

1.15.04a Whistleblowing Policy

Approval Authority	Board of Directors
Policy Owner	Senior Quality and Improvement Officer
Policy Author	Senior Quality and Improvement Officer
Approval Date	30 March 2020
Review Date	30 March 2022

1. Governing Policy/Framework

This procedure supports the Risk Management Framework.

2. Background/Context and Purpose

Whistleblowers (or disclosers) provide important information in detecting fraud and misconduct and their evidence is often pivotal to successful investigations.

The *Corporations Act 2001* creates the legislative mandates in relation to whistleblowing and the protection of whistleblowers. As a Company Limited by Guarantee, Carers Queensland is legally required to have a whistleblower policy and associated procedure that specifies:

- to whom disclosures should be made to qualify for protection and how they are made
- information about the protections available to eligible whistleblowers
- how the organisation will support eligible whistleblowers and protect them from harm
- how the organisation will investigate disclosures
- how the organisation will treat someone named by a whistleblower as having engaged in fraud and/or misconduct
- how the policy and associated documentation will be made available to current and former employees, volunteers, contractors and others and
- any matter prescribed by the Regulations.

3. Policy Statement

Carers Queensland is committed to the highest standard of conduct and ethical behaviour, corporate compliance and good corporate governance and to promoting and supporting a workplace culture that is honest and transparent; where employees, volunteers and others in the workplace are treated fairly and respectfully and where employees and others are encouraged to report suspected wrongdoing with the assurance of confidentiality and without fear of retribution and/or victimisation.

Carers Queensland is committed to:

- complying with the *Corporations Act 2001* Part 9.4AAA
- ensuring the confidentiality and anonymity of the whistleblower
- robustly investigating all allegations and instituting appropriate treatment plans commensurate with the alleged fraud and/or misconduct
- providing the whistleblower with administrative immunity

4. Policy Objective/s

- a. to improve the whistleblowing culture of the organisation
- b. to encourage current and former Board Directors, employees, volunteers, suppliers, contractors and associates or a relative, dependent or spouse of an employee, contractor, consultant, service provider or supplier to report suspected wrongdoings that may cause financial or non-financial loss or reputational damage
- c. to enable the organisation to effectively protect the identity of the whistleblower
- d. to ensure individuals who disclose (including the spouse or relatives of whistleblowers) can do so safely, securely and with confidence that they will be protected and supported
- e. to ensure disclosures are dealt with in a timely manner
- f. to ensure that an eligible whistleblower has the automatic right to appeal should they encounter reprisal or claim to have been victimised
- g. increase transparency in how the organisation will handle disclosures of wrongdoing
- h. to support Carers Queensland's values and Code of Conduct
- i. to meet legal and regulatory obligations
- j. to deter wrongdoing, promote better compliance with the law and promote a more ethical culture, by increasing awareness that there is a higher likelihood that wrongdoing will be reported.

5. Scope

The procedure applies to all current and former Board Directors, employees and volunteers, contractors and consultants or any other person or an employee of an organisation with a relationship with Carers Queensland and their spouse or family.

6. Failure to Comply

Failure to comply with or a breach of this policy may result in disciplinary action that could result in severance from the organisation.

7. Legislation and Other Mandates

- a. *Australian Charities and Not-for-Profits Commission Act 2012*
- b. Australian Privacy Principles
- c. Australian Securities and Investments Commission Regulatory Guide 270
- d. Australian Standards for Whistleblower Protection (AS 8004-2003)
- e. *Corporations Act 2001*
- f. *Fair Work Act 2009*
- g. NDIS Quality and Safeguards Commission Guidance for Providers (March 2019)
- h. *Public Interest Disclosure Act 2013*
- i. *Taxation Administration Act 1953*
- j. *Treasury Laws Amendment (enhancing Whistleblower Protections) Act 2019*

8. Roles and Responsibilities

Role	Responsibility
Board	To approve the policy. To implement the policy and procedure.
Chief Executive	To oversee the implementation of the policy and procedure.

Officer	<p>To promote the policy and procedure.</p> <p>To appoint a Whistleblower Protection Officer and a Whistleblower Investigation Officer for each investigation.</p> <p>To receive and action upon the results of all investigations.</p> <p>Report all whistleblower notifications and investigations to the Board in a timely manner.</p> <p>To comply with an ASIC audit of this policy and procedure.</p>
Finance, Property, Risk and Compliance Committee	<p>To ensure that trends, themes or emerging risks are addressed and mitigated.</p>
General Managers	<p>To demonstrate commitment to the whistleblower policy and its implementation by promoting the policy and procedure.</p> <p>To receive any allegation of wrongdoing.</p> <p>To report any allegation of wrongdoing to the Chief Executive Officer.</p> <p>To fulfil the Protection Officer or Investigation Officer role as delegated.</p> <p>To act transparently and ethically and maintain the confidentiality of the process.</p>
Regional Managers Area Managers	<p>To demonstrate commitment to the whistleblower policy and its implementation by promoting the policy and procedure.</p> <p>To ensure all employees and volunteers are familiar with the policy and procedure.</p>
Employees and Volunteers	<p>To be familiar with the policy and procedure.</p> <p>To report suspected wrongdoing to a General Manager or Board Director.</p>
Marketing and Communications	<p>To promote the policy and procedure through social media and internal communication channels.</p>
Quality and Compliance	<p>To review the policy and procedure by the nominated date.</p> <p>To promote the policy and procedure.</p> <p>To provide ongoing awareness and implementation training.</p> <p>To support an ASIC audit of this policy and procedure.</p>
Whistleblower or Discloser	<p>Responsible for making any disclosure of reportable conduct with reasonable grounds for believing the disclosure is a reportable matter.</p> <p>Cooperating with the investigation process (unless a matter was reported anonymously).</p> <p>Maintain confidentiality of any reported matters.</p>
Whistleblower Protection Officer	<p>Safeguard the whistleblower from:</p> <ul style="list-style-type: none"> • victimisation • threat of dismissal or demotion • current or future bias <p>Ensure the whistleblower's immediate welfare and protection.</p> <p>Safeguard the whistleblower's family from victimization or detriment.</p> <p>Maintain confidentiality.</p>
Whistleblower Investigation	<p>Ensure each disclosure is impartially and confidentially investigated.</p> <p>Provide the Chief Executive Officer or Board Director with a formal</p>

Officer	report as directed. Maintain confidentiality.
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9. Related Documents

Code of Conduct Policy
 Confidentiality and Non-Disclosure Policy
 Conflict of Interest Policy
 Delegations of Authority
 External Feedback and Complaints
 Fraud and Corruption Policy
 Gifts, Benefits and Bequests Policy
 Internal Feedback and Complaints Policy
 Managing Underperformance and Misconduct
 Risk Management Policy
 Workplace Discrimination Policy
 Workplace Health and Safety Policy

10. Document Control

DOCUMENT REVISION HISTORY				
Version Control	Approved by	Effective from	Scheduled review date	Amendments
V.1.0	Board	17/02/2020	17/02/2020	Inclusion of 'former' to provide greater clarity as to the scope of the policy. Inclusion of <i>Taxation Administration Act 1953</i> . <i>Publicising the policy and procedure on the website</i>
V.1.1	Board	30/3/2020	30/3/2022	Clarifying the scope of those who can legitimately make a whistleblower disclosure and receive protection.