

# WHISTLEBLOWER POLICY

Policy number [WBS012020](#)

Drafted by [ourcommunity.com.au](#)

Responsible Person: Daphne Sidney

Version [V2.0](#)

Approved by board for [Jan 1<sup>st</sup> 2020](#)

Scheduled review date: [July 2022](#)



**GRACE COMMUNION**  
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## INTRODUCTION

The board of Grace Communion International is committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with sound organisational policy and procedures), and ethically (in accordance with recognised ethical principles). Employees are expected to cooperate with the organisation in maintaining legal, proper, and ethical operations, if necessary, by reporting non-compliant actions by other people. Correspondingly, employees who do assist in maintaining legal, proper, and ethical operations should not be penalised for making appropriate disclosures.

All officers, employees, contractors or volunteers of Grace Communion International will be made aware of this policy and the avenues available to report instances of, or suspicions, of illegal or corrupt behaviour. A copy of the policy will be available to all officers and employees, and associates. Contractors or volunteers may be provided a copy upon request.

## PURPOSE

The purpose of this policy is to:

Encourage the reporting of matters that amount to;

- a) Misconduct;
- b) enable Grace Communion International to deal with reports from Whistleblowers in a way that will protect the identity of the Whistleblower as far as possible and provide for the secure storage of the information provided;
- c) establish policies for protecting Whistleblowers against detriment for making a report by any person internal or external to the entity;
- d) help to ensure Grace Communion International maintains the highest standards of ethical behaviour and integrity.

## POLICY

### Concerns regarding illegal or corrupt behaviour

Where a Whistleblower believes in good faith on reasonable grounds that any other employee, volunteer, associate or contractor has engaged in Misconduct, that employee must report their concern in accordance with this Policy.

So far as possible, the Whistleblower shall not suffer any detriment from the organisation for reporting Misconduct provided that their actions:

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made shall:

- if they believe the behaviour reported to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision;
- if they believe the behaviour reported to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice<sup>3</sup> and the provisions of procedural fairness.

Where a Whistleblower is implicated in reports of Misconduct which are investigated and found to be substantiated, the protections under this policy will not apply to any disciplinary action taken by Grace Communion International in relation to the Misconduct itself.

Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organization.

## AUTHORISATION

David Jordison  
Board Approval Jan 2020  
Grace Communion International

# WHISTLEBLOWER PROCEDURES

## WHISTLEBLOWER PROCEDURES

Procedures number 1

Version V 2.0

Drafted by David Jordison

Approved by Superintendent of

Responsible person John McLean

Australasia on July 2019

Review date July 2022

### RESPONSIBILITIES

The organisation's board is responsible for adopting the Whistleblower policy, and for nominating the organisation's Whistleblower Protection Officer (WPO).

The Whistleblower Protection Officer is responsible for:

- (a) coordinating an investigation into any report received from a Whistleblower, and
- (b) documenting and handling all matters in relation to the report and investigation, and
- (c) finalising all investigations.

The organisation's Superintendent, Australasia is responsible for the implementation of the Whistleblower policy.

### DEFINITIONS

A Whistleblower is an officer, employee, associate, contractor or volunteer of Grace Communion International who reports Misconduct in accordance with this policy.

"Misconduct" includes conduct that:

- constitutes an offence against, or a contravention of, a provision of any of the following:
  - The Corporations Act 2001;
  - The ASIC Act 2001;
  - The Banking Act 1959;
  - The Financial Sector (Collection of Data) Act 2001;
  - The Insurance Act 1973;
  - The Life Insurance Act 1995;
  - The National Consumer Credit Protection Act 2009;
  - The Superannuation Industry (Supervision) Act 1993;
- Constitutes an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
- Represents a danger to the public or the financial system.

Reports regarding occupational health and safety should where possible be made through the organisation's occupational health and safety procedures.

## PROCESSES

### External reporting entities

The board may nominate external persons to whom or agencies to which disclosures may be made under the protections offered under this policy. Where such a nomination is made, staff and volunteers should be informed by any appropriate method.

### Reporting

Where a Whistleblower believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached general law, organisational policy, or generally recognised principles of ethics, and wishes to report their concern, that employee must report their concern to

- their supervisor: or, if they feel that their supervisor may be complicit in the breach,
- the Superintendent of Australasia: or, if they feel that the Superintendent of Australasia may be complicit in the breach,
- the organisation's nominated Whistleblower Protection Officer, or
- the independent organisation nominated by the organisation to receive such information, that online service being :

<https://www.whistleblowing-service.com.au/GCI>

- Use the Unique Key: **GCI2020**
- Use Client Reference Number: **zscgf2020**  
(Complete the form by entering the information requested)

; or (where a breach of general law is alleged)

- the duly constituted legal authorities responsible for the enforcement of the law in the relevant area.

These procedures do not authorise any Whistleblower to inform commercial media or social media of their concern.

The Whistleblower should be informed that

- as far as lies in the organisation's power, the employee will not be disadvantaged for the act of making such a report; and
- if the Whistleblower wishes to make their report anonymously, their wish shall be honoured except insofar as it may be overridden by due process of law; however,
- reporting such a breach does not necessarily absolve the Whistleblower from the consequences of any involvement on their own part in the misconduct reported.

