

Whistleblower Policy

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1. Introduction:

Homes Out West (HOW) is committed to establishing and maintaining a culture of good governance and corporate compliance with ethical behaviour. This includes the ability for people within and outside of the organisation being able to come forward with complaints of fraud, corruption or general misconduct and not fear retribution. The policy aims to encourage people to report an issue if they genuinely believe someone has contravened the Code of Conduct or engaged in illegal or inappropriate activity.

2. Scope:

This policy relates to all staff, Board members, members, clients, volunteers, contractors, suppliers and members of the public.

3. Definition:

- A whistleblower is defined as any person who, acting in good faith, reveals any wrong doing or malpractices that are taking place within an organisation.
- The whistleblower could be reporting, but is not limited to, conduct by any person or persons which in the opinion of the whistleblower is dishonest, fraudulent, corrupt, illegal (including theft, violence or threatened violence, harassment, drug use or criminal damage to property), legislative breaches, unethical and improper conduct, unsafe work practices or any conduct which may cause financial or non financial loss, or be detrimental to the operations of the organisation.

4. Objectives:

- The objectives of the whistleblower policy are to:
 - encourage the reporting of matters that may cause loss or damage to the organisation
 - to protect staff and Board members, or other people who report, either anonymously or not, actual or suspected fraudulent activity
 - assist in developing a positive internal culture to encourage disclosure by protecting the identity of the reporter/s.

5. Reporting wrong doing or malpractices:

- Any member of the management team, employee, volunteer or external party who has involvement with HOW can report wrong doing and malpractices and be protected under this policy.
- Refer to the Fraud and Corruption Policy and Code of Conduct Policy for disclosure of fraudulent or breach activity.
- Alternatively, if anonymity and confidentiality of the whistleblower is required reporting can be either by
 - a sealed written report placed in the Executive Officer's pigeon hole
 - a confidential report addressed to the Chairperson and posted to the organisation's postal address
 - a written or verbal report to the CEO NSW Federation of Housing Associations (the peak body charged with handling breaches of conduct)
 - or a complaint to the NSW Registrar of Community Housing.

6. Acting in Good Faith:

- Anyone filing a complaint concerning misconduct or suspected misconduct must be acting in good faith and have reasonable grounds for believing the information disclosed indicates misconduct, fraudulent or illegal activity.
- Any allegations that prove not to be substantiated and have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offence.

7. Protection of the Whistleblower:

- An individual who makes a report will not be penalised by dismissal, demotion, harassment, discrimination or any bias.
- This applies if the matter is proven or not and regardless of whether it is reported to an external authority.
- If reprisals are taken or claimed to have been taken against a whistleblower, the EO, Board or appropriate body will investigate the matter and recommend the appropriate action to be taken.
- A whistleblower will be given a guarantee of anonymity bearing in mind, that in certain circumstances, the law may require disclosure of the identity of the whistleblower in legal proceedings and in other circumstances.
- Depending upon who receives the report and who the report is about, an appropriate Whistleblower Protection Officer (e.g. Executive Officer, Chairperson) will be appointed to safe guard the interests of the whistleblower in accordance with this policy.

8. Whistleblower Protection Officer:

- The Whistleblower Protection Officer is responsible for investigating the substance of reports and determining whether to refer the report for further action.
- The Whistleblower Protection Officer is to ensure that the whistleblower is kept informed of the outcomes of the investigation of their report, subject to the consideration of privacy of those against whom the allegations have been made.

9. Investigation of Reports:

- The Whistleblower Protection Officer will follow the policies and procedures as identified in the Fraud and Corruption Policy and Code of Conduct Policy, for investigating allegations.

- The Whistleblower Protection Officer will report the outcome of investigations as per the Fraud and Corruption Policy and Code of Conduct Policy.

10. Encouraging Reporting:

- To encourage and support the reporting of misconduct, fraudulent or illegal activity, The Whistleblower Policy will be included in staff Employment Kits and inductions, made accessible on the organisation's website and be available in the public area of the organisation's offices.

11. Government Legislation relating to Whistleblower Protection:

- A range of both State and Federal legislation provides for the protection of whistleblowers.
- Relevant legislation includes:
 - Federal - Corporations Act 2001
 - Fair Work Act 2009
 - NSW - Protected Disclosures Act 1994
 - Occupational Health & Safety Act 2000

12. Linked Policies:

- Fraud and Corruption Policy
- Code of Conduct Policy
- Donation and Gift Policy
- Notifying the Office of the Registrar Policy
- Media Policy