

Speak Up Policy

1. Policy Statement:

Y Careers is committed to fostering an ethical, safe and transparent work environment and encourages everyone to speak up and report any issues or conduct they believe to be unethical, illegal or improper through safe, trusted avenues. This policy aligns with whistleblowing laws and our commitment to embedding youth voice, intergenerational leadership and safeguarding children and young people in our culture, strategy, and practices.

Y Careers acknowledges that speaking up can be challenging, so we will both ensure protections against retaliation and maintain confidentiality, unless that disclosure is specifically authorised by law. Natural justice will also be applied to any person against whom a disclosure is made.

2. Scope:

This policy covers all instances of reportable conduct (defined below).

It applies to all Y Careers employees, trainees, contractors, persons seeking employment and volunteers, hereinafter referred to as employees, in relation to all Y Careers operations, inclusive of all alternate work locations (unless there is a difference between a corporate staff member and a trainee, in which case the respective distinctions will be made clear).

It also applies to other stakeholders including anyone who visits our offices, or engages in other ways with Y Careers, including but not restricted to employment partners, and the public.

This policy complements other policies in place that address issues of complaints and grievances, bullying and other forms of harassment or discrimination, and work health and safety but it is not intended to override or replace them.

This policy does not override or form part of the terms of any Award, Enterprise Agreement or contract that applies to an employee but should be considered a lawful and reasonable direction from Y Careers to its employees.

3. Definitions:

Stakeholder - anyone who works at or visits Y Careers, or engages in other ways with Y Careers, including employment partners, and the public.

Speak Up/Whistleblowing - reporting concerns about unlawful, unethical, or unsafe practices within Y Careers.

Reportable Conduct – any serious misconduct, unethical behaviour or illegal activity, including corruption, misuse of resources, substantial risk to public health or the environment, improper conduct or behaviour justifying legal or disciplinary action or any other matters as identified by Whistleblower Laws.

Disclosure - the allegation of reportable conduct made by the person speaking up.

Natural Justice - fair and unbiased treatment for individuals involved in disclosures or investigations. Sometimes also referred to as procedural fairness.

Whistleblower Laws - legal protections for individuals reporting unlawful or improper conduct, as outlined in Part 9.4AAA of the Corporations Act 2001 and the Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019.

4. Operational Guidelines:

4.1 Types of Reportable Conduct

Reportable Conduct includes but is not limited to:

- Dishonest activity such as falsifying records or breaching Code of Conduct.
- Illegal activity such as theft, drug use or sale, violence, criminal damage to property or other breaches of any State, Federal or Territory legislation or regulations.
- Fraudulent, unethical, or corrupt activity.
- Substantial mismanagement of Y Careers resources.
- Unresolved serious breaches of Codes of Conduct or Safeguarding Policies.
- Unsafe practices and conduct that causes an imminent danger to health, safety and environment.
- Conduct that damages Y Careers reputation or operations including but not limited to financial misconduct.
- Concealment of wrongdoing or any other kind of serious impropriety.
- Retaliation – adverse actions taken against a person who speaks up including but not limited to discrimination, harassment or injury.

4.2 Reporting Process

4.2.1 Speak Up

Y Careers offers several secure avenues for reporting concerns/making a disclosure. A person may choose how to report based on their comfort levels and needs:

- *Speak to a manager for support and guidance.* If the matter involves your manager or if you are uncomfortable reporting to them, you may approach another manager or the People and Culture (P&C) team
- *Report/Disclose to the P&C Team* at peopleandculture@ycareers.org.au.
- *Anonymous Reporting/Disclosure:* submit an anonymous disclosure via the email avenues provided ensuring that there is no personal or identifiable information included. Anonymous reports will be investigated as thoroughly as possible.
- *Contact the Speak Up Officer:* if you have concerns about confidentiality or prefer to speak with someone outside of regular reporting channels, you may contact our Speak Up Officer (SUO) at speakup@ycareers.org.au. The SUO is trained to handle sensitive disclosures and to protect your identity.

