

Whistleblowing Policy

Anglican Overseas Aid (AOA) aims to:

- Allow and encourage safe reporting of misconduct or illegal activity at AOA;
- Uphold AOA's high standard of ethical conduct and financial responsibility;
- Outline the process for dealing with the reports and protection of whistleblowers; and
- Ensure that misconduct is dealt with appropriately.

Purpose of this policy

The purpose of this policy is to encourage reporting of wrongdoing that is of legitimate concern and to provide a safe reporting mechanism and protection for individuals who make a disclosure about serious wrongdoing (a "whistleblower").

Many whistleblowers report that, even when they have been successful in exposing wrongdoing, they pay a high personal price in terms of stress, exclusion and damage to their career or relationship to the organisation about which they complain. This policy is designed to protect whistleblowers against unfair repercussions or retaliation, and guarantee that persons within scope of this policy who in good faith disclose perceived wrongdoing will be protected from adverse employment consequences.

Who does the policy apply to?

This Policy applies to all activities and services provided by the organisation and applies to all Board members, staff, partners, contractors and volunteers of AOA. The Policy also applies to supporters and prospective supporters visiting AOA programs.

Policy statement

We are committed to the highest standards of conduct and ethical behaviour throughout our organisation. We are committed to promoting a culture of honest and ethical behaviour, compliance with law and good governance that aims to achieve these commitments. People who work with us in any capacity may be the first to realise that there may be something seriously wrong. However, they may not wish to speak up for fear of appearing disloyal or being victimised or subject to retaliation for reporting wrongdoing.

All persons within scope of this policy are responsible to disclose information about possible wrongdoing by reporting any instances of suspected neglect of duties, risk to health and safety, unethical, illegal, fraudulent or undesirable conduct involving our organisation and we provide protections and have processes in place so that whistleblowers who make a report may do so confidentially and without fear of discrimination, victimisation or reprisals.

When a person makes a disclosure of suspected wrongdoing:

- Their identity must remain confidential according to their wishes
- They will be protected from reprisals, discrimination, harassment or victimisation for making the disclosure
- An internal investigation will be conducted
- Issues identified will be resolved and/or rectified and they will be informed about the outcome
- Any retaliation for having made the disclosure will be treated as serious wrongdoing.

Training

Induction, pre-deployment and refresher training will be provided to all staff and volunteers which includes this Whistleblowing policy and reporting procedures.

Wrongdoing that can be reported

Wrongdoing that can be reported may include, but is not limited to:

- Breaches of the law
- Bribery, corruption or abuse of any position of public trust
- Dishonesty and fraud
- Conduct that endangers health and safety
- Oppressive, negligent or unjust administration
- Gross mismanagement or repeated breaches of agreed procedures
- Anything that involves financial or non-financial loss to the organisation

All parties are encouraged to report concerns, suspicions or allegations by anyone within scope of this policy in connection with official duties or business of AOA.

Please note that concerns related to Child Protection, Sexual Exploitation, Abuse and Harassment or Bullying and Non-Sexual Harassment by anyone within scope of this policy in connection with official duties or business of AOA can alternatively be addressed under the following policies: HR 28 PSEAH, HR 12 Child Protection, or HR 10 Bullying and Harassment Policy as well as GOV 8 Complaints and Feedback Policy for the relevant reporting processes. Alleged victims'/survivors' safety and wellbeing is paramount, and their information will be treated professionally and sensitively.

Where safe to do so, AOA encourages all alleged Child Protection and SEAH incidents that involve a criminal aspect to be reported to the relevant law enforcement channels.

Matters involving a personal work-related grievance, for example being put on a performance management plan for legitimate reasons, will not constitute wrongdoing for the purposes of this policy.

Protection available to whistleblowers

Protection is available to whistleblowers who disclose wrongdoing where the disclosure is made on reasonable grounds and where the whistleblower believes the wrongdoing to be true.

Protection is not available where the disclosure is:

- Trivial or vexatious in nature with no substance
- Unsubstantiated allegations which are found to have been made maliciously
- Knowingly false.

Disclosure of these sorts may itself constitute wrongdoing. This will be viewed seriously and may be subject to disciplinary action leading to termination of our relationship with you.

A whistleblower must provide information to assist any investigation of the wrongdoing disclosed. Making a disclosure may not protect the whistleblower from the consequences flowing from their own involvement in the wrongdoing itself.

Whistleblower governance and protection officer

A whistleblower governance and protection officer is a person named in Appendix 1 to this policy who is responsible for receiving whistleblower disclosures of wrongdoing and taking responsibility for resolution of the wrongdoing. Alternative reporting channels and persons who can receive reports or complaints regarding child protection, sexual exploitation, abuse or harassment, bullying or non-sexual harassment are detailed within GOV 8 Complaints and Feedback Policy.

