

# Atlassian Foundation Policy

## Whistleblower Policy

### 1. Our Commitment

Atlassian Foundation International Limited (AFIL) is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organizational policy and procedures), and ethically (in accordance with recognized ethical principles). We will not tolerate corrupt, illegal or other unethical conduct.

AFIL Personnel (*being Directors, Employees, Volunteers, Contractors or Consultants working on behalf of AFIL*) and Collaboration Partners (*organizations operating in a collaborative relationship with AFIL or in receipt of financial or in-kind support from AFIL*) are expected to cooperate with AFIL in maintaining legal, proper, and ethical operations, if necessary by reporting non-compliant actions by other people.

Correspondingly, AFIL Personnel who do assist in maintaining legal, proper, and ethical operations should not be penalized in any way.

### 2. Purpose of Policy

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 AFIL or damage to its reputation;
- b) enable AFIL to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower as far as possible and provide for the secure storage of the information provided;
- c) establish policies for protecting whistleblowers against reprisal by any person internal or external to AFIL;
- d) provide for an appropriate and transparent framework for receiving, handling and investigating disclosures;
- e) meet AFIL's legal and regulatory obligations and support its long-term sustainability and reputation; and
- f) help to ensure AFIL maintains the highest standards of ethical behaviour and integrity.
- g) This policy is very important for helping AFIL to identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing.
- h) Nothing in this policy is intended to change or take away any other protections which may be available at law.

### 3. Scope of Policy

For the purpose of this policy, the term 'Whistleblower' refers to AFIL Personnel or Collaboration Partners who, whether anonymously or not, make, attempts to make or wishes to make a report

in connection with reportable conduct and wishes to avail themselves of protection against reprisal for having made the report.

For the purpose of this policy, reportable conduct includes breaches of general law, AFIL policies, or generally recognised principles of ethics including:

- corrupt conduct;
- illegal conduct, such as fraud or theft, dealing in or use of illicit drugs, violence or criminal damage against property;
- offering or accepting a bribe;
- serious misuse of information;
- substantial waste of AFIL resources;
- financial irregularities or causing substantial financial or non-financial loss or detriment to AFIL;
- official misconduct;
- maladministration;
- serious breach of AFIL policies, procedures or the law;
- bullying, harassment, discrimination or other serious unacceptable behaviour;
- serious and substantial waste of public resources;
- practices endangering the health or safety of staff, volunteers, or the general public; and
- practices endangering the environment.

Disclosures which do not meet this policies definition of reportable conduct are not covered by this policy.

Personal work-related grievances are not matters of misconduct which can be reported under this policy and are not matters which provide specific whistleblower protections to the discloser under law.

## 4. Policy Principles

All AFIL Personnel or a Collaboration Partners to whom this policy applies has a responsibility to:

- remain alert to misconduct;
- report known or suspected misconduct in accordance with this policy;
- act in a way that reduces, prevents or stops misconduct;
- support and not victimise those who have made or intend to make a disclosure; and
- ensure the identity of someone who makes a disclosure or someone who is the subject of the disclosure is kept confidential.

You will not suffer any sanctions and may qualify for protection as a whistleblower under the law if you report misconduct or make a disclosure:

- acting in good faith, and
- based on reasonable grounds, and
- in accordance with the reporting procedures outlined in this policy.

This policy does not authorise you to inform commercial media or social media of concern and does not offer protection to any employee who does so, unless

- it is not feasible for employees to report internally, or
- existing reporting channels have failed to deal with issues effectively.



There is no requirement for you to identify yourself when making a disclosure. You can choose to remain anonymous while making a disclosure, over the course of any investigation or after the investigation is finalised. You can also refuse to answer any questions that could reveal your identity at any time, including during any investigation. Your wishes to make a complaint anonymously will be honoured except insofar as it may be overridden by due process of law.

Anyone who makes a disclosure knowing it to be false or misleading may be subject to disciplinary action, including dismissal. The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.

## 5. Policy in Practice

If you believe in good faith on reasonable grounds that AFIL Personnel or a Collaboration Partner has breached any provision of this policy, that you must report their concern:

- internally to your supervisor, manager or the Head of Foundation;
- if you feel that AFIL Personnel may be complicit in the breach, to AFIL's nominated Whistleblower Protection Office (WPO);
- if you do not feel safe or able to raise misconduct internally, to the independent whistleblower service provider - Your Call; or
- if you feel that it is an extremely serious or emergency matters, the duly constituted authorities responsible for the enforcement of the law in the relevant area.

Where possible, reports should be in writing and should contain, as appropriate, details of

- the nature of the alleged breach;
- the person or persons responsible for the breach;
- the facts on which the complainant's belief that a breach has occurred, and has been committed by the person named, are founded; and
- the nature and whereabouts of any further evidence that would substantiate the complainant's allegations, if known.

### 5.1 Internal Options for making a disclosure:

#### **a) Your supervisor/manager or Head of the Foundation**

You are encouraged to raise misconduct as early as possible with your supervisors and managers and to resolve issues quickly and internally where appropriate.

If you do not feel safe or able to raise misconduct with your supervisor or manager, you may make a disclosure to the Head of the Foundation or WPO at [foundationwhistleblower@atlassian.com](mailto:foundationwhistleblower@atlassian.com).

#### **b) Whistleblower Protection Officer (WPO)**

The Atlassian Foundation Grants and Governance Manager is the WPO for AFIL.

