



# WHISTLEBLOWER POLICY

## 1 Context

### 1.1 Context

St Vincent de Paul Society Queensland (SVdP) is committed to maintaining a culture where ethical conduct is valued. Guided by the seven key values outlined in the Code of Conduct, SVdP recognises the importance of encouraging and protecting Eligible Persons who raise instances of Reportable Conduct. The provision of a safe and efficient process of disclosing Reportable Conduct is a key way of promoting transparency, accountability and adherence to our policies, procedures, contracts and overall ethos and values.

A reference to SVdP includes St Vincent de Paul Society Queensland Housing (Vinnies Housing), as the context requires.

## 2 Statement

### 2.1 Statement

This policy aims to:

- (a) encourage every Eligible Person to disclose instances of Reportable Conduct without fear of intimidation, disadvantage or reprisal;
- (b) provide protection for every Eligible Person who discloses instances of Reportable Conduct;
- (c) outline the procedures for reporting and investigating reported matters; and
- (d) outline the measures in place to protect Whistleblowers.

## 3 Scope

### 3.1 Scope

This policy applies to disclosures of Reportable Conduct by an Eligible Person.

This policy does not apply to Grievances, which are more appropriately dealt with under SVdP's Grievance Resolution Policy.

## 4 Definitions

### 4.1 Eligible Person

This policy applies to an Eligible Person, which includes a person who is, or has been:

- (a) an employee of SVdP (including apprentices, trainees, work experience students);
- (b) an officer of SVdP;
- (c) an individual who supplies services or goods to SVdP (including current and former contractors, consultants, service providers and business partners);
- (d) a relative, dependant or spouse of a person listed in (a) - (c) above;
- (e) a Volunteer; or
- (f) a Member (including volunteer members) of SVdP.

### 4.2 Good Faith

Good faith means to report a matter without having regard for one's own interests, and acting in a fair, open and honest manner. Whistleblowers must conduct themselves in good faith, with a reasonable belief in the accuracy of the matters they raise.



### 4.3 Grievances

Complaints about Grievances are not covered by this policy. A Grievance includes a grievance about any matter in relation to the discloser's employment, or former employment, which does not concern conduct, or alleged conduct, that falls within the describing of Reportable Conduct.

Grievances may include but are not limited to, complaints regarding:

- (a) inappropriate behaviour;
- (b) discrimination, harassment or bullying;
- (c) interpersonal conflicts and communication issues;
- (d) decisions relating to the terms and condition of engagement;
- (e) decisions to suspend, terminate or other disciplinary actions;
- (f) decisions regarding engagement, transfer, promotion or remuneration;
- (g) performance management processes;
- (h) outcome of internal recruitment processes;
- (i) workload, working hours or allocations of duties and responsibilities; or
- (j) reasonable management action taken in a reasonable way.

A person wishing to make a complaint about these types of matters should refer to SVdP's Grievance Resolution Policy as such Grievances do not fall within the scope of this policy.

### 4.4 Reportable Conduct

Reportable Conduct that can be the subject of a protected Whistleblower report under this Policy, is anything the Eligible Person has reasonable grounds to suspect concerns misconduct or an improper state of affair or circumstances.

Examples of things that may be considered misconduct or an improper state of affair or circumstances includes, but is not limited to:

- (a) illegal activities (including theft, drug sale/use, violence, or criminal damage against SVdP's assets/property) and/or a failure by the SVdP to comply with any legal obligation; unethical or serious breaches SVdP's policies, protocols or codes of conduct;
- (b) dishonesty, fraud or corruption; unethical behaviour;
- (c) unsafe work practices (including environmental damage, health risks and serious and substantial waste of SVdP's resources);
- (d) acts or omissions in breach of commonwealth or state legislation or local authority by-laws;
- (e) other serious improper conduct (including gross mismanagement or repeated breaches of administrative procedures);
- (f) any other conduct which may cause financial or non-financial loss to SVdP or otherwise damage or be detrimental to its reputation or interests, or any of its employees; or
- (g) the deliberate concealment of information tending to show any of the matters listed above.

### 4.5 Whistleblower

Whistleblower means an Eligible Person who discloses an allegation or concern of Reportable Conduct to SVdP.



