



WHISTLEBLOWER POLICY

Document Status and History:

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1 PREAMBLE

- a) The Bush Church Aid Society of Australia (BCA) aims to:
 - i) Allow and encourage safe reporting of misconduct or illegal activity;
 - ii) Uphold BCA's high standard of ethical conduct and financial responsibility;

- b) The purposes of this policy are:
 - i) To outline the process for dealing with the reports and protection of Whistleblowers; and
 - ii) To ensure that misconduct is dealt with appropriately.

2 PRINCIPLES

- a) For the purposes of this policy, **Wrongful Act** includes, but is not limited to:
 - i) Breaches of legal obligations under the civil law (including negligence, breach of contract, breach of administrative law)
 - ii) Breaches of a BCA Policy, a Partnership Agreement, a MOU, or any other agreement or contract.
 - iii) Criminal offences
 - iv) Mismanagement of funds
 - v) Actual or suspected fraud
 - vi) Abuse of authority
 - vii) Disclosures related to a miscarriage of justice
 - viii) Health and safety risks, including risks to the public
 - ix) Damage to environment
 - x) The unauthorised use of organisational funds
 - xi) Abuse
 - xii) Dishonesty
 - xiii) Serious or substantial waste
 - xiv) Discrimination, vilification, sexual harassment or victimisation
 - xv) Other unethical conduct
 - xvi) A breach of Faithfulness in Service
 - xvii) The concealment of any of the above.

- b) All BCA Board members, Committee members, staff, volunteers, Nomads and supporters are strongly encouraged to report wrongful acts in accordance with this policy.

- c) All BCA Board, Committee members, staff, volunteers, Nomads and supporters have the right to speak freely and honestly to report wrongful acts in a safe environment without fear of retaliation or reprisal.

- d) BCA will respond in a timely, respectful and confidential manner to all disclosures of wrongful acts.

- e) Where it has been assessed that the matter may be subject to a criminal investigation, BCA will refer the matter to law enforcement agencies.

- f) This policy is not intended to replace the procedures in BCA's Grievances Policy.

3 REPORTING PROCESS

- a) Concerns relating to wrongful acts should be reported by the Whistleblower to:
 - i) The National Director of BCA unless the concern relates to the National Director or,
 - ii) The Chair of the Board unless the concern relates to the Chair of the Board; or
 - iii) The President of BCA unless the concern relates to the president of BCA.
- b) Any reporting to BCA does not preclude the appropriate reporting to any other external organisation, such as Diocesan Bishops, Diocesan Professional Standards Units, ACNC, or law enforcement agencies.
- c) Reports to persons designated in paragraph 3a) can be made in writing or orally. It is also acceptable to make an anonymous complaint, however, it is noted that this may impede any subsequent investigation or reporting.

4 INVESTIGATION PROCESS

- a) Upon receiving a report, BCA will investigate concerns appropriately by means of an independent inquiry or investigation.
- b) Issues identified from the inquiry/investigation will be resolved and/or rectified.
- c) National Director will be responsible for reviewing any recommendations resulting from the outcome of the investigation. The National Director will be responsible for implementing any recommendations resulting from the outcome of the investigation.
- d) Where possible, the Whistleblower will be informed about the outcome and the remedial action taken.
- e) Where a Whistleblower reports a possible wrongful act, 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.
- f) BCA will seek to ensure that any investigation that is conducted outside BCA is conducted in accordance with the principles outlined above.

5 PROTECTIONS

5.1 Confidentiality

- a) When a person makes a disclosure:
 - i) BCA will keep their identity confidential unless:
 - (1)The Whistleblower consents to their identity being shared;
 - (2)Their identity is required or authorised by law to be reported; and/or
 - (3)Their identity needs to be shared to further the investigation.
 - ii) BCA will advise the Whistleblower if and when their identity is being shared.

5.2 Protecting the Whistleblower

- a) BCA will treat all disclosures of wrongful acts seriously.
- b) BCA will protect and provide for a Whistleblower who raises concerns in good faith by:
 - i) Allowing Whistleblowers to report suspicions anonymously;
 - ii) Endeavouring to keep the identities of Whistleblowers and alleged perpetrators confidential, and encouraging all parties involved to do the same;
 - iii) Endeavouring to keep details of the report confidential and storing any physical or digital evidence of the proceedings in a secure place;
 - iv) Endeavouring to ensure that a Whistleblower's participation in a Whistleblower investigation will not appear in any BCA employment, or personnel records;
 - v) Endeavouring to ensure that a Whistleblower's participation in a Whistleblower investigation will not result in reprisal, discrimination, harassment, victimisation or disadvantage in their employment or position in BCA;
 - vi) Providing appropriate protection and support to those who, in good faith, make a report;
 - vii) Taking all reasonable precautions to store any records relating to a report of a wrongful act securely and to permit access by authorised personnel only;
 - viii) Making counselling and pastoral care available; and
 - ix) Treating any retaliation for having made the disclosure as serious wrongdoing.
- c) Even though a Whistleblower may be implicated in the wrongful act, they will not be subjected to any actual or threatened retaliatory action or victimisation in reprisal by BCA for making a report under this policy.
- d) However, making a report will not necessarily shield the Whistleblower from the consequences flowing from that person's involvement in the wrongful act. In some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.
- e) BCA will seek to ensure that any other body or organisation will apply similar protections to a Whistleblower.

- f) BCA will adhere to the protection offered under any relevant legislation.
- g) While protection will be provided to genuine Whistleblowers under this policy, deliberate false reports will not be tolerated and anyone found making a deliberate false claim or report will be subjected to disciplinary action, which could include dismissal and legal action.

5.3 Management of a person against whom a report is made.

- a) Where an investigation is conducted by BCA, the person who is the subject of any report that is investigated, will:
 - i) Be informed as to the substance of the allegations;
 - ii) Be given the opportunity to answer the allegations before any investigation is finalised;
 - iii) Be informed about the substance of any adverse comments that may be included in any report arising from the investigation before it is finalised;
and
 - iv) Have their defence set out fairly in any report.
- b) BCA recognises that individuals against whom a report is made must also be supported during the handling and investigation of the alleged wrongful act. BCA will take all reasonable steps to ensure a person who is the subject of a report, is treated fairly at all stages, particularly during the assessment and investigation process. Support provided by BCA may include referral to counselling, arranging pastoral care, or legal support.