



## Whistleblowing Policy

<b>Responsible Officer</b>	National Director		
<b>Contact Officer</b>	Head of Governance and Operations		
<b>Superseded Documents</b>	A4U Whistleblowing Policy V1.0		
<b>Review</b>	Three years		
<b>Associated Documents</b>	A4U Grievance Policy, A4U Complaints Policy		
<b>Policy Status</b>	This policy may be amended or revoked by A4U at any time and at its discretion		
<b>Version</b>	<b>Authorisation</b>	<b>Approval Date</b>	<b>Effective Date</b>
1.0	Board	27/02/2020	March 2020

## Introduction

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At all times Australia for UNHCR (A4U) seeks to conduct its activities professionally, honestly and with integrity. However, all organisations face the risk of unprofessional conduct, criminal behaviour or mismanagement. At A4U it is our responsibility to take appropriate measures to identify such situations and to follow a defined procedure to investigate any such wrongdoings whilst protecting any Person raising concerns about potential misconduct.

A4U is committed to fostering a culture where people are encouraged to raise concerns about unethical and unacceptable conduct and can do so in a safe environment.

## Purpose of the Policy

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The purpose of this policy is to:

- a) Encourage the reporting of matters that may involve corruption, misconduct or unethical behaviour or that may cause harm to individuals or financial or non-financial loss to A4U or damage to its reputation;
- b) Enable A4U to proactively deal with reports from whistleblowers; and,
- c) Establish the framework for, as far as practicable, maintaining the confidentiality of a person that lodges a concern or complaint covered by this procedure and protecting whistleblowers against reprisal by any person internal or external to A4U.

## Scope

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This policy applies to all A4U employees, volunteers, interns, contractors, Board Directors and partner organisations.

A4U staff are encouraged to report wrongful acts or suspected wrongful acts in accordance with this Whistleblowing policy. Members of staff of partner organisations are also encouraged to report such acts committed by A4U staff or their own staff in the execution of their partnership agreements.

## Definitions

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**Whistleblowing** is defined as deliberate, voluntary 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 organisation.

**Whistleblower** refers to any employee, volunteer, contractor or Board Director who raises a Reportable Conduct matter under this Policy and who wishes to avail themselves of the protections offered by this Policy.

**Whistleblowing Protection Officer (WPO)** refers to the nominated person responsible for overseeing this policy, managing whistleblowing disclosures and their subsequent investigation. The Head of Governance and Operations is the usual nominated person. If the reportable conduct involves the Head of Governance and Operations the WPO will be the National Director or the Chair of the Finance, Audit and Risk Committee.

**Reportable Conduct** includes, but is not limited to:

- 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;
- 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 breach of any internal Policy including (but not limited to) the Code of Conduct, Child Safeguarding Policy, etc.
- an intentional disclosure or misuse of sensitive information, or the concealment or failure to report knowledge of the above actions in themselves or others.

## The Whistleblower’s Rights and Obligations

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Any person that reports a concern or a complaint under this procedure should be informed that

- as far as lies within the power of A4U, the person will not be disadvantaged for the act of making such a report where that report has been made in good faith and on reasonable grounds; and
- if the person wishes to make their concern or complaint anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law; however,
- reporting such a concern or complaint does not necessarily absolve the person from the consequences of any involvement on their own part in the misconduct or other action reported.

## Reporting Complaints and Confidentiality

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Cases may be reported on a confidential basis or may be reported anonymously using the email address [whistleblowing@unrefugees.org.au](mailto:whistleblowing@unrefugees.org.au) which will be monitored by the WPO, nominated to be the Head of Governance and Operations.

If the complaint relates to the Head of Governance and Operations the complaint should be made to the National Director or the Chair of the Finance, Audit and Risk Committee.

If the complaint relates to the National Director the complaint should be made to the Chair of the Finance, Audit and Risk Committee or the Chair of the Board.

Whistleblowing Officer	Head of Governance and Operations	<a href="mailto:whistleblowing@unrefugees.org.au">whistleblowing@unrefugees.org.au</a>
Chair of the Board	Michael Dwyer	<a href="mailto:mdwyer@unrefugees.org.au">mdwyer@unrefugees.org.au</a>
Chair of the Finance, Audit and Risk Committee	Rick Millen	<a href="mailto:Rick.millen23@gmail.com">Rick.millen23@gmail.com</a>

The confidentiality of the reports will be kept to the extent possible, consistent with the needs to conduct an adequate investigation.

Any such report should where possible be in writing and should contain, as appropriate, details of:

- the nature of the alleged misconduct or other inappropriate or illegal conduct as described in this procedure;
- the person or persons responsible for the alleged behaviour;
- the facts on which the person that makes the report has formed the view that behaviour in the nature of that described in this procedure may have occurred and been committed by the person or persons named in the report; and
- the nature and whereabouts of any further evidence that would substantiate the persons concern or complaint, if known.
- Evidence to support such concerns should be brought forward when the report is made, if it exists.

## Investigating Complaints

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The WPO who receives a report will acknowledge receipt of the report within five days.

All reports shall be properly investigated by a Committee set up by the WPO or an external auditor where applicable. The WPO will determine representatives to be on the committee given the nature and severity of the reportable conduct. Depending on the nature of the investigation the Finance Audit and Risk Committee and the Board may be notified and consulted.

Upon completion of the investigation, the WPO will consult with relevant members of management to take the appropriate corrective action warranted by the outcome of the investigation.

There may be occasions when external bodies such as donors and regulators (including UNHCR, ACNC, ACFID and FIA) will need to be notified of the outcome of an investigation.

The Whistleblower would also be notified of the outcome of an investigation whenever it is possible to do so.

Issues raised through whistleblowing will be tracked and reported to the Board in summary form on a bi-annual basis.

## Management of a person against whom a report is made

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A4U recognises that individuals against whom a report is made must also be supported during the handling and investigation of the alleged reportable conduct. A4U will take reasonable steps to ensure the person who is the subject of a report, is treated fairly, particularly during the assessment and investigation process. Support provided by A4U may include referral for counselling.

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.

## **False allegations**

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Any allegation which proves to be malicious or knowingly false will be viewed as a serious disciplinary offence.

## **Protection**

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Where the investigation has found that the person that reported the alleged behaviour described in this procedure made the report in good faith on reasonable grounds, the Whistleblowing Protection Officer, HR Manager and National Director shall ensure that the person suffers no employment-related disadvantage on account of their actions in this matter and will provide additional support for the person where necessary.

## **Exclusions**

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This Policy and Procedure does not apply to any employment related grievance which is likely to be more appropriately covered through the A4U Grievance Policy.