

# Whistleblowing Policy and Procedure

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## Introduction

At all times, ChildFund Australia (ChildFund) seeks to conduct its activities professionally, honestly and with integrity. However, all organisations face the risk of serious unprofessional conduct or mismanagement, and even criminal behaviour.

We are committed to encouraging people to speak up about such behaviour, and to providing an environment in which they may do so confidentially and without the fear of intimidation or reprisal.

This policy sets out how we will do that.

## Policy Statement

ChildFund will provide a clear mechanism by which any individual or organisation is able to raise alleged or suspected unethical, illegal or serious wrongdoing by ChildFund, especially if they feel other channels may be inappropriate or may have failed.

We will take steps to protect whistleblowers from detrimental treatment or intimidation where they report actual or suspected conduct in good faith.

We will respond to all allegations in a timely and respectful manner in accordance with this policy.

We respect the right of people to make an anonymous complaint or raise the matter through an external authority.

## Scope

This policy applies to

- any and all activities of ChildFund
- the people and organisations who work for or who provide services or supplies to or on behalf of ChildFund.

## Exclusions

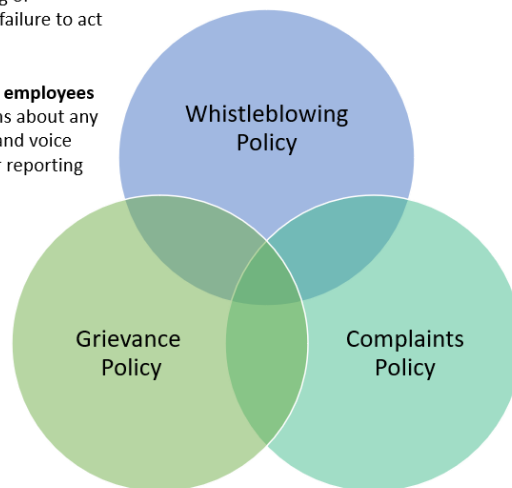
Both the Grievance Policy and Procedure and the Complaints Policy and Procedure provide mechanisms for dealing with a range of internal and external complaints and possible misconduct. It is not intended that matters which can be dealt with under either of those policies be dealt with under this policy, although it is acknowledged that if the matter is 'reportable conduct' this policy can apply.

The following diagram shows the relationship between these policies.

'Whistleblowing' means the reporting of suspected misconduct, illegal acts or failure to act according to Our Code.

The aim of this Policy is to **encourage employees and others** who have **serious** concerns about any aspect of our work to come forward and voice those concerns where they feel other reporting mechanisms are not appropriate.

The **Grievance Policy** enables **staff, interns and volunteers** to lodge a claim with regard to any **employment matter** or if h/she feels adversely affected by the misinterpretation or misapplication of any of our ChildFund policies.



A **complaint** is an expression of dissatisfaction, related to the standards of service, actions or lack of action by ChildFund Australia.

**Anybody affected** by our programs, including children and youth, members of the public, partners and supporters, child sponsors and other donors may raise a Complaint.

## Objectives

- there is a clear and protective mechanism by which people can disclose matters of alleged or suspected unethical, illegal or serious wrongdoing within ChildFund
- disclosures of such behaviour are encouraged
- all such matters are investigated appropriately and in a timely manner.

## Definitions

**ChildFund People** refers to all employees, interns, volunteers, directors, contractors, consultants, Partners, suppliers and service providers.

**Intern** refers to any person who is undertaking work activities at the direction of ChildFund and who has in place a current Intern Agreement.

**Partners** refers to organisations that ChildFund works with in the delivery of project or country services.

**Reportable Conduct** is unethical, illegal or serious wrongdoing within ChildFund. Examples include:

- breaches of legal obligations (including negligence, breach of contract administrative law)
- criminal offences
- engaging in acts of physical, sexual, emotional, psychological, or financial abuse, exploitation or neglect of beneficiaries or staff
- mismanagement or the unauthorised use of organisational funds
- actual or suspected fraud and/or corruption
- actual or suspected acts of money laundering or terrorism financing
- abuse of authority
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other staff
- other unethical conduct
- damage to the environment
- a serious breach of an internal policy
- an intentional disclosure or misuse of sensitive information, or
- the concealment or failure to report knowledge of the above actions in themselves or others.

**Staff** refers to permanent and contract employees of ChildFund.

**Volunteer** refers to any person who is undertaking work activities at the direction of ChildFund and who has in place a current Volunteer Agreement.

