

UnitingWorld Policy

Board approved 28.11.2018

5.1.4 Whistleblower Policy

Commitment by UnitingWorld

UnitingWorld is committed to enabling our staff and volunteers to report wrongdoing through fair, transparent and accessible procedures. This Whistleblower Policy documents UnitingWorld's commitment to maintaining an open working environment in which people can report suspected instances of unethical, unlawful or undesirable conduct without fear of intimidation or reprisal. The purpose of this Policy is to assist in the detection and resolution of unacceptable conduct and to protect those persons who raise issues regarding unacceptable conduct. UnitingWorld is committed to the National Assembly policy standards and ACFID Code of Conduct obligations.

Definition of Terms

Whistleblower: For the purpose of this policy, a Whistleblower is any person associated with UnitingWorld who, whether anonymously or otherwise, reports, discloses or attempts to disclose in good faith (based on reasonable grounds) allegedly unacceptable conduct in accordance with this policy.

Unacceptable Conduct as covered by this Policy: any conduct which potentially:

- is dishonest, fraudulent or corrupt;
- is criminal or breaches State or Federal Law;
- is unethical within the meaning of the UnitingWorld's Code of Conduct and Values;
- involves substantial risk to health and safety of employees, volunteers, contractors, partners or the public;
- involves a real possibility of financial loss to UnitingWorld, the Assembly or its other agencies;
- could adversely affect the reputation of UnitingWorld, the Assembly or its other agencies; or
- raises concerns about the accounting, internal control, compliance or audit controls of UnitingWorld, the Assembly and/or its other agencies and includes conduct that would, if proven, constitute either:
 - an illegal act or omission;
 - a criminal offence; or
 - reasonable grounds for dismissing or terminating the services of an employee who was engaged in the conduct.

Reporting: For the purpose of this policy, a Whistleblower should approach any senior member of staff of UnitingWorld or the UCA National Assembly or other Assembly body; any member of the UnitingWorld Board or National Assembly Standing Committee (ASC); any member of UnitingWorld Board committees or ASC committees; an external person or body appointed by the Assembly for such purposes; or any relevant external authority.

Principle 1: Promote Responsibility for Whistleblowing

All UnitingWorld representatives who are aware of possible wrongdoing have a responsibility to disclose that information, in line with ACFID Code of Conduct obligations. This principle is in addition to National Assembly policy requirements.

Representatives include:

1. UnitingWorld staff;
2. Overseas partner staff
3. Board members;
4. UnitingWorld volunteers, including individuals and groups who visit overseas partners or projects funded by UnitingWorld

Principle 2: Protection from adverse employment consequences

Those who in good faith disclose perceived wrongdoing will be protected from adverse employment consequences.

Principle 3: Fair and impartial investigative process

UnitingWorld will ensure the establishment of a fair, transparent, expeditious and impartial investigative process.

Principle 4: Confidentiality of the Whistleblower's identity is paramount.

UnitingWorld will ensure confidentiality for Whistleblowers, unless they expressly indicate in writing that they are willing to forego such protection.

Principle 5: Whistleblowers will be protected.

UnitingWorld will ensure appropriate protection for Whistleblowers. A Whistleblower will be protected under this Policy from reprisal or repercussions from the National Assembly or its agencies arising from the disclosure of alleged unacceptable conduct, provided that the disclosure:

- is made in good faith;
- is based on reasonable grounds;
- does not involve actions by the Whistleblower that are illegal or contrary to the Assembly's values; and
- is made in accordance with this Policy.

Scope of the Policy

This Policy should be read in conjunction with the UnitingWorld Complaints Handling Policy (UnitingWorld Governance Manual) and the National Assembly Whistleblowing Policy (6.15).

Policy Context

Limitations on the protection of the Whistleblower

UnitingWorld is committed to the protection of Whistleblowers against action taken in reprisal for making disclosures. However, Whistleblowers will not be protected under this Policy if:

- they are involved in the unacceptable conduct. They are not exempt from the consequences of their involvement. However, their admission of involvement, and whistleblowing, may be mitigating factors in disciplinary or other action;
- they make a knowingly false report regarding alleged unacceptable conduct. The giving of the knowingly false report will be considered a serious matter and render the person concerned subject to disciplinary proceedings including possibly termination of employment; or
- they disclose the information regarding the allegation of unacceptable conduct to anyone other than senior people in UnitingWorld or the National Assembly or other relevant authority, or an external person or body appointed by the Assembly for such purposes, except where required by law to disclose the information (See Reporting).

Confidentiality

UnitingWorld will use all reasonable efforts to protect the identity of a Whistleblower. UnitingWorld reserves the right, however, to disclose the identity of the Whistleblower, the information disclosed by the Whistleblower, and/or information that may lead to the identification of the Whistleblower, where:

- the Whistleblower has given express written consent to such disclosure;
- the disclosure is required by law;
- the alleged unacceptable conduct relates to a contravention or possible contravention of State or Federal Law;
- the disclosure is necessary to prevent or lessen a serious threat to a person's health and safety or where there is a material risk of a person suffering a material financial loss if the disclosure is not made; or
- it is necessary to protect or enforce legal rights or interests or to defend any claims.

The National Assembly and its agencies will ensure that all records relating to a report about unacceptable conduct are stored securely.

Privacy

Information disclosed regarding personal or sensitive information within the meaning of the Privacy Act will be treated in accordance with the Assembly's Privacy Policy, subject to access by:

- legal advisors;
- external auditors; or
- regulatory bodies, as required or authorised by law.

External Reporting of matters of concern

The purpose of this Policy is to enable people to report matters of concern about UnitingWorld within the internal structures of the organisation. People reporting matters of concern are

required to maintain their duties of confidentiality regarding UnitingWorld, and specifically their obligation not to disclose confidential information to persons outside UnitingWorld. These obligations of confidentiality do not prevent a person, however, from disclosing information to a relevant authority (if appropriate). See also Reporting, above.

Investigation Process

The person or persons appointed to undertake or co-ordinate an investigation and response will be provided with clear and specific powers and authority and access to all relevant information. The investigator will consult with the relevant people to ensure that the matter is thoroughly understood. Where warranted, the investigation itself may be better undertaken at an agency governance level or by an independent source so that specialist knowledge may be applied, and/or the inquiry can be seen to be independent.

Within the constraints of the delegated authority, the investigator will recommend what further action, if any, is to be taken. Any recommended action must be consistent with:

- the National Assembly's Human Resources Policies and Procedures;
- Federal and State legislation; and/or
- UnitingWorld's Code of Conduct and Values.

At each meeting of the Board, the Chair and/or the National Director shall provide a report summarising any activities under this Policy, generally without disclosing the identity of the Whistleblower.

If someone involved in the reporting or review process is perceived to be implicated in the case or has a conflict of interest, that person's manager or supervisor will act in their place during any investigation.

Related Resources

Additional resources for the implementation of this policy include the UnitingWorld Fraud Policy and Assembly Conflicts of Interest Policy (6.13)