Whistleblower governance and protection officers must (after reasonable preliminary enquiry):

- Provide support to the whistleblower personally or delegate an appropriate person within the organisation to do this confidentially
- Be satisfied that each disclosure of wrongdoing was appropriately enquired into and investigated
- Be satisfied that action taken in response to the investigation is appropriate to the circumstances
- Keep the whistleblower informed of the progress and outcome of any investigations
- Provide oversight of any inquiry into retaliatory action that may be taken against the whistleblower.

Alternatively, if the disclosure involves allegations against an executive of the organisation and the whistleblower believes that the whistleblower governance and protection officer may not be sufficiently independent, then a report may be made to the Chair of the board of directors whose details are also contained in Appendix 1 to this policy.

The whistleblower governance and protection officer is also responsible for ensuring that appropriate government agencies and/or the police are notified about whistleblower events where required.

Investigation

The organisation will investigate all matters reported under this policy as soon as practicable. Any investigator appointed must have a reasonable degree of practical independence from the wrongdoing disclosed.

Investigations will be conducted in an objective and fair manner. If a report is submitted anonymously, the investigation will be based on the information provided and may be limited by virtue of the source wishing to remain anonymous or refusing to provide additional information.

The investigator will do their best to maintain the confidentiality of the whistleblower and their identity if requested by them (see further below).

Generally, where an investigation is carried out and the investigator believes there may be a case for an individual to respond to, the investigator must ensure that the person who is the subject of a disclosure:

- Is informed of the substance of the allegations
- Is given a fair and reasonable chance to answer the allegations
- Has their response set out fairly in any report by the investigator
- Is informed about the substance of any conclusion of the investigator's report that affects them.

Further action after investigations

Any results of investigation or rectification of issues within the organisation in response to a disclosure must be reported back to the whistleblower by the appointed whistleblower and governance officer. If the whistleblower is dissatisfied with the response or process they must be informed that they have the right to report the wrongdoing directly to a person or entity who is eligible to receive the disclosure under the *Corporations Act 2001*. This could include:

- The company auditor, if any
- ASIC
- The ACNC
- ACFID (for concerns relating to breaches of the ACFID Code of Conduct, refer to GOV 8 Complaints and Feedback Policy for procedural guidelines).

Other complaint mechanisms

This policy is in addition to:

- AOA's safeguarding suite of policies; including Child Protection, PSEAH, Bullying and Harassment, Personal Code of Conduct and Safeguarding Code of Conduct
- Grievance procedures for employees in relation to their employment, work environment, or matters relating to workplace bullying, harassment or discrimination
- Standard complaint mechanisms as outlined in the Complaints and Feedback Policy
- Exercise of any rights under the terms of their contract by contractors and suppliers.

Confidentiality of identity

The organisation will not disclose a whistleblower's identity unless:

- It is necessary to further an investigation and the whistleblower consents
- The disclosure is required or authorised by law

It will be necessary to disclose the facts and substance of a report to a person who may be implicated by it in wrongdoing in order to provide them with natural justice in the course of any investigation. Although confidentiality will be maintained, the source of the reported issue may be obvious to a person who is the subject of a report.

Retaliation

The organisation will not tolerate any retaliatory action or threats against a whistleblower or a whistleblower's close colleagues or relatives.

A whistleblower must not be disadvantaged or victimised for having made the report by:

- Dismissal or termination of services or supply
- Demotion
- Discrimination or harassment
- Current or future bias
- Threats of any of the above.

Any such retaliation or victimisation in response to a disclosure made by a whistleblower is a criminal offence under the *Corporations Act 2001*. It will be treated as serious misconduct by the organization and may result in dismissal of the person(s) involved and/or notification of ASIC and the police if a criminal offence is suspected.

Communication of this policy

Under the *Corporations Act 2001* the organisation has an obligation to disclose how this policy will be made available to all officers and employees of the company. The policy will be included in any HR manual or induction materials provided to employees of the company. Discussion of the policy will be included in staff and volunteer training events to such an extent that there is an awareness of its existence and intentions amongst our current staff and volunteers as soon as practicably possible. The policy will be publicised to contractors, consultants, clients, suppliers and beneficiaries of our services by publication on the organisation's website.

Appendix 1 Current officials for this policy

As at December 2019

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CEO of the organization: Rev'd Dr Bob Mitchell AM

Chair of the board of directors: Mr Glenn Scott