



Whistleblower Policy

A/1.6

Introduction

At Uniting Church Australia, Queensland Synod we are guided by our values and are committed to compliance with all applicable laws, regulations and codes that affect our business and practices. The Uniting Church insists on a standard of ethical and honest behaviour by all its employees, ministry agents, volunteers, contractors, members or advisors in the performance of their roles and in interactions with our stakeholders.

Purpose

To assist compliance with our standards and values, we have established the Whistleblower Policy (Policy) to afford all employees, ministry agents, volunteers, contractors, members or advisors protection and confidentiality so they can raise concerns regarding misconduct (including unethical, illegal, corrupt or other inappropriate conduct) without victimisation, harassment or discrimination.

Scope

This Policy applies to:

- all functions and activities of the Uniting Church in Australia which occur within, or in relation to, functions and activities within the bounds of the Queensland Synod;
- all functions and activities of the Uniting Church in Australia which occur outside the bounds of the Queensland Synod which are managed by parts of the organisation located within the bounds of the Queensland Synod; and
- all Queensland Synod employees, ministry agents, volunteers, contractors, members or advisors.

This policy applies in addition to any other Whistleblower Policy and processes adopted by any part of the Queensland Synod in relation to that part's specific functions or activities. In the event of an inconsistency between this policy and any other Whistleblower policy or process, this policy prevails. This policy does not apply to Personal Work-Related Grievances and does not replace other reporting structures such as those for child protection, dispute resolution, discrimination or matters relating to workplace bullying or harassment.

Policy

1. Matters that can be disclosed or reported

This Policy applies where a person makes a disclosure of reportable conduct. Reportable conduct (or matters) means any conduct (suspected or actual) that includes but is not limited to:

- dishonest or fraudulent activity
- unlawful, corrupt or irregular use of Queensland Synod funds or practices
- illegal activities (including theft, dealing in or use of illicit drugs, violence or threatened violence and criminal damage against property)
- unreasonably endangers health and safety or the environment
- a serious or substantial waste of the Queensland Synod's money or property
- unethical behaviour, including anything that would breach any of the Codes of Conduct
- a breach of any legislation relating to Queensland Synod's operations or activities
- behaviour that is oppressive, discriminatory or grossly negligent.



2. Making a disclosure or report

2.1. Responsibility to report

The Queensland Synod relies on disclosures to help maintain and grow its culture of values, principles and honest and ethical behaviour. It is expected that anyone who becomes aware of or suspects reportable conduct will make a report.

2.2. Internal reporting

Whistleblowers are encouraged in the first instance to report any concerns to their immediate direct line manager, ministry agent or committee chair. If the whistleblower is not comfortable approaching that person, the concern relates to that person or they have previously reported the concern and no action has been taken, then alternative reporting is available.

2.3. Alternative reporting

Where reporting is not appropriate through the usual direct line channels, whistleblowers may report their concerns to any manager, executive or the Associate General Secretary or may contact the Whistleblower Officer designated for their entity or employer. The Whistleblower Officer is named in the definitions to this policy and is responsible for receiving whistleblower disclosures and reports and oversees the resolution. Reports can be made in person, by phone or by email.

If the whistleblower has a reasonable belief an internal investigation would not be sufficiently independent, a report may be made to a relevant external body such as the Australian Securities & Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA).

2.4. Anonymous reporting

A disclosure or report may be done anonymously. Whilst the whistleblower is encouraged to share their identity as it will make it easier when addressing concerns, it is not a requirement. The investigation and assessment of concerns will occur in the same way, however there may be some practical limitations which may affect a satisfactory resolution.

The Queensland Synod is committed to fairness and equity and every effort will be made to reach a satisfactory resolution regardless of the reporting mechanism chosen by the whistleblower.

2.5. Confidentiality

All information received via any reporting mechanism will be treated confidentially and sensitively. If a disclosure is made, the identity of the whistleblower (or any information which may identify them) will not be shared unless:

- consent is given from the whistleblower; or
- the disclosure is required or authorised by law.