The Whistleblower Protection Officer is responsible for:

- a) coordinating an investigation into any report received from a whistleblower, and
- b) documenting and handling all matters in relation to the report and investigation, and
- c) finalising all investigations.



AFIL's Governance and Grants Manager is also responsible for the implementation of the whistleblower policy and ensuring its availability to AFIL Personnel.

You can contact the WPO over email at [foundationwhistleblower@atlassian.com](mailto:foundationwhistleblower@atlassian.com) in order to make a disclosure in relation to this policy.

## 5.2 Independent Whistleblower service - Your Call

If for any reason you do not feel safe or able to make a disclosure internally, you may do so to AFIL's independent whistleblower service provider, Your Call.

Your Call operates under a Service Agreement with AFIL and acts at the intermediary, providing the means for a whistleblower to retain anonymity. Disclosures received by Your Call will be reported to the WPO.

Your Call may also be used to obtain further information about a disclosure if required and enables a whistleblower to receive updates about their disclosure.

This is done via the use of an online anonymous Message Board, managed by Your Call, which allows you to:

- communicate with Your Call and/or AFIL without revealing your identity;
- securely upload any relevant documentation and/or material that you wish to provide;
- receive updates; and
- request support or report detrimental acts.

This option allows you to:

- remain completely anonymous if you wish;
- identify yourself to Your Call only; and
- identify yourself to both Your Call and AFIL.

Your Call enables disclosures to be made anonymously and confidentially. Whilst we prefer whistleblowers to disclose their identity in order to facilitate an investigation, whistleblowers are not required to identify themselves and will not be named in any report to our organisation unless they have consented to their identity being disclosed.

Your Call reporting options include:

- Website: <https://www.yourcall.com.au/report>  
Available 24/7
- Telephone: 1300 788 712  
Available 9am and 12am on recognised Australian national business days (AEST/ADST)

Online reports can be made via the website address listed above. AFIL's unique identifier code is: "AFIL&AFA"

Your Call remains an independent intermediary at all times and will only communicate with the WPO and authorised AFIL officers.

### National Relay Service

If you are deaf, or have a hearing or speech impairment, you can contact Your Call online or through the National Relay Service. Simply choose your contact method at [www.relayservice.gov.au](http://www.relayservice.gov.au) and request Your Call's hotline 1300 788 712.



## 5.3 Process for dealing with disclosures and reports under this policy

The WPO will receive internal disclosures or disclosures from Your Call in relation to this policy.

On receiving a disclosure report, the WPO will:

- carefully assess the information provided to decide the best action to take, including whether an investigation is required, to determine whether the misconduct is proven or not proven;
- keep the information provided in a confidential and secure system;
- coordinate and oversee the investigation where an investigator has been appointed;
- appoint someone to support and protect the Whistleblower, if necessary, from detrimental acts;
- advise the Whistleblower (through Your Call where anonymity is requested) of the progress of the matter to the extent it is legally permissible and appropriate to do so; and
- take all reasonable steps to ensure fair treatment for and to ensure the identity of the Whistleblower and the person/s who is the subject of the disclosure are kept confidential. An AFIL Personnel or Collaboration Partners 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 and prior to any actions being taken.

## 5.4 Protections for Whistleblowers

The identity of anyone making a report under this policy will not be disclosed by Your Call or AFIL unless:

- you consent to disclosing your identity;
- the disclosure is required by law;
- it is necessary to prevent a serious threat to a person's health or safety; or
- it is reasonably necessary for investigating the issues raised in the disclosure (the 'investigation defence').

AFIL will have measures in place to protect your confidentiality and do everything reasonably possible to support and protect anyone who:

- intends to or actually makes a disclosure;
- is mentioned in the disclosure;
- acts as a witness; or
- otherwise assists with the investigation and resolution of the disclosure, from detrimental conduct, acts and omissions.

## 5.5 How will investigations under this policy be conducted?

On receiving a report or disclosure under this policy, the WPO shall, if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision.

If they believe the behaviour complained of to be neither trivial nor fanciful, the WPO will determine the appropriate investigation process, including:

- the nature and scope of the investigation;
- who will conduct the investigation and whether that person should be external to AFIL;
- the nature of any technical, financial or legal advice that may be required; and
- a timeframe for the investigation (having regard to the level of risk).



The person or persons conducting the investigation will be conducted in a constructive, impartial and lawful way according to the principles of natural justice and procedural fairness and all efforts will be made to meet investigation best practices.

**a) Findings from investigations**

A written report will be prepared when an investigation is complete. This report will include:

- the allegations;
- a statement of all relevant findings of fact and the evidence relied upon in reaching any conclusions;
- the conclusions reached (including the damage caused, if any, and the impact on AFIL and other affected parties) and their basis; and
- recommendations based on those conclusions to address any wrongdoing identified and any other matters arising during the investigation.

The findings will be communicated to the relevant parties involved to the extent that it is legally permissible and appropriate to do so.

Subject to considerations of the privacy of those against whom the allegations are made and customary practices of confidentiality, the whistleblower will be kept informed of:

- relevant progress of an investigation; and
- relevant outcomes of an investigation.

If the misconduct is proven, AFIL will decide what action to take including disciplinary action based on the severity, nature and circumstance of the misconduct.

## 5. Review of this Policy

The AFIL Governance Committee will monitor and review this policy and associated processes and procedures annually to ensure it meets its objectives.

