willfully breaching CERA's Code of Conduct or other policies or procedures;
- (e) conduct that could be damaging to CERA, CERA Staff or CERA's Board of Directors or a third party, including but not limited to unsafe work practices, environmental damage, health risks

- or abuse of CERA property or resources;
- (f) conduct which amounts to an abuse of authority;
- (g) conduct which may cause financial loss to CERA, damage its reputation or be otherwise detrimental to CERA's interests;
- (h) conduct which involves harassment, discrimination, bullying or victimisation; or
- (i) conduct which involves any other kind of serious impropriety, including but not limited to serious and substantial waste of public resources, practices endangering the health or safety of employees, stakeholders or the general public, practices endangering the environment and research misconduct.

Reportable Conduct does not include personal work-related grievances. Personal work-related grievances include but are not limited to interpersonal conflicts between the Whistleblower and another employee, or a decision relating to the engagement, transfer or promotion of the Whistleblower. Such grievances will be resolved in accordance with CERA's Respectful Workplace Conduct Policy.

4.1.2 WHO IS AN ELIGIBLE RECIPIENT?

An Eligible Recipient is:

- (a) a Senior Manager of CERA;
- (b) the CERA designated Whistleblower Protection Officer with authority to receive protected disclosures. Details of CERA's Whistleblower Protection Officer and contact information are published on CERA's internet page as well as CERA's intranet;
- (c) the Head of Commercialisation and Legal of CERA;
- (d) a member of an audit team conducting an audit of CERA or an actuary of CERA; or
- (e) the Australian Securities and Investments Commission, the Australian Prudential Regulation Authority or a Commonwealth authority prescribed under the Corporations Act 2001 to enforce the law in the relevant area.

4.2 REPORTABLE CONDUCT WILL BE HANDLED AS FOLLOWS

All Reportable Conduct reported to an Eligible Recipient will be notified to the Whistleblower Protection Officer and CERA must investigate all such Reportable Conduct in accordance with this policy. All investigations will be conducted in an objective and fair manner, and otherwise as is reasonable and appropriate having regard to the nature of the Reportable Conduct and the circumstances.

Unless the Whistleblower chooses to remain anonymous, all Reportable Conduct matters will be referred internally to the Whistleblower Protection Officer for investigation. CERA may at its discretion depending on the circumstances choose to investigate the Reportable Conduct internally or appoint an external investigator. Where anonymity is requested by the Whistleblower, the Reportable Conduct will be investigated by an independent external investigator appointed by CERA and the Whistleblower is required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorised persons.

The Whistleblower Protection Officer will, with the Whistleblower's consent, on receiving a report of a Reportable Conduct:

- (a) notify CERA's Managing Director;
- (b) if the Managing Director is implicated in the disclosure, notify the Chair of the Board; or

- (c) if the Chair of the Board is implicated in the disclosure, then the Whistleblower Protection Officer has the authority to move directly to (d) below;
- (d) refer the matter internally within CERA for an internal investigation or appoint an independent, external expert to investigate the Reportable Conduct (the Investigator);
- (e) where appropriate, provide feedback to the Whistleblower regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations are made).

4.3 FINDINGS

A report of findings will be prepared by the investigators investigating the Reportable Conduct (whether internal or external) and provided to the Whistleblower Protections Officer when the investigation is complete. This report will include:

- (a) the allegations;
- (b) a statement of all relevant findings of fact and the evidence relied upon to reach conclusions on each allegation;
- (c) the basis for each conclusion reached (including the damage caused, if any, and the impact on the organisation and other affected parties) and their basis; and
- (d) recommendations based on those conclusions to address any wrongdoing identified and any other matters arising during the investigation.

4.4 REPORTING TO MEMBER OF PARLIAMENT OR JOURNALIST

Protection will only be offered by CERA to any Whistleblower who informs a Member of Parliament or journalist of concerns about Reportable Conduct if:

- (a) the Whistleblower has previously made a report on the Reportable Conduct to the Australian Securities and Investments Commission, the Australian Prudential Regulation Authority or a Commonwealth authority prescribed under the Corporations Act 2001 to enforce the law in the relevant area and either:
 - i. at least 90 days have passed since the report was made; and
 - ii. the Whistleblower does not have reasonable grounds to believe that action is being, or has been taken to address the report; and
 - iii. the Whistleblower has reasonable grounds to believe that making a further report would be in the public interest; or
 - iv. the Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health and safety of a person, persons, or the environment; and
- (b) the Whistleblower provides written notification to CERA that:
 - i. includes sufficient information to identify the previously made report;
 - ii. clearly states that the Whistleblower intends to make a public interest disclosure per or an emergency disclosure pursuant to this section of the policy; and
 - iii. the information disclosed is no greater than necessary to inform the MP or journalist of the misconduct or the otherwise improper state of affairs.

5 AUTHORITY

The Chief Operating Officer is ultimately accountable for managing all Reportable Conduct within CERA.

6 RELATED DOCUMENTS

Document	Link
Respectful Workplace Conduct Policy	Located on Iris

A list of all CERA's policies and documents can be found on the intranet.

7 DEFINITIONS

Term	Definition
CERA Staff	includes an employee, honorary appointee, adjunct appointee, student, volunteer or any person who has been granted any other type of appointments by CERA.
Eligible Recipients	has the meaning as defined in Section 4.2.1 of this Policy.
Reportable Conduct	has the meaning as defined in Section 4.1.1 of this Policy.
Senior Manager	refers to a member of CERA's executive committee.
Whistleblower	is a person who wishes to make, attempts to make or makes a report of Reportable Conduct in accordance with this Policy and is, or has been: (a) an associate of CERA, CERA Board member, director, CERA Staff, contractor, supplier, tenderer or other person (paid or unpaid) who has business dealings with CERA; or (b) is a relative or dependent of a person specified in (a) above.
Whistleblower Protection Officer	A Whistleblower Protection Officer is a Senior Manager of CERA, designated, authorised and trained by CERA to receive Whistleblower disclosures.