**Whistleblowing** is a deliberate disclosure of individual or organisational reportable conduct by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the ChildFund.

**Whistleblower** refers to any person who raises a reportable conduct matter under this policy and who wishes to avail themselves of the protections offered by this policy.

**Whistleblower Protection Officer (WPO)** will be appointed by the CEO to oversee the application of this policy and will be the referral point for all investigations and subsequent reporting. At least one male and one female WPO will be appointed.

**Whistleblower Investigation Officer (WIO)** is a suitably qualified and independent person appointed to undertake an investigation into a disclosable of reportable conduct.

## Policy Principles

- All ChildFund people have an obligation to raise reportable conduct or suspected Reportable Conduct in accordance with this policy.
- All ChildFund people have the right to speak freely and honestly to raise Reportable Conduct in a safe environment without fear of retaliation or reprisal.
- ChildFund will respond in a timely, respectful and confidential manner to all disclosures of reportable conduct.
- ChildFund will provide the necessary support and protection to a whistleblower when reports of actual or suspected reportable conduct are made in good faith.
- Regular, at least annual training of the Whistleblowing Policy and Procedure will be undertaken across ChildFund offices.

## Policy in Action

See the procedures at Annexure A.

## Related Policies

- Organisational Code of Conduct
- Grievance Policy and Procedure
- Complaints Policy and Procedure
- Child Safeguarding Policy and Procedure
- Organisational Inclusion Policy

## Document Control

Version number	2.0
Date	July 2023
Next Revision Date	July 2026
File Path	Bamboo HR

## Revision History

Version Number	Status	Date	Author	Authorised By	Remarks
1.0	Policy	21/11/2018	Nina von Stebut	Board	Refresh of initial Policy
1.1	Update	23/10/2019	Nina von Stebut	COO	Anonymous reporting mechanism
1.2	Policy	23/2/2021	Nina von Stebut	CEO	Review
2.0	Policy	12/07/2023	Nicky Batt	CEO	Reformatted in line with Policy and Procedures template.

## Annexure A

### Whistleblowing Procedures

#### Procedure statement

These procedures detail the way in which a whistleblowing disclosure can be made and how it will be managed. They apply to all matters covered by this policy.

The flowchart at Attachment 1 summarises the process.

#### Disclosing reportable conduct

Disclosures of possible reportable conduct by people working for or on behalf of ChildFund should be made through one of the following avenues:

- to a Whistleblower Protection Officer (WPO) ([wpo@childfund.org.au](mailto:wpo@childfund.org.au)).
- to the Chair of the Audit, Risk and Governance Committee
- through our [Anonymous Reporting Mechanism \(accessed via our website\)](#).
- to any appropriate regulator or authority.

When making a disclosure the person should:

- state that they are using the Whistleblowing Policy and also indicate whether they want their identity to be kept confidential.
- provide details together with any supporting evidence (the template provided at Attachment 2 should be used.)

Regardless of how a disclosure is made, if a person states that they want to use the Whistleblowing Policy the matter will be treated as such, and must be referred to a WPO.

#### Initial Assessment

When a disclosure is first received, it must be considered as quickly as possible by a WPO to determine whether the circumstances warrant immediate and appropriate remedial action. This might occur where e.g. there is an allegation of child exploitation, or serious fraud or corruption.

Where there is a suspicion of criminal offence, the matter should be reported to the appropriate law enforcement agency, and further action guided by that agency.

#### Managing a disclosure

All disclosures will be taken seriously and the following procedure will apply:

- In consultation with the Executive Team (or a Chair of the Audit, Risk and Governance Committee if the Executive Team is implicated in the disclosure), the WPO will appoint a Whistleblower Investigation Officer (WIO) to manage the disclosure and commence an investigation. ChildFund aims for this to occur within 14 days of the disclosure.
- In appointing a WIO, gender can be a relevant consideration.
- With the approval of the WPO, the WIO may engage the services of an external party to support the investigation. Any such appointment would be subject to a confidentiality undertaking by the external party.
- The investigation will be conducted in a factual and evidence based manner. Its length and scope will depend on the nature of the disclosure, and will be primarily up to the

investigator. The investigation may change as it progresses, as more information comes to light.

- The Whistleblower may be asked to provide more information during the course of the investigation.
- Upon completion of the investigation, a report will be prepared for consideration by the WPO.

