

Policy Name: Whistleblower Policy

Contact: People, Culture and Workforce Development **Date Approved:** 10 November 2020

1. Purpose:

The purpose of this policy is to:

- a. encourage the reporting of matters that may cause harm to individuals or financial or nonfinancial loss to Interrelate or damage to its reputation;
- b. enable Interrelate to deal with reports in a way that will protect the identity of the person making the disclosure as far as possible and provide for the secure storage of the information provided;
- c. establish policy and process for protecting persons making disclosures against reprisal by any person internal or external to the Organisation;
- d. help to ensure Interrelate maintains the highest standards of ethical behaviour and integrity; and
- e. support our existing processes and protocols for raising concerns and allowing a supplementary avenue for reporting where those processes and protocols are not working or where those processes and protocols cannot be followed (eg: the policy directs the issues be raised with your manager, but the disclosure concerns that manager).

2. Scope:

This policy relates to all employees, Board Directors, contractors, work placement/ experience students, employees of subsidiary company and volunteers of Interrelate. For the purpose of this policy only, the term 'employee' will be used to cover staff, contractors, work placement/ experience students, subsidiaries and volunteers of Interrelate.

3. Policy Statement:

The Board of Interrelate is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organisational policy and procedures), and ethically (in accordance with recognised ethical principles). Employees are expected to cooperate with the Organisation in maintaining legal, proper, and ethical operations, if necessary, by reporting non-compliant actions by other people. Correspondingly, employees who do assist in maintaining legal, proper, and ethical operations should not be penalised in any way.

4. Procedure

4.1 Concerns regarding any matters that may cause harm to Interrelate or associated individuals

Where an employee of Interrelate believes in good faith on reasonable grounds that any other employee (as defined in the Scope) has behaved improperly, unethically or in a manner that may result in any of the following:

- cause harm to individuals or financial or nonfinancial loss to Interrelate or damage to its reputation;
- breach of the Organisation's Policies, Quality Governance Framework or Code of Conduct;
- breach of any general laws;

that employee may report their concern to:

- Interrelate's appointed external whistleblowing service, namely Whistle Blowing Services (WBS)
- the [CEO]; or, if they feel that the [CEO] may be complicit in the breach;
- the Chairperson of the Board; or, if they feel this to be necessary;
- the duly constituted authorities responsible for the enforcement of the law in the relevant area.

The person making their concern known shall not suffer any sanctions from the Organisation on account of their actions in this regard provided that their actions:

- are in good faith, and
 - are based on reasonable grounds, and
 - conform to the designated procedures.
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- Any person within the Organisation to whom such a disclosure is made shall ensure that the allegation is entered into the WBS Online Service, investigated, a finding is made, and the person making the allegation is provided feedback. Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness. Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

4.2 Reporting Process

a. *External reporting entities*

The Board may nominate external persons to whom, or agencies to which, disclosures may be made under the protections offered under this policy. Where such a nomination is made, staff and volunteers should be informed by any appropriate method.

The Board has exercised this right and has engaged Whistle Blowing Services (WBS) to provide an anonymous online and telephone service for employees (as defined in the Scope) to disclosure matters as defined in 4.1. Disclosures will be recorded anonymously, then the CEO of Interrelate and Chairperson of the Board of Interrelate will be notified of the Disclosure.

b. Reporting

To make an Online report to WBS:

ONLINE

1. click on the link <https://www.whistleblowingservice.com.au/interrelate/>
2. click on the “Make a Report” button on the website
3. on the next page, enter in the “Unique Key” field. **INTER2020** Click on ‘next’
4. enter the “Client Reference Number”. **irgrr2020** Click on ‘next’
5. Provide the information requested and complete the form based on the prompts

TELEPHONE

Call BETWEEN 8.00 am to 5 pm AEST – 1300 687 927. You will be guided through a series of questions. You will be guided through the process. Please provide your information in response to the questions asked.

Any person reporting a matter as defined in 4.1 should be informed that:

- as far as lies in the organisation’s power, the employee will not be disadvantaged for the act of making such a report; and
- if they wish to make their disclosure anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law; however,
- reporting such a matter does not necessarily absolve them from the consequences of any involvement on their own part in the misconduct complained of.

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

- the nature of the alleged matter;
- the person or persons responsible;
- the facts on which the employee’s belief that the matter has occurred and has been committed by the person named, are founded;
- the nature and whereabouts of any further evidence that would substantiate the allegations, if known.

Persons making disclosures will be encouraged to provide any evidence they may have to support such concerns. The absence of such evidence will be taken into account in subsequent consideration of whether to open an investigation into the matter. However, absence of such evidence is not an absolute bar to the activation of the organisation’s investigative procedures. The existence of such a concern is sufficient to trigger reporting responsibilities.

