

AGENDA PAPER

Item Number: 10

Date of Meeting: 4 June 2026

Subject: Proposed revised APESB Guidance on Whistleblowing and Confidentiality

Action required For discussion For noting For information

Purpose

To:

- (a) provide the Board with an update on the project to review APESB's Guidance on Whistleblowing and Confidentiality; and
- (b) seek the Board's feedback and comments on a draft revised guidance document.

Background

From time to time, APESB develops guidance documents to complement the suite of APESB pronouncements, including APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (APES 110). These guidance documents aim to assist Members in understanding, implementing and complying with the APESB pronouncements.

In February 2021, APESB released the Whistleblowing & Confidentiality - APESB Technical Staff Publication, which provides guidance on applying APES 110 and other APESB pronouncements to situations that may involve whistleblowing. The publication contained eight hypothetical scenarios that cover both Members in Business and Members in Public Practice, including auditors.

In July 2025, APESB issued the [Amending Standard for Sustainability Assurance and Reporting and the Use of External Experts](#) (the Sustainability Amending Standard), which is effective from 1 January 2026. The Amending Standard made substantial changes to APES 110, including the addition of a new Part 5 for Sustainability Assurance, which incorporates ethics and independence standards equivalent to those applicable to audit engagements in Parts 1 to 4A, but addressing sustainability-specific issues. Revisions related to Sustainability Reporting were also made across Parts 1-3 of APES 110.

In September 2025, the Board approved a project for APESB Technical Staff to review specific APESB guidance documents, including the Whistleblowing & Confidentiality Guidance.

Matters for Consideration

Technical Staff have developed a proposed revision to the Whistleblowing & Confidentiality Guidance Document, presented in a marked-up version at Agenda Item 10(a). The proposed revisions to the document focus on updating the document to:

- Expand the content to cover Sustainability Assurance Practitioners – this is reflected in the Introduction and the new case study (proposed case study 7);
- Update references to, and align content with, relevant laws and regulations;
- Updating references to, and aligning content with, APES 110, including Subsection 114 *Confidentiality* and Part 5;
- Update references to the Tax Practitioners Board (TPB) and their ability to now receive whistleblowing disclosures;
- Addition of new footnotes and other explanatory material; and
- Make editorial and consequential amendments.

The significant revisions proposed in the draft revised guidance document are set out in the table below:

Section of document	Changes Made
Purpose	<ul style="list-style-type: none"> • Expanded the target audience to include Sustainability Assurance Practitioners. • Revised language about whistleblower legislation to state more clearly that it allows a broader range of eligible whistleblowers and provides confidentiality and victimisation protections.
Introduction	<ul style="list-style-type: none"> • Updated the section to apply to both Members and Sustainability Assurance Practitioners. • Expanded the list of eligible whistleblowers to include a relative, in addition to dependants and spouses, in line with the list in relevant legislation. • Expanded and clarified the list of eligible recipients for whistleblowing to include the Tax Practitioners Board, a registered tax agent or BAS agent and a medical practitioner or psychologist for medical, psychiatric or counselling purposes, in line with revised legislation. • Clarified that whistleblowers are protected from civil, criminal and administrative liability, including disciplinary action, for making a disclosure. • Added references to Sections 110 and 5110 of the APES 110, reflecting the extension of the ethical framework to Practitioners. • Updated the explanation of the conceptual framework to align with the revised APES 110, including updating the diagram of the conceptual framework.
Case Study 1 – Substantial underpayment of wages	<ul style="list-style-type: none"> • Removed the application date for whistleblower policies. • Minor wording and APES 110 reference updates.
Case Study 2 – Inappropriate accounting treatment for revenue	<ul style="list-style-type: none"> • Updated APES 110 references

Case Study 3 – Misleading or false information used in taxation returns	<ul style="list-style-type: none"> • Included TPB-related obligations, including the TPB Code of Professional Conduct and the need to self-report significant breaches of the TPB Code to the TPB. • Updated references to TPB whistleblowing guidance and breach reporting. • Updated links to APESB pronouncements. • Updated APES 110 references
Case Study 4 – Potential misappropriation of funds at a charity	<ul style="list-style-type: none"> • Removed the application date for whistleblower policies. • Added references to disclosure to the TPB • Updated APES 110 references.
Case Study 5 – Auditor receives a whistleblowing disclosure	<ul style="list-style-type: none"> • Remove the application date for whistleblower policies. • Updated APES 110 references.
Case Study 6 – Auditor suspects potential misuse of credit cards	<ul style="list-style-type: none"> • Updated APES 110 references.
New Proposed Case Study 7 – Sustainability Practitioner suspects potential greenwashing	<ul style="list-style-type: none"> • New case study on sustainability assurance scenario involving greenwashing. • Follows the layout of other case studies with a focus on the conceptual framework set out in Part 5 of APES 110. • Adds references to sustainability assurance and ASSA 5000.
Case Study 8 – Potential client with suspected criminal connections	<ul style="list-style-type: none"> • Renumbered from Case Study 7 to Case Study 8. • Updated references to the revised APES 320. • Added sentence on AML/CTF legislative obligations. • Added TPB as a party that could receive whistleblowing disclosures. • Updated APES 110 references.
Case Study 9 – Trading while insolvent and breaches of loan covenants	<ul style="list-style-type: none"> • Renumbered from Case Study 8 to Case Study 9. • Deleted out of date commentary on COVID-19 conditions. • Updated APES 110 references

Way Forward

Technical Staff will undertake further stakeholder engagement with the Professional Bodies, Other Jurisdictional Standard-Setters, Regulators, and Firms to help inform any further amendments to the guidance document.

Technical Staff will present a proposed revised guidance document to the Board at the September 2026 Board meeting for approval.

Staff Recommendations

That the Board:

- (a) note the update on the review of APESB's Whistleblowing & Confidentiality Guidance document; and
- (b) provide feedback on comments on the draft revised guidance document.

Materials Presented

Agenda Item 10 (a) Draft revised APESB Whistleblowing & Confidentiality Guidance (Marked-up)

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