## 5 Reporting

### 5.1 Reporting

Any Eligible Person who in good faith has reasonable grounds to suspect that Reportable Conduct, as defined in clause 4.1, of this policy, has occurred should report in accordance with this policy.

An Eligible Person can report Reportable Conduct to:

- (a) their direct line manager;
- (b) Vinnies Housing Board;
- (c) Vinnies Housing CEO;
- (d) SVdP's State Council;
- (e) SVdP's CEO;
- (f) the Head of Internal Audit & Assurance;

Listed below are the contact channels for reporting to SVdP's Head of Internal Audit & Assurance:

(a) Email: [whistleblower@svdpqld.org.au](mailto:whistleblower@svdpqld.org.au);

(b) In writing to:  
Private and Confidential  
Head of Internal Audit & Assurance  
St Vincent de Paul Society Queensland  
P O Box 3351  
South Brisbane 4101

(c) By Phone: Head of Internal Audit & Assurance (07) 3010 1024

All disclosures should provide specific, adequate and pertinent information and particulars with respect to, among other things, dates, places, persons, witnesses, supporting documentation and evidence, and other relevant information, in order to allow for a reasonable investigation to be conducted.

Allegations of Reportable Conduct will be passed on to the Internal Audit for investigation based on sufficient evidence and information being supplied.

An Eligible Person can also report Reportable Conduct to:

- (a) the Australian Securities and Investments Commission;
- (b) the Australian Prudential Regulation Authority; or
- (c) a legal practitioner for the purpose of getting advice about the operation of Part 9.4AAA of the Corporations Act 2001.

### 5.2 Confidentiality and anonymity

A Whistleblower may report suspected or actual Reportable Conduct anonymously and/or confidentially. An Eligible Person may also choose to remain anonymous over the course of the investigation of the allegation(s), and after the investigation is finalised.

If a Whistleblower chooses to remain anonymous SVdP notes that:

- (a) The information disclosed may be disclosed to others, for the purposes of investigating the allegation; and



- (b) All reasonable steps will be taken to ensure that information provided is not likely to lead to the identification of the Whistleblower, for example through document redaction or the use of pseudonyms.

If a Whistleblower chooses to remain anonymous, they can refuse to answer questions they feel could reveal their identity at any time, including during any follow-up conversations.

In order for the Whistleblower to ensure availability to provide SVdP feedback or further additional details, while protecting their anonymity, an Eligible Person may adopt a pseudonym for the purpose of their disclosure, and/or communicate through an anonymous telephone number or email address.

Privacy and confidentiality will be maintained as far as reasonably possible.

Failure to report suspected or actual cases of Reportable Conduct may result in disciplinary action.

## 6 Actioning the Report

### 6.1 Actioning the Report

Once a disclosure has been received from a whistleblower SVdP will consider the most appropriate action. Every disclosure will be dealt with on a case-by-case basis.

Typically, and subject to the circumstances of the case, the following steps may be taken upon receipt of a report by a Whistleblower:

- (a) Preliminary assessment of whether the disclosure relates to Reportable Conduct. The Whistleblower will be notified if the disclosure is not considered to relate to Reportable Conduct and if the matter is better dealt with under another policy;
- (b) An investigation of the alleged conduct may be commenced, either by an appropriate person or a group of people, such as a committee, either internally or externally;
- (c) A Whistleblower may be asked to provide further particulars (such as the date, time and circumstances of the conduct suspected to be Reportable Conduct) and/or provide relevant supporting documents;
- (d) Relevant witnesses may be interviewed and evidence may be collected;
- (e) Persons named in the allegations may be given an opportunity to respond to any allegations concerning them;
- (f) A finding may be made as to whether any allegations are substantiated;
- (g) Disciplinary action may be considered and taken if allegations of wrongdoing are substantiated; and
- (h) Subject to confidentiality considerations, SVdP may share with the Whistleblower (and any person named in the allegations) that the investigation has been completed and whether any allegations raised have been found to be substantiated or not substantiated, to the extent permitted by law.

Any investigation in relation to a disclosure of Reportable Conduct will be conducted promptly and fairly, with due regard for the nature of the allegation and the rights of the persons involved in the investigation.

The length of time it will take to deal with a report of Reportable conduct will depend on the circumstances of the case. SVdP aims to deal with all allegations of Reportable Conduct as expeditiously as practicable in the circumstances.

