
Whistleblower Protection Policy and Procedure

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PURPOSE OF POLICY

Knoxbrooke requires its Board, staff and volunteers to practice high standards of business and personal ethics in carrying out their duties and responsibilities.

The organisation expects all Board members, staff and volunteers to practice honesty and integrity in fulfilling their roles and to comply with all applicable laws and regulations.

DEFINITIONS

A whistleblower is an employee or volunteer of an organisation who reports misconduct, dishonest behaviour or illegal activity that has occurred within the organisation.

POLICY

Knoxbrooke is committed to the highest standards of legal, ethical and moral behaviour and has in place a Whistleblower Protection Policy to ensure its employees and volunteers are aware of their protective rights when reporting any misconduct, dishonest behaviour or illegal activity.

No staff member or volunteer will be personally disadvantaged for reporting wrongdoing: Knoxbrooke is committed to maintaining a workplace environment where legitimate concerns can be reported without fear of retaliation or retribution.

Knoxbrooke strongly supports whistleblowing.

Related:

- *Freedom from Abuse and Neglect Policy and Procedure*
- *Code of Conduct Policy and Procedure*
- *Incident Reporting Policy and Procedure*
- *Whistleblowers Protection Act 2001*

PROCEDURE

1. Knoxbrooke employees and volunteers must immediately report any misconduct, dishonest behaviour or illegal activity that has occurred within the organisation to the General Manager, Chief Executive Officer and/or President of the Knoxbrooke Board of Management. This includes, but is not limited to, allegations of physical or sexual assault.
2. The General Manager, Chief Executive Officer and/or President of the Knoxbrooke Board of Management are responsible for protecting, where possible, the employee or volunteer's identity (referred to as the 'whistleblower' thereafter) and ensure all information provided remains confidential.

3. Information provided by a whistleblower will be assessed, in the first instance, by any two of:
 - the General Manager
 - Chief Executive Officer
 - President of the Board of Management.
4. If required, the whistleblower may be required to complete an incident report or any other report which will be stored on the General Manager or Chief Executive Officer's local computer to isolate the information from being accessible by other staff.
5. Information provided by a whistleblower will not to be discussed with any other person other than providing the mandatory information required by the Department of Health and Human Services (DHHS) and where authorised by law.
6. Information provided by a whistleblower and their identity will be kept confidential, subject to the organisation meeting any legal and regulatory requirements. The whistleblower will be informed should it become necessary to disclose his/her identity
7. If required by law, the whistleblower must make a statement to Victoria Police.
8. Knoxbrooke will treat seriously and investigate in a timely manner any report of misconduct and appropriate corrective action will be taken as identified through the investigation to reduce risk to participants, volunteers or staff. Investigations will be completed with impartiality.
9. The whistleblower will be kept appropriately informed of the investigation's progress and of any decisions/outcomes. The extent to which a whistleblower can be informed of specifics will vary on a case-by-case basis. When available, feedback regarding the investigation's outcome will be provided to the whistleblower.
10. Knoxbrooke will ensure measures are taken to protect a whistleblower against reprisal, which may include, but are not limited to:
 - dismissal or demotion
 - any form of victimisation, intimidation or harassment
 - discrimination
 - current or future bias
 - action causing injury, loss or damage
 - threats (expressed or implied, conditional or unconditional) to cause detriment, as well as actually causing detriment, as a result of making a report under this policy, even if the disclosure is subsequently determined to be incorrect or not substantiated.
11. Knoxbrooke deems it unacceptable to dismiss, demote, suspend, harass or otherwise take adverse action against a whistleblower who makes a report.
12. No whistleblowing details will be included in a staff member or volunteer's personnel file or during a performance review.

Details of any reported conduct and its resolution will be provided to the Knoxbrooke Board of Management in a timely manner. Anonymity and confidentiality requirements will be observed.
13. Any staff member or volunteer who retaliates against anyone who makes a report is subject to disciplinary action themselves, including potential termination of employment or cessation of volunteering.

14. Subject to any protections applicable to whistleblowers under legislation, making a report in accordance with this policy does not protect a person from civil or criminal liability for illegal acts or wrongdoing in which they have been involved and which they are disclosing.

However, if an employee or volunteer blows the whistle and actively co-operates in an investigation in which they may be implicated, there may be some cases where the fact that they have made a disclosure will be taken into account as a mitigating factor when determining actions that may be taken against them.

15. While the reporting of any suspected fraud, corrupt conduct or any other form of inappropriate behaviour would generally be processed through the normal channels of line management, there may be times when an employee or volunteer believes it is inappropriate or difficult for matters to be reported through this method. In such cases, Knoxbrooke will provide employees and volunteers with an alternate method through which to express their concerns in order to protect their identity. This includes but is not limited to allegations of physical or sexual assault.

Responsibilities

A staff member and/or volunteer must:

- immediately report to the General Manager, CEO and/or President of the Knoxbrooke Board of Management any misconduct, dishonest behaviour or illegal activity that has occurred within the organisation
- not discuss such information with any other person other than General Manager, CEO and/or President of the Knoxbrooke Board of Management
- if required, make a statement to police and/or Department of Health and Human Services.

General Manager, CEO and/or President, Board of Management will:

- if appropriate, contact the Victoria Police
- treated seriously and investigate thoroughly any allegations of misconduct, dishonest behaviour or illegal activity that has occurred within the organisation
- seek to resolve and/or rectify any issues identified from the inquiry/investigation
- reduce any risk to other participants, volunteers, staff, volunteers or participants that may be compromised as a result of any allegations of misconduct, dishonest behaviour or illegal activity
- investigate allegations with impartiality
- reported allegations of misconduct and its resolution to the Knoxbrooke Board of Management in a timely manner
- if appropriate, inform a whistleblower of an investigation's progress and/or decisions taken in respect of their report
- ensure a whistleblower's identity remains confidential according to their wishes
- protect a whistleblower from reprisal, discrimination, harassment or victimisation for making the disclosure
- ensure any retaliation for having made the disclosure will be treated as serious wrongdoing under this Policy.