# Whistleblower Policy (Protected Disclosure)

This policy governs the reporting and investigation of disclosures of misconduct, or an improper state of affairs or circumstances, relating to Vision Australia and provides protection to (and where requested, protects the identity of) those making a disclosure.

The policy does not apply to personal, work-related grievances. Refer to Vision Australia’s Grievance Procedure, Workplace Conduct Policy, and Charter of Professional Behaviours for more information.

The policy does not replace Vision Australia’s Client Complaint or Suggestions for Improvement Procedures.

The policy is to be followed if a discloser is a:

* current or former staff member,
* current or former volunteer,
* current or former contractor, or
* current or former Director
* (or a spouse, child or dependent of the above)

who elects to make a disclosure of misconduct, or an improper state of affairs or circumstances, relating to Vision Australia and seeks protection under this policy.

## Protected Disclosure

As required by legislation Vision Australia extends protections against victimisation or detriment for disclosers who make a protected disclosure.

It is not in the public interest for disclosers to suffer as a result of making a disclosure. Detrimental action includes dismissal or disciplinary action and any other action which is detrimental to the discloser. Vision Australia is committed to taking action to protect disclosers.

Neither Vision Australia nor any of its employees, volunteers, contractors or Directors may victimise any discloser who:

* Lawfully discloses information regarding misconduct or an improper state of affairs or circumstances which the discloser reasonably believes constitutes misconduct or an improper state of affairs or circumstances.
* Participates in or otherwise assists with a proceeding relating to misconduct or an improper state of affairs or circumstances relating to Vision Australia.
* Makes a disclosure pursuant to this policy, which the person reasonably believes, constitutes misconduct or an improper state of affairs or circumstances, even if after investigation it is determined that there has not been misconduct or an improper state of affairs or circumstances.

Disclosers do not incur any liability for making a protected disclosure, and further have a legal defense to any action taken against them for defamation or breach of confidence.

This policy does not protect disclosers in relation to possible illegal conduct on the part of a discloser. For example, if a discloser were to hack into a private email account to search for information.

## Purpose

The purpose of this policy is to enable Vision Australia to effectively receive confidential disclosures in a way that will, where requested, protect the identity of the discloser and provide for a secure storage of the information supplied. Under this procedure, disclosers will be protected against victimisation by any person internal or external to Vision Australia.

## Policy

### Responsibilities

Vision Australia has a responsibility to investigate and report to appropriate parties, disclosures of misconduct, or an improper state of affairs or circumstances, relating to Vision Australia.

Disclosers have a responsibility to adhere to the terms of this policy.

### Reporting Allegations

If a discloser has reasonable grounds to suspect the existence of misconduct or an improper state of affairs or circumstances at Vision Australia the details of the misconduct or an improper state of affairs or circumstances should be disclosed.

A person who seeks to make a protected disclosure under this procedure should describe the alleged activity in accordance with the definitions of ‘reportable conduct’ (see [Definitions](#_Definitions)).

Confidential protected disclosures may be made to:

* the (externally managed) FairCall Whistleblower Hotline (1800 500 965 or https://www.kpmgfaircall.kpmg.com.au/VisionAustralia),
* the General Manager People and Culture (mobile - 0401 333 858) (or to another member of Vision Australia’s Leadership Team),
* or to a Director of Vision Australia’s Board (additional contact details are available from the General Manager People and Culture).

A discloser may elect to make an anonymous enquiry or disclosure.

Points to note when considering making a disclosure:

* You may seek confidential advice from the FairCall Whistleblower Hotline or the General Manager People and Culture.
* A strict degree of confidentiality should be maintained in relation to disclosures which may impact the reputation of Vision Australia. Be aware of the potentially negative impact of discussing the disclosure with others.

To the greatest extent possible, all reports submitted regarding a disclosure will remain confidential. All written statements, along with the results of any related investigations will be retained by Vision Australia for at least six years.

