



Whistleblower Guidelines

WHISTLEBLOWER GUIDELINES

1. Purpose

- 1.1 Tennis Australia's Whistleblower Policy (**Policy**) details the protections available to whistleblowers under the Policy and at law.
- 1.2 These Whistleblower Guidelines (**Guidelines**) support the Policy and provide further detail and guidance on how the Policy will be implemented in practice.
- 1.3 For the avoidance of doubt (and unless the context otherwise requires), terms in these Guidelines which are capitalised and defined in the Policy have the same meaning in these Guidelines.

2. When does the Whistleblower Policy Apply?

- 2.1 The Policy generally applies where:

- (a) the person making the disclosure is covered by the Policy;
- (b) the disclosure relates to Serious Misconduct; and
- (c) the disclosure is made to an Eligible Recipient.

If these requirements are met, the person may qualify for protections under the Policy and applicable legislation.

- 2.2 Examples of conduct that may qualify as Serious Misconduct include:

- (a) serious safeguarding concerns, including deliberate concealment of Child Abuse;
- (b) match-fixing or corruption relating to tennis events;
- (c) misuse of inside information for gambling purposes;
- (d) fraud, theft or misuse of ATO funds;
- (e) falsification of screening checks, accreditations or qualifications;
- (f) serious workplace safety concerns; and
- (g) corrupt or dishonest conduct affecting selection or tournament entry decisions..

3. Considerations before Reporting

Reasonable Grounds to Suspect

- 3.1 A person does not need to prove that misconduct occurred before making a disclosure. However, they should have information, observations or circumstances that provide reasonable grounds to suspect the conduct may have occurred.

3.2 A disclosure should not be knowingly false, malicious or made with reckless disregard for the truth.

Personal Grievances

3.3 The Whistleblower Policy is not intended to replace normal workplace or complaint handling processes.

3.4 Examples of matters that will generally not qualify for protection include:

- (a) interpersonal conflicts;
- (b) dissatisfaction with performance management; and/or
- (c) disagreements regarding selection or employment decisions.

3.5 However, a matter may still qualify as a Protected Disclosure where it involves:

- (a) systemic or repeated misconduct;
- (b) corruption;
- (c) unlawful conduct; and/or
- (d) conduct that poses a serious risk to participants or the integrity of tennis.

4. Protections afforded to Whistleblowers

Identity Protection

4.1 The Policy details that a Whistleblower's identity will be treated confidentially and will be protected from identification.

4.2 Below are the measures and/or mechanisms that may be implemented by the Tennis Australia (TA) Integrity Team to protect a Whistleblower's identity:

- (a) Elements of the Disclosure which identify the Whistleblower's personal information will be redacted;
- (b) the Whistleblower will be referred to in a gender-neutral context;
- (c) where possible, the Whistleblower will be contacted to help identify certain aspects of their Disclosure that could inadvertently identify them;

Record keeping

4.3 Below are the measures and/or mechanisms that may be implemented by the TA Integrity Team to ensure safe and confidential record keeping:

- (a) all paper and electronic documents and other materials relating to the Disclosure will be stored securely;

- (b) access to all information relating to a Disclosure will be limited to those directly involved in managing and investigating the Disclosure; and
- (c) each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a Whistleblower's identity may be a criminal offence.

4.4 Anonymous disclosures are supported and may still qualify for protection under the Policy and applicable legislation. However, where a Whistleblower chooses to remain anonymous, it may limit TA's ability to investigate the matter or implement certain protective measures.

Suffering Detriment

4.5 The following measures and mechanisms may be put in place to protect Whistleblowers from suffering Detriment (where applicable):

- (a) support services may be made available to Whistleblowers, including access to the Employee Assistance Program (EAP), counselling, psychological support or support in obtaining independent legal advice;
- (b) strategies will be considered to help a Whistleblower minimise and manage stress, time or performance impacts, or other challenges resulting from the Disclosure or its investigation;
- (c) consideration will be given as to whether measures can be put in place to minimise the risk of Detriment—for example, the Whistleblower may be allowed to perform their duties from another location or make other modifications to their workplace; and/or
- (d) management will be made aware of their responsibilities to maintain the confidentiality of a Disclosure.

5. Handling Disclosures

5.1 Eligible Recipients should:

- (a) maintain confidentiality;
- (b) avoid investigating the matter themselves unless authorised;
- (c) securely document the disclosure;
- (d) seek the Whistleblower's consent before referring the matter to the TA Integrity Team; and
- (e) avoid making promises regarding outcomes.

6. What happens after a Disclosure if made?

6.1 Generally, the process will involve:

- (a) the Disclosure being received by an Eligible Recipient;

- (b) an initial assessment by the TA Integrity Team;
- (c) consideration of any support or protective measures;
- (d) investigation or referral of the matter where appropriate; and
- (e) communication with the Whistleblower where possible and appropriate.

Note: not all Disclosures will result in a formal investigation.

7. Investigating Disclosures

7.1 When a disclosure is received by the TA Integrity Team, it will initially assess whether the disclosure qualifies for protection under the Corporations Act and/or the Policy. The TA Integrity Team will also determine whether a formal, in depth investigation is required.

7.2 If an in depth investigation is required, the TA Integrity Team will determine:

- (a) the nature and scope of the investigation;
- (b) the person(s) within and/or outside the entity that should lead the investigation;
- (c) the nature of any technical, financial or legal advice that may be required to support the investigation; and
- (d) the timeframe for the investigation.

7.3 Investigations will be conducted objectively and fairly.

7.4 If the Whistleblower can be contacted, the TA Integrity Team will provide the Whistleblower with updates on the progress of the investigation. The frequency and timeframe of updates will vary depending on the nature of the Disclosure and investigation.

8. Reporting the outcomes of a Disclosure

8.1 The findings from an investigation will be documented and reported to the relevant ATO and/or TA, while still preserving confidentiality as required.

8.2 Whilst the outcomes of an investigation may be reported to the Whistleblower, there may be circumstances where it may not be appropriate to provide those details to the Whistleblower (i.e. the disclosure relates to information that a discloser has previously been told privately and in confidence).

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