Version 5

Date: 18/02/2026

Whistleblower Protection Policy

Muscular Dystrophy Queensland

Scope

Description of to what and to whom this document applies:

People this document applies to	The following people can make a disclosure to MDQ:
	• Current and former employees.
	• Current and former Directors/Responsible Persons.
	• Current and former members.
	• Current and former clients and their relatives.
	• Current and former suppliers and their employees.
	• Current and former donors or fundraising supporters.
	• A lawyer on behalf of a discloser.
	
	The following people are authorised to receive disclosures:
	• Preferably disclosures should be made directly to:
	  ○ CEO
	  ○ Board Chair
	  ○ Directors
	• If the discloser feels unable to make their disclosure to the people listed above, they may report the matter to:
	  ○ General Manager – Community Services
	  ○ General Manager – Philanthropy & Engagement
	  ○ Auditor and actuary conducting a review of MDQ

Conduct this document to	The scope of this document relates to conduct which relate to: • information concerning a contravention of the Act, • an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more, or • conduct that represents a danger to the public or the financial system.
Specific Responsibilities	*The following positions have certain specific responsibilities regarding this document:* **CEO:** Policy development, review and implementation **Board & Staff:** Understand and adhere to policy
Approval	*This document can only be approved by:* MDQ Board
Exclusions	*This document does not consider to the following groups:* External stakeholders not discussed above.

Policy Statement

Description of the document and reason it is required.

Muscular Dystrophy Queensland Limited (MDQ) is committed to ensuring its governance and operations are conducted ethically, complying with relevant laws and striving to achieve best practice standards.

MDQ's board and management encourage individuals concerned about any wrongdoings they observe to report the matter to the CEO, a member of the board or senior manager. Disclosures can also be made anonymously. All disclosures will be treated confidentially and the person making the disclosure will be protected and supported. All disclosures will be investigated in a timely manner and where appropriate, the outcome will be reported back to whistleblower.

Policy

Description of to what and to whom this document applies.

A discloser is a person related to MDQ who reports information that might show misconduct or other inappropriate activity that has occurred within MDQ.

This policy applies to MDQ and every individual person who works for MDQ. This policy is separate from the terms of employment or engagement of any employee or individual contractor.

The policy is developed and implemented in accordance with the requirements of Part 9.4AAA of *the Corporations Act 2001* (Cth) (the Act). It will be made available to all applicable persons, with an electronic copy provided on MDQ's file server; the Policies & Procedures filing system and on MDQ's corporate website; mdqld.org.au.

The Act provides protections for certain disclosures in certain circumstances, and MDQ is committed to recognising and upholding those protections.

A person working for MDQ who falls into one or more of the following categories may be eligible for whistleblower protection under the Act (eligible person):

- a Company director;
- a Company officer; and
- an employee or an individual contractor supplying goods and services to MDQ (regardless of whether they are paid for doing so) or the contractor's employee.

This policy applies if any eligible person knows of information and has reasonable grounds to suspect the information concerns misconduct, or an improper state of affairs or circumstances, in relation to MDQ. In that event, they will have legal protection under the Act and this policy if they disclose that information to:

- the Australian Securities and Investments Commission (ASIC);
- a Company director or officer; or
- the following person authorised by MDQ to receive disclosures that may qualify for protection under the Act (Whistleblower Protection Officer(s)):

  Name & Position: Penny Deavin, CEO.

  Email: ceo@mdqld.org.au

  Telephone: 07 3243 9700

In addition, a disclosure to any officer or senior manager of MDQ, an auditor, or a member of an audit team conducting an audit of MDQ, or an actuary of MDQ may qualify for protection.

Procedures

Understanding disclosures:

An example of conduct that may be the subject of a protected disclosure includes:

- information concerning a contravention of the Act,
- an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more, or
- conduct that represents a danger to the public or the financial system.

A disclosure of information by an individual concerning a personal work-related grievance does not qualify for protection (except where the grievance is about a breach of the whistleblowing protections).

In particular, a grievance about any matter in relation to the discloser's employment, or former employment, having (or tending to have) implications for the discloser personally will not qualify where it does not have significant implications for MDQ. For example:

- an interpersonal conflict between the discloser and another employee;
- a decision relating to the engagement, transfer or promotion of the discloser;
- a decision relating to the terms and conditions of engagement of the discloser; and
- a decision to suspend or terminate the engagement of the discloser, or otherwise to discipline the discloser.

There is no requirement for a discloser to identify him or herself for a disclosure to qualify for protection.

A disclosure of information by an individual qualifies for protection if the disclosure is made to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of these laws. A disclosure concerning a personal work-related grievance that is made to a legal practitioner may qualify for protection.

Investigating disclosures:

MDQ will investigate all disclosures made by a person under this policy, as is appropriate, as soon as reasonably practicable after the disclosure has been made. A Whistleblower Protection Officer may, with the consent of the whistleblower, appoint a person/(s) to assist in the investigation of a disclosure.

