

HR4.10 Whistleblower Protections

Purpose

1. To establish guidelines that encourage the reporting of concerns or suspicions of illegal, unethical or other improper behaviour by any employee, volunteer or other person acting for, or on behalf of SAVVY and to discourage workplace reprisals against employees or volunteers who raise such matters in good faith.

Alignment with Practice Standards

1. Module 2: Provider Governance and Operational Management

Legislative Alignment

1. Nil

Key Responsible Executive

Chief Executive Officer

For More Support

Your People Manager
People and Culture

Policy Statement

1. SAVVY does not tolerate participant abuse, fraud, corrupt conduct, legal or regulatory non-compliance or questionable accounting and auditing matters by its employees.
2. SAVVY takes all reasonable steps to protect employees who make such disclosures from any reprisal or detrimental action following the disclosure.
3. SAVVY has a whistleblower protection system established for the confidential reporting of unacceptable or undesirable conduct. The system enables protected disclosures to be made by SAVVY's employees.

Definitions

1. Whistleblowing - The deliberate, voluntary disclosure of individual or organisational malpractice by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control.

2. Whistleblower - Any employee or volunteer of SAVVY, who, whether anonymously or not, makes or attempts to make a disclosure as defined above.
3. Improper Conduct
 - a. Sexual or serious assault of a participant
 - b. Corrupt conduct
 - c. Fraudulent activity
 - d. Substantial mismanagement of SAVVY resources
 - e. Conduct involving substantial risk to public health and safety, or to the environment, that would, if proven, constitute by a member of SAVVY or its personnel
 - i. a criminal offence
 - ii. reasonable grounds for dismissing or dispensing with, or otherwise
 - iii. terminating, the services of the SAVVY personnel who was, or is, engaged in that conduct
 - iv. reasonable grounds for disciplinary action
 - f. Conduct that would constitute acting in a manner that would be deemed disrespectful to either participants or staff or conduct that would be considered harassment
4. Protected Disclosure - Any good faith communication based on reasonable grounds that discloses or demonstrates an intention to disclose information that may evidence improper conduct.

Procedures

1. Whistleblower Protection System
 - a. SAVVY whistleblower protection system is characterised by the following:
 - i. Confidentiality: SAVVY takes all reasonable steps to protect the identity of the whistleblower. Maintaining confidentiality assists in ensuring reprisals are not made against a whistleblower. However, whistleblowers must recognise that anonymity may hinder investigation of the complaint.
 - ii. Good Faith: This system is based on people acting in good faith to report concerns that they have reason to believe are true. Disciplinary action may be taken against anyone who makes allegations recklessly, maliciously or with foreknowledge that the allegations were false.
 - iii. Non-victimisation of the Whistleblower: SAVVY is committed to the protection of genuine whistleblowers against action taken in reprisal for the making of protected disclosures. It is a disciplinary offence for any staff member or manager of SAVVY to take any punitive action against a whistleblower who has reported in good faith or to engage in behaviour which may be deemed as intimidating or coercive. This includes withdrawal of essential resources and workplace ostracism.
 - iv. Taking Appropriate Action: The CEO ensures disclosures are acted on appropriately and within a reasonable time frame.
 - v. Keeping the Whistleblower Informed: The whistleblower is kept appropriately informed of action taken in relation to his or her disclosure.
 - b. Reporting Complaints: Employees report any complaint of this nature to the CEO who follows procedures similar to those outlined in Policy WS 1.3 Grievance Resolution.
 - c. Complaints about the actions of the CEO are made to the Chairperson.
 - d. Whistleblowers Implicated in Improper Conduct: The act of whistleblowing does not shield whistleblowers from the reasonable consequences flowing from any involvement, on their part, in improper conduct.
 - i. A person's liability for his or her own conduct is not affected by the person's disclosure of that conduct. However, in some circumstances, an admission may be

a mitigating factor when considering disciplinary or other action. This is applied at the sole discretion of the Chairperson

References to other SAVVY policies and external sources

1. HR4.3 Bullying and harassment
2. HR4.4 Grievances resolution
3. HR4.16 Media relations

Summary of attachments

1. Nil

Version Control

1. 1 April 2023 - New Policy Creation