When a disclosure or report is investigated, it may be necessary to reveal certain information to other Queensland Synod personnel or external parties. If this is required, all reasonable steps will be taken to protect the identity of the whistleblower and all reasonable steps will be taken to ensure the identity and information remains secure. Unauthorised disclosure of information that could prejudice confidentiality and/or the identity of the whistleblower will be regarded seriously and may result in disciplinary action.

2.6. Support and protection for disclosure

A whistleblower will not be subject to any civil, criminal or disciplinary action for making a report covered by this policy or for participating in any subsequent investigation. The Queensland Synod prohibits all forms of retaliation or detrimental conduct against the whistleblower. All reasonable steps will be taken to ensure that the whistleblower will not be subject to any form of victimisation, discrimination, harassment, demotion, dismissal or prejudice because they have made a report. However, this policy will not protect the whistleblower if they are also involved in, or connected to, the improper conduct or activities that are the subject of the report.



The whistleblower should immediately inform the Whistleblower Officer if they are being, or have been, subject to detrimental conduct or they feel their report or disclosure has not been dealt with in accordance with this policy.

Support available for whistleblowers under this Policy includes:

- access to an approved Employee Assistance Program (EAP)
- support from a senior leader, executive, council chair or ministry agent within the Queensland Synod.

2.7. Reasonable basis for making a report or disclosure

When making a disclosure or report, the whistleblower is expected to have reasonable grounds to believe the information they are reporting is true and accurate. There will be no penalty or ramifications if, upon investigation, the information is determined to be false or incorrect. However, if it is determined that a report or disclosure was made vexatiously or maliciously or the whistleblower knew the information was untrue and misleading then this may result in disciplinary or legal action. Any person who receives a report or disclosure from a whistleblower must notify the Whistleblower Officer within one business day and provide particulars and maintain confidentiality.

3. Investigations

3.1. Investigating a report

Assessment of the initial report will be undertaken within two business days. Preliminary enquires will be completed and, if it is determined that the allegations are unfounded, then the whistleblower will be informed, and the matter concluded. Dependent on the circumstances, the Whistleblower Officer in collaboration with the relevant executive or the Executive Director Risk and Assurance* will determine if the person who has been implicated is to be advised of the suspicions raised. However, if the enquires indicate possible concerns, an investigation will be commenced and conducted by the Whistleblower Officer or an independent person.

Investigations will follow a fair process and be conducted in a reasonable timeframe. Independent investigations will be completed to ensure there is no connection to persons implicated. The objective of the investigation is to gather evidence relating to the claims made to either substantiate or refute them.

The investigation process will be determined on a case-by-case basis dependent on the entity conducting the investigation and the scenarios involved. Whistleblower Officers across several entities may work in partnership to ensure the protection of the whistleblower and confidentiality and fairness are maintained.

3.2. Investigation findings

The investigation will conclude with a report from the Whistleblower Officer and will include findings on the allegations and a summary of the evidence on which the findings are based. Findings will be provided to the whistleblower and the person to whom the allegations have been made unless restricted by applicable laws.

Where an investigation does not substantiate the report, the fact that an investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the report must be handled confidentially. If the investigation confirms there may be a case for a person to answer, the person who is the subject of the report must:

- be informed of the substance of the findings
- be given a fair and reasonable opportunity to respond to the findings
- have their response set out fairly in the report
- be informed about the substance of any adverse conclusions or repercussions that may occur.



Depending on the circumstances of the reported matter, it may be necessary to involve an external entity such as the Police or other statutory body. This will be determined by the Whistleblower Officer and the Executive Director Risk and Assurance*. The Whistleblower Officer must complete the investigation within 45 days from the date of receipt of the report. Where the investigation process requires additional time, approval must be obtained from the General Secretary**.

