

<h2>Whistleblower Protection Policy</h2>	Effective date	June 2017
	Next review date	June 2020
	Sponsor	Human Resources
	Board committee	Governance
Level / Class Corporate Organisation	Approval / authorisation	TBA

1. REVISION HISTORY

Date	Revision Number	Change(s)	Reference Section(s)

2. PURPOSE

The Whistleblower Protection Policy is intended to ensure that AVI conducts all business with honesty, fairness and integrity by providing a mechanism for the detection, reporting and management of **reportable conduct** (see definition in section 5.2 below).

The aims of this policy are:

- To encourage the identification and reporting of suspected or actual reportable conduct
- To enable AVI to effectively manage incidents of reportable conduct in a manner that will protect the Whistleblower against reprisal
- To clearly outline the step-by-step process for the investigation of reportable conduct, including identification of key positions

3. SCOPE / PERSONS AFFECTED

This policy applies to all The AVI Code of Conduct applies to all AVI workers (see definition in Section 9)).

Appropriate consultation (tick for 'yes', otherwise leave blank)

4. PRINCIPLES

The Whistleblower Protection Policy is based on the principles of honesty, transparency, fairness and professionalism. It prescribes AVI's approach to ensuring that corrupt, illegal or otherwise undesirable conduct is reported, investigated and dealt with in a manner that is ethical, transparent and minimises harm to the organisation and our programs, partners, and employees.

5. POLICY

5.1 Who is a Whistleblower?

A Whistleblower is defined as current AVI worker, office holder, or service provider who makes, or attempts to make a report of corrupt, illegal or otherwise undesirable conduct (**reportable conduct**).

To be considered a Whistleblower eligible for protection under this policy, an individual must:

- Act in good faith, ensuring motivation for the disclosure is honest, genuine and not vexatious in nature; and
- Have reasonable grounds to suspect that reportable conduct has occurred (see definition in section 5.2 below)

5.2 What is Reportable Conduct?

For the purposes of this policy **reportable conduct** is defined as any past, present or expected future activity, behaviour or state of affairs reasonably considered to be:

- Dishonest
- Corrupt
- Fraudulent
- Illegal
- A breach of any law or regulation
- Improper governance and/or financial management (e.g. accounting, internal controls, compliance, audit or other matters of concern)
- A serious impropriety or improper state of affairs or circumstances
- Any behaviour relating to the sexual exploitation and/or abuse of children or adults
- Endangering to health and/or safety
- A serious mismanagement of resources
- Detrimental to the reputation of AVI and/or our programs
- In breach of the Corporations Act (2001) (the Corporations Act)
- Concealing reportable conduct

Reportable conduct usually relates to the conduct of AVI workers, however it may relate to the actions of a third party (e.g. program delivery partner, service provider, supplier, etc).

5.3 Procedure for Raising a Concern

If you believe that the actions of an AVI worker or affiliated individual constitutes Reportable conduct as defined in Section 5.2 (above) there are a number of avenues through which you can raise the matter. You may choose to notify any of the following people as you deem appropriate:

- Your **Line Manager**: if you feel comfortable doing so, and if he/she is not directly or indirectly implicated in the alleged reportable conduct
- A member of the **Human Resources** team
- A member of the AVI **Senior Leadership Team**
- The AVI **Company Secretary** (noting that this role is currently held by the CEO)
- A member of the AVI **Board of Directors**

If you choose to notify a member of the AVI Board of Directors, the initial disclosure should be made using the board@avi.org.au email address. Please note that this email inbox is monitored by the Executive Assistant to the CEO and Board.

If you prefer to report anonymously, you should use the **Whispli** reporting tool. Whispli works as follows:

1. An individual reports anonymously from any web-enabled device. Access will be granted through a pre-configured reporting form via a QR code or unique URL
<https://app.whispli.com/AVI-reporting-form>
2. Whispli encrypts the information using high grade 256 Bit encryption. It then deletes the informant's IP address so their identity is never revealed.
3. AVI receives the information instantly. AVI then initiates a secure two-way communication process with the whistleblower, who can remain anonymous if they wishes
4. AVI manages the whole case within Whispli. All files, information and communication remain in one secure, fully auditable place.

Access to reporting is via this link: <https://app.whispli.com/AVI-reporting-form>

5.4 Anonymous Reporting and Confidentiality

If you report a concern, every effort will be made to keep your identity confidential as far as is possible. To ensure the investigation of alleged reportable conduct is not jeopardised, and to ensure the principles of natural justice are adhered to, you will be expected to keep the fact that you have raised a concern, the nature of the concern and the identity of those involved, confidential. There may be circumstances under which, due to the nature of the report or investigation, it will be necessary to disclose your identity. If it is our view that such circumstances exist, or may do so in the future, we will make every effort to inform you that your identity is likely to be disclosed. If it is necessary for you to participate in the investigation, the fact that you made the original disclosure will, so far as is reasonably practicable, be kept confidential and all reasonable steps taken to protect you from victimisation or detriment as a result of the disclosure.

