



**Title: Whistleblower Policy**

**Section: Risk Management**

**Written by: Our Community, Institute of Community Directors Australia**

**Contributors: State Committee**

### **Policy Statement**

The board of UBC is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organisational policy and procedures), and ethically (in accordance with recognised ethical principles). Staff are expected to cooperate with the organisation in maintaining legal, proper, and ethical operations, if necessary by reporting non-compliant actions by other people. Correspondingly, staff who do assist in maintaining legal, proper, and ethical operations should not be penalised in any way.

### **Purpose and Scope**

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 UBC or damage to its reputation;
- b) enable UBC 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 the entity;
- d) provide for the appropriate infrastructure;
- e) help to ensure UBC maintains the highest standards of ethical behaviour and integrity.

### **Definitions**

UBC: The Uncle Bobs Club

Whistleblower: A person (being a director, staff, member or contractor of, or volunteer for, UBC who, whether anonymously or not, makes, 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.

Breaches of general law, organisational policy, or generally recognised principles of ethics include:

- corrupt conduct
- fraud or theft

- official misconduct
- maladministration
- harassment or unlawful discrimination
- serious and substantial waste of public resources
- practices endangering the health or safety of staff, volunteers, or the general public
- practices endangering the environment.

Complaints regarding occupational health and safety should where possible be made through the organisation's occupational health and safety procedures.

State Committee: Directors of Uncle Bobs Club

## **Policy**

### **Concerns regarding illegal or corrupt behaviour**

Where an employee of UBC believes in good faith on reasonable grounds that any other staff, member, volunteer, or contractor has breached any provision of the general law, that employee must report their concern to

- their supervisor: or, if they feel that their supervisor may be complicit in the breach,
- the State President: or, if they feel that the State President may be complicit in the breach,
- the organisation's nominated Whistleblower Protection Officer (WPO); or, if they feel this to be necessary,
- a person or office independent of the organisation nominated by the organisation to receive such information, or
- the duly constituted authorities responsible for the enforcement of the law in the relevant area.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made 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, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.

Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

### **Concerns regarding improper or unethical behaviour**

Where a staff member of UBC believes in good faith on reasonable grounds that any other staff, member, volunteer, or contractor has breached any provision of the organisation's constitution, or its bylaws, or its policies, or its code of conduct, or generally recognised principles of ethics, that staff may report their concern to

- their supervisor: or, if they feel that their supervisor may be complicit in the breach,
- the State President: or, if they feel that the State President may be complicit in the breach,
- a person or office independent of the organisation nominated by the organisation to receive such information. [Honorary Solicitors.]

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made 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, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.

Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

### Review

This policy and related procedures will be reviewed every three years, unless changed circumstances require earlier review.

**Associated Policies, Procedures and Other Documents**

- Public Interest Disclosure Act 2013
- Corporations Act 2001
- Protected Disclosure Act 2012

**References**

- Whistleblowing at your not-for-profit: A leader's guide – Our Community - <https://www.ourcommunity.com.au/files/whistleblowingbook.pdf>

Policy Name: Whistleblower Policy

Responsible Director: Company Secretary

Functional Area: Risk Management

Date adopted: 26<sup>th</sup> April 2020

Review Date: 26<sup>th</sup> April 2023

**Review History**

Date	Review Details	Action

## WHISTLEBLOWER POLICY

I confirm I have read and understood the Whistleblower Policy

Staff Signature ..... Date .....

Print Name .....