### Investigating Allegations

The disclosure will be referred to the FairCall Service who will conduct an initial review to assess whether sufficient information has been disclosed to support an investigation. The FairCall Service will contact the CEO in relation to the disclosure, or in instances where the disclosure relates to the CEO, the FairCall service will contact a Board Director.

The FairCall service may advise that insufficient information has been disclosed to support an investigation in which case the recipient of the disclosure will advise the discloser of this assessment.

Where the FairCall service advises there is sufficient information to support an investigation into the misconduct or improper state of affairs or circumstances, the CEO or Board Director will engage the FairCall service to conduct the investigation.

Disclosers are 'disclosing parties' not investigators. They are not to act on their own to conduct any investigative activities, and have no automatic right to participate in any investigative activities unless requested by investigators.

The discloser should be promptly informed of action that is being taken. They must be informed within six months of making a disclosure. If the discloser is dissatisfied with the conduct of an investigation they should contact the party to whom they made the disclosure (the recipient) to seek resolution.

### Investigation Interviews

Investigation interviews will be conducted in a non-accusatory, neutral, fact finding manner.

Members of the workforce who are interviewed, asked to provide information or otherwise participate in an investigation, have a duty to fully cooperate in the investigative process. To the highest possible degree, requests for confidentiality by participants will be honored within the legitimate needs of law and the investigation. Participants are entitled to protection from victimisation for having participated in an investigation.

A person about whom suspected misconduct is disclosed has a duty to fully cooperate in the investigative process. Where practicable, they will normally be informed of the allegations at the outset of a formal investigation, given an opportunity to respond, and informed of the investigation outcome.

### Corrective Action

Upon considering the outcome of the investigation the CEO or Board Director will determine appropriate corrective action. This may involve reporting any violation to the relevant federal, state or regulatory authorities. Individuals within Vision Australia who are found to have engaged in misconduct will face appropriate disciplinary action, which may include termination of employment or engagement.

Further information regarding this procedure should be directed to the General Manager People and Culture.

**Definitions**

### FairCall Service

The FairCall Serviceis engaged by Vision Australia to receive Protected Disclosures and be available as a third party investigator.

### Reportable conduct

Conduct by a person or persons connected with Vision Australia which, in the view of a discloser is:

1. dishonest;
2. fraudulent;
3. corrupt;
4. illegal (including theft, drug sale/use, violence or threatened violence and criminal damage against property);
5. in breach of Commonwealth or state legislation or local authority by-laws (e.g. Trade)
6. Practices Act or Income Tax Assessment Act);
7. unethical (either representing a breach of the entity’s code of conduct or generally);
8. other serious improper conduct;
9. an unsafe work-practice; or
10. any other conduct which may cause financial or non-financial loss to the entity or be
11. otherwise detrimental to the interests of Vision Australia.

### Corruption

Dishonest activity in which a member of the workforce or Board Director, executive, manager, employee or contractor of Vision Australia acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or entity.

### Fraud

Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. It also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

### Protected Disclosure

A report of reportable conduct (as defined) made under this policy.

### Workforce

All current or former employees, volunteers, contractors/ sub-contractors and any of their employees whilst engaged in work for Vision Australia, as well as consultants or consultants’ employees whilst engaged by Vision Australia and agents whilst acting on behalf of Vision Australia.

### Discloser

A discloser is a:

* current or former staff member,
* current or former volunteer,
* current or former contractor, or
* current or former Director
* (or a spouse, child or dependent of the above)

who elects to make a disclosure of misconduct, or an improper state of affairs or circumstances, relating to Vision Australia and seeks protection under this policy.

## Recipient

Confidential protected disclosures may be made to:

* the (externally managed) FairCall Whistleblower Hotline (1800 500 965 or https://www.kpmgfaircall.kpmg.com.au/VisionAustralia),
* the General Manager People and Culture (mobile - 0401 333 858) (or to another member of Vision Australia’s Leadership Team), or
* a Director of Vision Australia’s Board (additional contact details are available from the General Manager People and Culture).

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