Any such report should where possible be in writing and should contain, as appropriate, details of

- the nature of the alleged breach;
- the person or persons responsible for the breach;
- the facts on which the Whistleblower's belief that a breach has, or may have occurred, and has been committed by the person named, are founded;
- the nature and whereabouts of any further evidence that would substantiate the Whistleblower's allegations, if known



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Evidence to support such concerns should be brought forward at this time if it exists. The absence of such evidence will be taken into account in subsequent consideration of whether to open an investigation into the matter. However, absence of such evidence is not an absolute bar to the activation of the organisation's investigative procedures. The existence of such a concern is sufficient to trigger reporting responsibilities.

In contemplating making a report of Misconduct pursuant to this policy, a potential Whistleblower should consider whether the matter of concern may be more appropriately raised under either the organisation's constitutional grievance procedures or its disputes resolution policy.

## Confidentiality and Anonymity

The organisation must take all reasonable steps to keep the identity of the Whistleblower confidential.

If the Whistleblower wishes to make their report anonymously, their wish shall be honoured except insofar as it may be overridden by law.

The Whistleblower's right to confidentiality or anonymity regarding their identity may be waived with the express consent of the Whistleblower.

The Whistleblower should, however, be informed that the maintenance of such anonymity may mean that a proper investigation may not be possible upon receipt of an anonymous report, as the inability to make inquiries and seek further information from the disclosure may limit the scope of any potential investigation.

The Whistleblower is also required to maintain confidentiality regarding the issue on their own account and to refrain from discussing the matter with any unauthorised persons.

## Investigation

On receiving a report of a breach, the person to whom the disclosure is made shall

- if they believe the behaviour reported to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision;
- if they believe the behaviour reported to be neither trivial nor fanciful, put in motion the investigation process described below.

The person to whom the disclosure was made shall notify the Superintendent of Australasia within 72 hours of receiving the disclosure (unless the Superintendent of Australasia is the subject of the disclosure), who shall be responsible for ensuring that an investigation of the charges is established and adequately resourced. If the Superintendent of Australasia is the subject of the disclosure, their obligations under this Part shall be assumed by the organisation's Whistleblower Protection Officer.

The Superintendent of Australasia may appoint an investigator to investigate the report of misconduct, including an external investigator where necessary. The investigator must be a person who does not have any connections to the persons or issues under investigation.

Terms of reference for the investigation will be drawn up, to clarify the key issues to be investigated.

An investigation plan will be developed to ensure all relevant questions are addressed, the scale of the investigation is in proportion to the seriousness of the allegation(s) and sufficient resources are allocated.

Strict security will be maintained during the investigative process.

The investigation will be conducted in a fair and transparent manner, affording principles of natural justice to any persons implicated in a report of misconduct and preserving the confidentiality to the greatest extent possible of the person.

All information obtained will be properly secured to prevent unauthorised access.

All relevant witnesses will be interviewed and documents examined.

Contemporaneous notes of all discussions, phone calls and interviews will be made.

Where possible, interviews will be taped.

The principles of procedural fairness (natural justice) will be observed<sup>3</sup>. In particular, where adverse comment about a person is likely to be included in a report, the person affected will be given an opportunity to comment beforehand and any comments will be considered before the report is finalised.

The person or persons conducting the investigation shall be as far as possible unbiased.

Investigations regarding disclosures made should be conducted and completed in 21 days. Should the investigation not be completed within 21 days, the Superintendent of Australasia must be informed of the delay. All persons subject to the disclosure and the Whistleblower must be notified of the additional time required to complete the investigation.

Any persons implicated in allegations of misconduct by a Whistleblower pursuant to this policy will be informed of the substance of the allegations, have the opportunity to respond to the investigator about the allegations and be informed of the outcome of the investigation.

## Findings

A report will be prepared when an investigation is complete and provided to the Superintendent of Australasia within 7 days of the conclusion of the investigation. Any person implicated in the allegations must be informed of the outcome of the investigation.

This report will include:

- the allegations
- a statement of all relevant findings of fact and the evidence relied upon in reaching any conclusions
- the conclusions reached (including the damage caused, if any, and the impact on the organisation and other affected parties) and their basis
- recommendations based on those conclusions to address any wrongdoing

identified and any other matters arising during the investigation.

## Information to be provided to Whistleblower

Subject to considerations of the privacy of those against whom the allegations are made and customary practices of confidentiality, the Whistleblower will be kept informed of:

- relevant progress of an investigation
- relevant outcomes of an investigation.

## Protection of Whistleblower

Where the investigation has found that the person making the allegation acted in good faith on reasonable grounds, the person to whom the Whistleblower's report was made shall be responsible for ensuring that the person suffers no detriment, or the threat of detriment, for making a disclosure.

Detriment may include, but is not limited to:

Dismissal of the person as an employee with the organization, or alteration of the employee's Duties or position;

- Discrimination against the person as an employee as compared to other employees;
- Harassment or intimidation;
- Harm or injury to the person (including psychological harm);
- Damage to the person's property, reputation or business or financial interests;
- Threats of any of the above.

## Related documents

- Code of Ethics

## Authorisation

Daphne Sidney  
Jan 2020

<sup>3</sup> Natural justice and procedural fairness do not require that the person affected be informed of the identity of the person making the initial disclosure, unless that communication constitutes part of the evidence relied upon in making the eventual finding.