4. Whistleblower Officer

The Whistleblower Officer will be designated within each appropriate entity and will:

- safeguard the interests of any person making a disclosure or report under this policy
- ensure the integrity of the reporting mechanism
- determine if further investigation is required
- conduct internal investigations or supervise and commission external parties to conduct investigations
- will notify and keep informed the whistleblower of any decisions made regarding the allegations and investigation
- provide guidance and support during the process.

5. Support for Persons implicated

The Queensland Synod will take all reasonable steps to treat fairly any person against whom a report is made and recognises they must also be supported during the investigation. The person will be assumed innocent and no action will be taken against anyone who is implicated until an investigation has determined whether any allegations against them are substantiated. Employees may be temporarily stood down on full pay (at the discretion of the General Secretary**) or a ministry agent (at the discretion of the Moderator) whilst an investigation is in process, or may be temporarily transferred to another office, placement, department or workplace if appropriate in the circumstances. Any such stand-down or temporary transfer/placement may only continue for the duration of the investigation. If the investigation determines that the allegations are not substantiated, the person shall be reinstated to full duties.

Any disclosure that implicates them must be kept confidential, even if the whistleblower has consented to the disclosure of their identity. Information will only be disclosed to persons who have a need to know for the proper performance of the investigation. Anyone implicated in a disclosure has a right to be informed of the allegations against them and must be given an opportunity to respond to those allegations and provide additional information, if relevant, in the course of an investigation.

Support available for persons implicated in a report under this Policy includes:

- access to an approved Employee Assistance Program (EAP);
- support from a senior leader, executive, council chair or ministry agent within the Queensland Synod.

6. Policy Breach

Breach of this policy may lead to disciplinary action including termination of employment, displacement from ministry or committee and exposure to criminal or civil liability.

Related documents

- Complaints and Allegations Policy – POL-0003
- Conflicts Policy – POL-0002
- Person of Concern Policy – POL-0009
- Privacy Policy – POL-0001
- Safe Ministry with Children – POL-SMC-01
- UCAQ Ethical Investments – POL-0005



Note

*Executive Director Risk and Assurance – or equivalent Head of Risk in the entity

**General Secretary – or Chief Executive Officer in the entity

Definitions

Term	Meaning
Allegations	A claim that someone has done something or suspected to have done something which is reportable under this policy.
Appropriate Entity	Entities that fall within the boundaries of the Queensland Synod – Qld Synod Office, Wesley Mission Qld and UnitingCare
Audit & Risk Committee	Oversight Committee for the Whistleblower Policy
Codes of Conduct	A policy that identifies the required standards of behaviour
Contractors	Individuals who are not employees engaged to perform services for the Queensland Synod.
Detrimental Conduct	Any actual or threatened conduct or action that could cause a detriment or loss to the whistleblower as a result of making a disclosure.
Executive Director Risk and Assurance	Oversight officer of the Queensland Synod to ensure the Whistleblower Policy is maintained and implemented.
Personal Work-Related Grievance	Grievances where the information concerns the discloser’s employment or former employment and have personal implications
Queensland Synod	Means the work and activities of the Uniting Church in Australia performed within the bounds of the Queensland Synod office including the Trinity Theological College, Raymont Lodge Residential College, Alexandra Park Conference Centre and any congregation or presbytery service.
Reportable Conduct	Any conduct that is considered but not limited to, dishonest, fraudulent, corrupt, illegal, unethical, in breach of internal policy and/or legislation, dangerous or represents a danger to a person or finances or property.
Senior Leader	General Secretary, Chief Executive Office, Executive Directors, Managers or another employee identified to assist support the person implicated.
Whistleblower	Any person making a disclosure or report of inappropriate behaviour or reportable conduct in the manner described by this policy.
Whistleblower Officer	The person nominated by the appropriate entity who will safeguard the interests of any person making a disclosure or report under this Policy and manage the investigation of any allegation.

Revisions

Document number	A/1.6				
Version	Approval date	Approved by	Effective date	Policy owner	Policy contact
1.0	05.12.2019	Synod Standing Committee	05.12.2019	Executive Director Risk and Assurance	Manager Risk and Compliance
Next scheduled review	05.12.2020				