These procedures do not authorise any employee to inform commercial media or social media of their concern, and do not offer protection to any employee who does so, unless:

- it is not feasible for employees to report internally, or
- existing reporting channels have failed to deal with issues effectively.

c. *Anonymity*

If the person making the disclosure wishes to report their matter anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law. The complainant should, however, be informed that the maintenance of such anonymity may make it less likely that the alleged breach can be substantiated in any subsequent investigation. WBS may act as an intermediary in this situation to obtain more information or clarify the disclosure in order to fully investigate the matter. Where anonymity has been requested the person making the disclosure is required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorised persons.

d. *Investigation*

On receiving a report of a matter, the CEO or Board Chairperson shall in most instances:

- put in motion the investigation process described below.
- if they believe the behaviour complained of to be unquestionably trivial or fanciful, notify the person making the allegation of their decision and reserve the right to dismiss the allegation
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The CEO or Board Chairperson may undertake an investigation themselves or appoint an appropriate delegate, who is not implicated in the report, to lead the investigation, and this person will be called the Whistleblower Protection Officer. This person should either be:

- a qualified internal investigator who is independent of the area where the wrongdoing is alleged to have occurred, or
- a qualified external investigator independent of Interrelate where considered necessary

For the Investigation Report to be useful to the organisation it is important that it operate at three levels, namely:

- The issue(s) that led to the report to WBS and the response
- The issues with the historic systems, processes, practices and controls within the Organisation
- Potential systems, processes, practices and controls solutions to prevent a future occurrence

Terms of reference for the investigation will be drawn up to clarify the key issues to be investigated. An investigation plan will be developed to ensure all relevant questions are addressed, the scale of the investigation is in proportion to the seriousness of the allegation(s) and sufficient resources are allocated. Strict security will be maintained during the investigative process. All information obtained will be properly secured to prevent unauthorised access. All relevant witnesses will be interviewed and documents examined. Contemporaneous notes of all discussions, phone calls and interviews will be made.

Terms of reference will reflect Interrelate's commitment to providing safe, effective, accountable and person-centred services underpinned by continuous improvement. The findings of any investigations will, where appropriate, reflect a no-blame learning environment characterised by excellent leadership, highly valued staff, and an active partnership between staff and clients. Where investigations reveal systemic issues that may have contributed to the matter being disclosed, the findings will be taken as an opportunity for review of the relevant elements of the Clinical Governance Framework, Code of Conduct and/or Organisational Policies and Procedures.

e. Interviews

Where possible, interviews will be taped. The principles of procedural fairness (natural justice) will be observed. In particular, where adverse comment about a person is likely to be included in a report, the person affected will be given an opportunity to comment beforehand and any comments will be considered before the report is finalised. The person or persons conducting the investigation shall be as far as possible unbiased.

f. Findings

A report will be prepared when an investigation is complete. This report will include:

- the allegations
- a statement of all relevant findings of fact and the evidence relied upon in reaching any conclusions
- the conclusions reached (including the damage caused, if any, and the impact on the organisation and other affected parties) and their basis
- recommendations based on those conclusions to address any wrongdoing identified and any other matters arising during the investigation.

g. Information to person making the disclosure

Subject to considerations of the privacy of those against whom the allegations are made and customary practices of confidentiality, the person making the disclosure will be kept informed of:

- relevant progress of an investigation
- relevant outcomes of an investigation.

h. Protection of person making the disclosure

Where the investigation has found that the person making the disclosure acted in good faith on reasonable grounds, the CEO shall designate an officer to be responsible for ensuring that the person suffers no employment-related disadvantage on account of their actions in this matter and to provide additional support for the person where necessary.

5. Implementation:

Support & advice:

CEO, Head of People, Culture and Workforce Development (or a member of the People, Culture and Workforce Development Team), Head of Operations and Head of Corporate Services.

Authorised by:

The Board of Interrelate

Effective from:

TBA

Responsibilities:

- Administration of the Whistleblower Policy resides with the People, Culture and Workforce Development Business Unit, with support from all other Business Units.
- Monitoring of employees adhering to this Policy will be conducted by the Line Manager and Business Development Manager; with support from Business Units where required.
- Each Line Manager is responsible for ensuring that all employees under their direction act according to the conditions of this Policy.

Review Date:

This Policy shall remain current unless further reviewed or amended. This Policy shall be reviewed within a three year period.

Review History:

Date	Action
24 September 2020	<ul style="list-style-type: none"> ▪ Whistleblowers Policy amended to reflect the implementation of WBS as the external provider of a Whistleblowing Reporting facility ▪ The nature and breadth of matters referred to in the Purpose of the Policy 1a. was broader than the Breaches outlined in subsequent sections of the Policy. Section 4 has been rewritten to correct the inconsistency and ensure that the Processes accurately reflect the Purpose of the Policy. ▪ the language in the Policy has been modified to reflect that WB reports are an element of Interrelate’s broader quality system. “Informant” and “whistleblower” have been replaced by “person making disclosure” ▪ all reported matters be investigated ▪ all disclosures be recorded in WBS online system, including those reported directly to CEO or Board Chair
29 November 2019	<ul style="list-style-type: none"> ▪ Whistleblowers Policy adopted by the Board

APPENDIX

Definitions:

A whistleblower is a person (being a director, manager, employee or contractor of, or volunteer for, Interrelate who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with reportable conduct and wishes to avail themselves of protection against reprisal for having made the report.

Breaches of general law, organisational policy, or generally recognised principles of ethics include:

- corrupt conduct
- fraud or theft
- official misconduct
- maladministration
- harassment or unlawful discrimination
- serious and substantial waste of public resources
- practices endangering the health or safety of staff, volunteers, or the general public
- practices endangering the environment.

This Policy should be read in conjunction with:

- Clinical Governance Framework
- Code of Conduct
- Workplace Unlawful Behaviour, Conflict and Grievance Policy
- All other Interrelate Policies and Procedures