The investigation will be conducted independently of any person who is the subject of the disclosure. Where appropriate, such persons will be informed of the allegations and provided with the opportunity to respond.

While the particulars of the investigation process will be determined by the nature and substance of the disclosure, if the disclosure is not anonymous, a Whistleblower Protection Officer or investigator will contact the whistleblower as soon as practicable upon receipt of the disclosure to discuss the investigation process including who may be contacted and such other matters as are relevant to the investigation.

Where appropriate, MDQ will provide feedback to the whistleblower regarding the progress and/or outcome of the investigation. Where a report is submitted anonymously, MDQ will conduct the investigation based on the information provided.

Any findings of the investigation related to criminal activity will be reported to the police and/or regulators.

Protection for whistleblowers

MDQ will support whistleblowers and protect them from detriment in the following ways:

Protection from detrimental conduct

If a person makes a disclosure that qualifies for protection they will not be subject to any disciplinary or other detrimental action by MDQ. This includes (but is not limited to) protection from:

- termination of employment;
- disciplinary action;
- performance management;
- bullying or harassment; or
- unlawful discrimination.

MDQ will ensure no person on its behalf victimises or threatens detrimental action against a person because of the disclosure.

Protection of the identity of the whistleblower

Except in the circumstances specified below, MDQ will not disclose the information, the identity of the discloser and any information that is likely to lead to the identification of the discloser, unless the discloser agrees.

The circumstances in which MDQ may disclose the information are where disclosure is made:

- to ASIC, Australian Prudential Regulation Authority, Australian Federal Police or to a Commonwealth authority, or a state or territory authority, for the purpose of assisting the authority in the performance of its functions or duties;
- to a lawyer to obtain legal advice or legal representation in relation to the operation of the whistleblowing provisions; and/or
- because it is reasonably necessary to do so for the purposes of MDQ investigating a matter to which the qualifying disclosure relates (in which case MDQ will ensure the disclosure does not identify the whistleblower and will take all reasonable steps to reduce the risk the discloser will be identified as a result of the disclosure).

Protection of files and records

All files and records created from an investigation will be securely retained.

Additional support

MDQ recognises that making a disclosure as a whistleblower can be stressful. If a person who makes a disclosure is an employee, they may access the Employee Assistance Program (below) and may also request additional support.

Provider: Brisbane Counselling Centre
Email: admin@brisbanecounsellingcentre.com.au
Telephone: 07 3831 4452

While MDQ may not be able to provide the same level of counselling support to other whistleblowers, MDQ will look at ways to provide support to the extent reasonably possible.

Where to find more information

It is important to understand your rights and responsibilities under the Act. ASIC is a good source of information and provides a range of information sheets including:

- Infosheet 79 *Your company and the law*
- Infosheet 238 *Whistleblower rights and protections*
- Infosheet 239 *How ASIC handles whistleblower reports*
- Infosheet 246 *Company auditor obligations under the whistleblower protection provisions*

- Regulatory Guide 270 *Whistleblower policies*
- ASIC Corporations (Whistleblower Policies) Instrument 2019/1146
- the section of ASIC's website on whistleblowing, including our summary of the whistleblower provisions and information for not-for-profit organisations
- the whistleblower provisions of the Corporations Act (especially Part 9.4AAA) on the Federal Register of Legislation

Version History

Version	Author of changes/ Approval by	Revision Date	Description of Change	Review Due Date
1	Helene Frayne/Board	25/02/2020	Policy developed	
2	Helene Frayne/Board	22/06/2021	Not tracked	
3	Helene Frayne/Board	25/08/2022	Not tracked	
4	Penny Deavin/Board	24/08/2024	Template updated. Redrafted policy for conciseness.	Aug 2026
5	Penny Deavin/Board	18/02/2026	General review. Update 'scope' table to improve clarity regarding acceptable disclosures, who can make disclosures and who can receive disclosures.	Jan 2028

Definitions

The following information provides definitions of acronyms, jargons, or other terms which may have multiple meanings, to clarify their meaning within the context of this document.

Word	Definition
Whistleblower	a person related to a company who reports information that might show misconduct or other inappropriate activity that has occurred within the company.
The Act	Whistleblower protection provisions (whistleblower provisions) in Part 9.4AAA of the Corporations Act 2001 (Corporations Act).
Disclosure	An eligible disclosure under the terms of the Act.

Policy Context

This document forms part of Muscular Dystrophy Queensland's boarder policies and procedures, which are developed to align to relevant legislation and best practice standards. The document may also assist the organisation to meet external contractual obligations.

Standards	ACNC Governance Standards
Legislation	Privacy Act 1998 (Cth) Corporations Act 2001 (Cth)

Contracts	
MDQ Policies/ Procedures	MDQ Code of Conduct Board Charter