Appropriate action to address the findings in the report will be determined by the WPO, in consultation with relevant senior managers. These can include:

- No further action (for instance where the allegations could not be substantiated or remedial action has already been taken)
- Administrative action to prevent the issue from happening again (for instance, a change in policy or practice)
- The initiation of a disciplinary process (for instance where the actions of a ChildFund person may have breached the Code of Conduct)
- Referral to an external body (for instance a relevant law enforcement agency where the investigation indicated a crime might have been committed).

Throughout the investigation:

- the Whistleblower will be kept informed of progress
- all ChildFund people involved in the matter (including any person the subject of allegations) will be supported (which might include counselling), and treated fairly and professionally
- the principles of natural justice will apply.

Generally, the person who is the subject of any report that is investigated, will:

- be informed as to the substance of the allegations;
- be given the opportunity to answer the allegations before any investigation is finalised;
- be informed about the substance of any adverse comments that may be included in any report arising from the investigation before it is finalised;
- have their defence set out fairly in any report.

## Following the outcome

- If the Whistleblower is not satisfied with the response they have received they have the option to raise the matter with the CEO, the WPO or the Chair of ChildFund's Audit, Risk and Governance Committee, who can take such steps as they think appropriate to review the matter.
- If allegations raised are not substantiated, every effort will be made to address any negative effects on the reputation and morale of staff, interns or volunteers who were involved.

## Communication with the Whistleblower

Where a person is named by a Whistleblower as being suspected of possible Reportable Conduct but preliminary inquiries determine that the suspicion is baseless or unfounded and that no formal investigation is warranted then the Whistleblower will be informed of this outcome and the matter laid to rest.

Where an investigation does not substantiate the report, the fact that the investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the report must be handled confidentially.

## Confidentiality

Where disclosures are made under this policy, ChildFund will not disclose the whistleblower's identity unless:

- the Whistleblower consents to the disclosure;
- the disclosure is required or authorised by law, and/or
- the disclosure is necessary to further the investigation.

In order not to jeopardise the investigation, the whistleblower is also expected to keep the fact they have raised a concern, the nature of the concern and the identity of those involved confidential.

Matters raised under this policy will be treated confidentially, on a 'need to know basis'. In that regard:

- It may be necessary during an investigation to reveal its substance to people involved in the process (such as other ChildFund personnel or an external third party supporting the investigation) or to, for example, external law enforcement agencies.
- Consistent with the principles of natural justice, at some point it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of reportable conduct.
- ChildFund will take reasonable precautions to store any and all records or files relating to such matters securely, and to only permit access by authorised personnel.
- Unauthorised disclosure of information relating to a disclosure, including the identity of a whistleblower or information from which the identity of the whistleblower could be inferred, will be taken seriously and may result in disciplinary action.

## Protection of Whistleblowers

Whistleblowers who disclose matters in good faith under this policy will not be subjected to a retaliatory detriment as a result of whistleblowing, even if the concerns turn out to be unfounded.

Detriment includes, but is not limited to:

- dismissal
- demotion
- any form of harassment
- discrimination
- loss of business or service (for non-staff)
- current or future bias
- threats of any of the above

Any such retaliatory action will be treated as serious misconduct and will result in disciplinary action which may include dismissal.

If a whistleblower believes retaliatory action has occurred or has been threatened, they should raise the matter with a WPO in the first instance.

## Whistleblowers implicated in reportable conduct

It is expected that a Whistleblower will disclose at the outset of the matter any personal interest or involvement that they may have had in the conduct being raised.

Where a Whistleblower is implicated in the reportable conduct, they will receive the support provided to whistleblowers, but cannot use the disclosure as a shield for their own involvement in