Any evidence gathered during an investigation, including any materials, documents or



records, must be held by the investigator, and held securely, to ensure confidentiality and to preserve the protections afforded under this policy. Evidence relating to Reportable Conduct involving the Internal Auditor, CEO or a member of the Board should be securely held by SVdP's external auditors.

If a Whistleblower makes a report of Reportable Conduct anonymously, which does not contain sufficient information to investigate, and the Whistleblower has not provided a means of contact, SVdP may not be able to conduct an investigation.

## 7 Protection of Whistleblowers

### 7.1 Protection

To the maximum extent possible, Whistleblowers who report suspected or actual Reportable Conduct with reasonable grounds under this policy will be protected from an adverse action because of their report, including but not limited to:

- (a) dismissal;
- (b) injury to an employee in his or her employment (including but not limited to demotion, suspension or alteration of position or duties to the employees disadvantage);
- (c) any form of harassment or intimidation;
- (d) harm or injury, including psychological harm;
- (e) damage to property, reputation or business or financial position;
- (f) discrimination; or
- (g) current or future bias.

Any adverse action against a Whistleblower is a serious breach of this policy and may result in disciplinary action, including dismissal.

Any persons who participate, or assist in, an investigation involving reportable conduct will also be protected pursuant to this policy. Any such persons involved in an investigation, including the Whistleblower, must maintain confidentiality in respect of the matters being investigated.

Whistleblowers will be protected, even if the allegations prove to be incorrect or unsubstantiated (although an Eligible Person who maliciously or vexatiously makes a disclosure of Reportable Conduct, makes a report other than in good faith, who makes false allegation of Reportable Conduct, or who breaches confidentiality, may be subject to disciplinary action).

SVdP will not take any adverse action against a Whistleblower because they have made a disclosure of actual or suspected Reportable Conduct, which is suspected with reasonable grounds, unless the Whistleblower is a participant of the Reportable Conduct with respect to which the disclosure is made. The fact that the Whistleblower has made the disclosure may be taken into account in determining the severity of the disciplinary measures, if any, that may eventually be taken against such Whistleblower.

However, Whistleblower protections do not extend to actions, issues or conduct which is unrelated to the Reportable Conduct. For example if a Whistleblower reports a fraud, and is later, and in an unrelated manner accused of bullying, the bullying allegation may be investigated and remedial or disciplinary action may be taken.

### 7.2 Liability Protection

A Whistleblower will be protected from any of the following in relation to their report of Reportable Conduct:



- (a) civil liability (including but not limited to breach of contract, duty of confidentiality or other contractual obligation);
- (b) criminal liability (except in cases of false disclosures); and
- (c) administrative liability.

For the avoidance of doubt, the protections outlined in this Policy do not grant immunity for any misconduct a Whistleblower has engaged in which is revealed in their report.

### 7.3 Compensation and Other Remedies

A Whistleblower may seek compensation and/or other remedies through the courts if:

- (a) they suffer loss, damage or injury because of a disclosure; and
- (b) SVdP failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct

## 8 Fair Treatment of Persons named in a Disclosure

### 8.1 Fair treatment of individuals named in a disclosure

SVdP endeavours to provide natural justice and fair treatment to any person named, including the person subject of the allegations of Reportable Conduct. Although every Eligible Disclosure will be dealt with on a case-by-case basis, the process may include providing the person with:

- (a) notice and details of any allegations that have been made about them that are not trivial and that have potentially been made on reasonable grounds;
- (b) a reasonable opportunity to respond to the allegations within a reasonable timeframe;
- (c) referral to a counsellor, an Employee Assistance Program (if appropriate) or other support; and
- (d) subject to confidentiality considerations, notice that the investigation has been completed and whether any allegation against the person has been found to be substantiated or not substantiated, to the extent permitted by law.

## 9 Non-Compliance

### 9.1 Non-Compliance

Any breach of the obligations contained in this policy may result in disciplinary action being taken up to and including termination.

## 10 Review

### 10.1 Review

This policy:

- (a) will be made available to all employees and the general public;
- (b) will be reviewed periodically and updated as required; and
- (c) may be varied at SVdP's absolute discretion without notice and without limitation.

## 11 Related Documents

- Fraud Policy
- Grievance Resolution Policy