Please note that whilst AVI accepts that anonymous disclosures are sometimes necessary, they can be difficult to investigate and act upon, particularly in the absence of corroborating evidence.

6. Investigation

Investigations of reportable conduct will be carried out in a manner that is fair, objective and as far as is practicable, confidential. All information and documented evidence will be held securely and in the strictest confidence as far as is appropriate. All reports received by an internal AVI stakeholder in reference to this policy will be assigned to a **Whistleblower Investigation Officer (WIO)**.

The Whistleblower Investigation Officer will be someone who is able to act with total independence and is not in any way implicated (directly or indirectly) in the allegation. The WIO may be an AVI staff member or an external stakeholder as appropriate to the circumstances, and may be one of the following:

- A member of the Human Resources team
- A member of Senior Leadership team
- A member of the AVI Board of Directors
- An external investigator appointed by AVI

The role of the WIO is to investigate the substance of the report to determine whether there is evidence in support of the matter raised or, alternatively, to refute the report made.

AVI will aim to begin an investigation within **two (2)** weeks of receiving the initial report. All disclosures will be taken seriously and the following procedure will be used:

1. The reporting individual must make the report in writing. The report can be submitted directly to the WIO or through a line manager, Human Resources, a member of the AVI Senior Leadership team or the CEO. Alternatively, the individual may wish to report anonymously via Wispli
2. The WIO will undertake an initial assessment of the report and determine whether there is grounds for a more detailed investigation to take place
3. The reporting individual may be asked to provide more information to assist with the investigation
4. If deemed necessary after the initial assessment, the WIO will fully investigate the report, seeking additional information and evidence as required.
5. If the report is substantiated, appropriate action will be taken. This may involve activation of disciplinary procedures, or may require notification of external authorities if criminal activity has taken place.
6. The reporting individual will receive written notification of the outcome of the investigation. The outcome is likely to be one of the following;
 - a. The allegation could not be substantiated and thus no further action will be taken
 - b. Action has been taken to ensure the issue does not arise again. Note: the reporting individual will not be advised of specific action taken against the person(s) involved as this may represent a confidentiality breach
 - c. The matter has been referred to relevant authorities

Note that if the report is made to an external party (e.g. ACFID, ASIC) investigation of the matter will be managed by the external party and will not be subject to the prescriptions of this policy.

7. Protection from Victimisation

Protection from victimisation and personal or financial disadvantage applies to anyone who makes a report, in good faith, under this policy. AVI is committed to providing appropriate and timely support to do so.

AVI will not tolerate retaliation or adverse action taken against an individual making a whistleblowing disclosure. Retaliation or adverse action may include, but is not limited to; dismissal, bullying, harassment and/or discrimination.

8. False Disclosures

AVI will treat all disclosures of reportable incidents seriously and will protect staff who raise concerns in good faith. However, appropriate disciplinary action will be taken in accordance with the Disciplinary Procedure outlined in the AVI Enterprise Agreement 2014 against any individual found to have made a disclosure maliciously, that they know to be untrue. This may result in the individual's employment being terminated.

9. DEFINITIONS

Whistleblower: A Whistleblower is defined as anyone who makes, or attempts to make a report under this policy of corrupt, fraudulent, illegal or otherwise undesirable conduct. Refer to clause 5.1.

Reporting Individual: Used interchangeably with 'Whistleblower' for the purposes of this policy.

Reportable conduct: Any past, present or expected future activity, behaviour or state of affairs reasonably considered to be dishonest, corrupt, fraudulent, illegal or otherwise undesirable conduct. Refer to clause 5.2.

Whistleblower Investigation Officer: The lead investigator, identified as a person who can act with total independence and is not in any way implicated (directly or indirectly) in the allegation. The WIO may be an AVI staff member or an external stakeholder as appropriate to the circumstances.

AVI Worker: employees, consultants, contractors, office volunteers, interns, the AVI Board, or anyone engaged to undertake work for the organisation and/or its programs.

10. RELATED POLICIES

AVI Code of Conduct

Equal Employment Opportunity (Anti-bullying and Harassment) Policy

11. REFERENCES

Corporations Act (Cth) 2001

<http://www.asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/guidance-for-whistleblowers/>

END