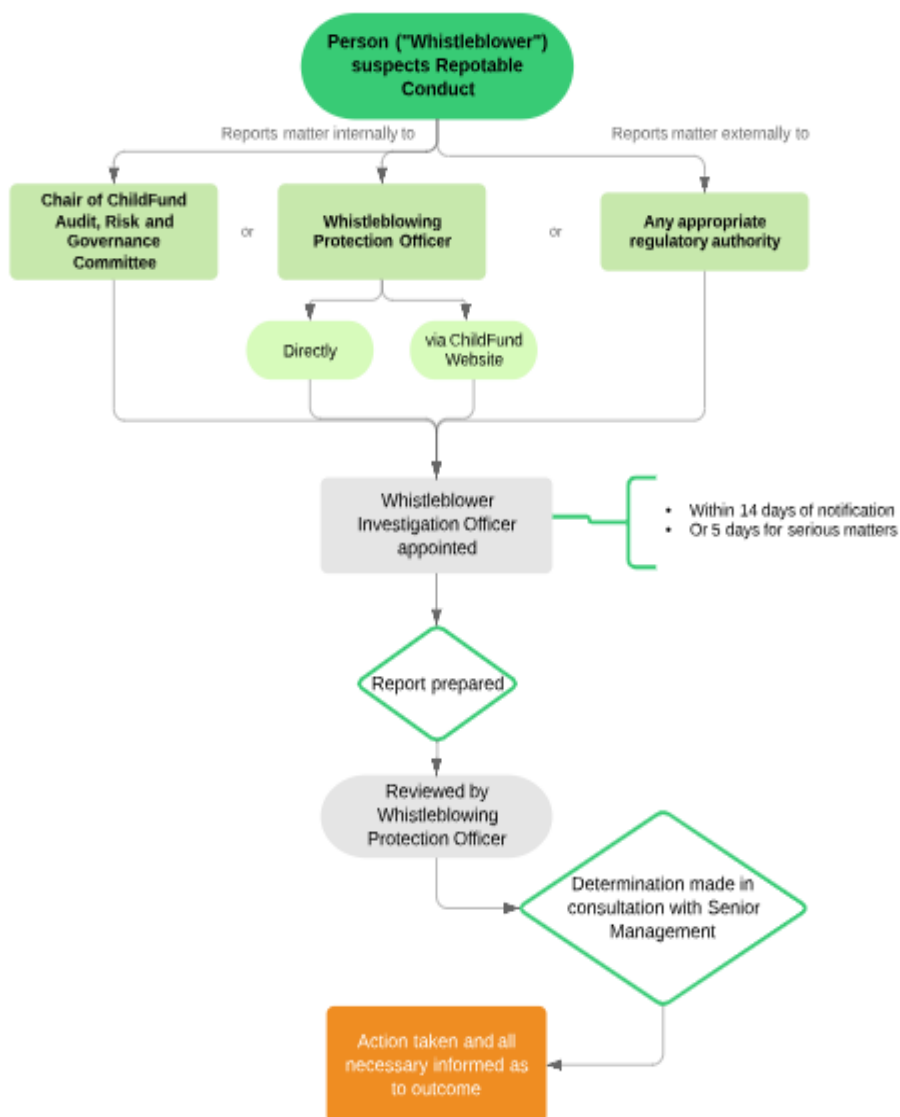


the matter. Any admission may however be a mitigating factor when considering disciplinary or other action.

## False disclosures

False disclosures will not be tolerated. Anyone found to have deliberately made a false claim or disclosure will be subjected to disciplinary action, which could include dismissal.

## Procedure Flowchart



The ChildFund board is advised of all proven Reportable Conduct matters and actions taken.

## APPENDIX A – Whistleblower Report

**Note: If you wish to remain anonymous do not complete items 1 – 4 of this questionnaire**

- |                                                                                                                                      |                                                                                                         |                                                                                                                                          |                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <input type="checkbox"/> I authorise the use of the information provided in this report in accordance with the Whistleblowing Policy | <input type="checkbox"/> I would like a summary of my concerns and proposed action to be provided to me | <input type="checkbox"/> I have a preference that the WPO is Female<br><input type="checkbox"/> I have a preference that the WPO is Male | <input type="checkbox"/> I have no preference as to the gender of the WPO |
|--------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|

1.	Please state your full name	
2.	Please state <ul style="list-style-type: none"> <li>▪ your position title</li> <li>▪ and your office location</li> </ul>	
3.	What is your work telephone number and email address?	
4.	What is the name of your immediate manager?	
5.	Please describe in detail the matter you would like to disclose	
6.	How was the matter discovered?	
7.	Over what period of time has the suspected activity occurred?	
8.	Why do you consider this matter to be a wrongful act?	

9.	Please name all the people involved in the suspected wrongful act	
10.	Are there any witnesses? If "yes" please state their names:	
11.	Do you have any supporting evidence?	
12.	Where is the evidence located?	
13.	Is the evidence in danger of being lost or destroyed?	
14.	Please explain how this evidence can be retrieved → by the person involved in investigating the matter, OR → provide the evidence with your report.	
15.	Have you been told about this matter by someone else?	
16.	Who else knows about this matter?	
17.	Please state (in detail) if you have any concerns regarding reprisals or recriminatory action taken or that might be taken against you.	
18.	Please include any other details which you believe are relevant. This should include whether you have any personal interest in the matter.	