In cases where there is an immediate and substantial threat to health, safety, or the environment, and the person speaking up believes that waiting for an internal response would not be safe or timely, they may make an emergency disclosure to relevant authorities or emergency services.

4.2.2 Investigation Process

All reports/disclosure will be acknowledged within five business days and investigated fully and impartially. Reporters will receive updates on the investigation's progress, and their confidentiality will be maintained throughout the process. Upon conclusion, the person making the disclosure will be

informed of the outcome, within the constraints of privacy and confidentiality. Where there has been a suspected or actual breach of law, Y Careers may refer the matter to the relevant legal authority.

4.2.3 Protection against Retaliation

Y Careers strictly prohibits retaliation against anyone who speaks up to make a disclosure in good faith. Retaliatory actions, including but not limited to discrimination, harassment or injury are grounds for disciplinary action and may lead to legal consequences.

If you experience retaliation, you may report it to the People and Culture Team or the SUO immediately. Y Careers will take immediate steps to ensure your safety and address any adverse actions taken against you.

4.2.4 Confidentiality and Anonymity

We respect and protect the confidentiality of individuals who speak up. Y Careers will:

- Ensure that the identity of individuals making disclosures remains confidential, unless disclosure is legally required.
- Use secure, confidential record-keeping systems.
- Protect the identity of any individuals involved in disclosures, in line with relevant whistleblower protection laws.

4.2.5 Welfare of the Person who Speaks Up

Y Careers prioritises the welfare of those who speak up and will:

- take all necessary steps to ensure the safety of the person speaking up and will appoint a third-party or welfare manager if required.
- take all necessary steps to prevent any retaliation against the person speaking up.
- regularly update the person speaking up on the investigation's progress and outcomes.

4.2.6 Person against whom the Disclosure is Made

Natural justice is ensured for anyone who is the subject of a disclosure made against them. They have the right to be informed of the allegations and to respond before any conclusions are made.

4.2.7 Malicious reporting

If a person makes a disclosure maliciously, or knowing it to be untrue, they may be subject to disciplinary action (including employment termination) or other legal action.

5. Related Documents:

The documents listed below can be accessed in the Y Careers Trainee SharePoint Policy and Procedure Library:

- Y Careers Speak Up Procedure
- Y Careers Complaints and Grievances Policy
- Y Careers Disciplinary Policy
- Y Safeguarding Children and Young People Policy
- Y Careers Health, Safety and Wellbeing Policy
- Y Careers WHS Issue Resolution Policy
- Y Careers Respectful Behaviours Policy
- Y Careers Privacy Policy

- Y Careers Code of Conduct

Legislation:

- Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019
- Corporations Act 2001
- Public Interest Disclosure Act 2013
- Privacy Act 1988
- Also refer to relevant State/Territory Work Health and Safety and Public Interest Disclosure legislation

6. Consequences of Breaching this Policy

All elements of this policy must be adhered to, and any breach will be dealt with in accordance with the Y Careers Disciplinary Policy. If an individual's conduct results in a breach under law, they may also be personally liable.

7. Policy Owner

The Executive Manager People and Culture is responsible for keeping this policy current - including ensuring amendments and reviews occur as scheduled.

8. Document Control

Review of this policy will be undertaken annually, or prior as required by law, in consultation with appropriate Y Careers personnel.

This document is located in the Y Careers Trainee SharePoint Policy and Procedure Library.

Version	Description of Amendment	Amended by	Issue Date	Review date
1.0	Draft Policy Created	Jacki Whitwell	01/06/2023	
2.0	Format updated	Kerryn Cauchi	21/05/2024	
3.0	Updates to clearly outline process for reporting	Dawn Grikis	2/12/2024	2/12/25

Note: to ensure correct version control when amendments are made, the new issue date must be inserted in this document. To determine amendment rating, please refer to Section 5 in the Y Careers Policy Framework.