

## 14 Whistleblowing policy

### 14.1 Definitions

14.1.1 **Whistleblowing** is the disclosure by a person, usually an employee, of mismanagement, corruption, illegality or some other form of actual, suspected or anticipated wrongdoing in an individual or organisational sense.

14.1.2 A **Whistleblower** is a Femili PNG representative (including the Board, contractors, staff, volunteers and interns) who reports in connection with a wrongful act under this policy and wishes to avail themselves of the protection offered by this policy.

14.1.3 A **wrongful act** includes, but is not limited to:

- breaches of legal obligations (including negligence, breach of contract, breach of administrative law);
- criminal offences;
- mismanagement of funds;
- actual or suspected fraud or corruption;
- abuse of authority;
- health and safety risks, including risks to the public as well as other employees;
- the unauthorised use of organisational funds;
- sexual or physical abuse or exploitation of clients;
- damaging case management practices, causing harm to clients;
- other unethical conduct; or
- the concealment of any of the above.

### 14.2 Principles

14.2.1 All Femili PNG representatives, who are aware of wrongful acts, have an obligation to report the act and disclose any information they have pertaining to the wrongful act.

14.2.2 Femili PNG representatives have a right to speak openly and honestly about alleged wrongful acts in a safe environment without fear of retaliation,

14.2.3 Femili PNG will respond appropriately, confidentially and in a respectful manner to all alleged wrongful acts and investigate them.

14.2.4 Femili PNG guarantees that staff and volunteers who disclose perceived wrongdoing in good faith will be protected from adverse employment consequences.

### 14.3 Reporting Procedures

14.3.1 Whistleblowers are encouraged to disclose the alleged wrongful act to any of the following:

- CEO/SSW
- Operations Directors – Lae and Port Moresby
- Development Manager
- Chair of the Board (stephen.howes@anu.edu.au)

14.3.2 Disclosures may be made over the phone, in writing, or via email.

Whistleblowers may seek to make their disclosure anonymously. However, if the whistleblower identifies themselves, Femili PNG will protect their confidentiality and their identity as far as practical. Femili PNG may disclose the identity of the whistleblower if:

- The whistleblower consents to the disclosure;
- The disclosure is required by law; and/or
- The disclosure is necessary to further the investigation.

#### **14.4 Investigation Procedures**

14.4.1 The following procedure will be followed if a wrongful act is alleged:

- The Chair or CEO/SSW will identify a suitable person to investigate the allegation. This person may be internal or external to Femili PNG.
- Femili PNG undertakes to start the investigation within two weeks of the disclosure. The length and scope of the investigation will depend on the complexity of the case.
- The person investigating the disclosure will prepare an investigation report that will be reviewed by the EMC and/or the Board.
- Appropriate action will be decided by the EMC and/or the Board. Action may include: initiating a disciplinary process, or informing external authorities if a criminal action has been committed, eg fraud or theft.
- If it is found that there is not sufficient evidence of a wrongful act, or the actions are not serious enough to warrant disciplinary action, it may be appropriate for the EMC to take a more informal approach to dealing with the matter. In this circumstance possible outcomes of the investigation could be that:
  - the allegation could not be substantiated; or
  - action has been taken to ensure that the problem does not arise again.
- If the whistleblower is not satisfied with the response they have received they have the option to raise the matter directly with the Board.

#### **14.5 Protection of whistleblowers**

14.5.1 Femili PNG representatives who raise genuinely held concerns in good faith under this policy will not be dismissed or subjected to any detriment as a result of such action. Detriment includes, but is not limited to:

- Dismissal or demotion;
- harassment;

- discrimination or bias; or
- threats of the above.

14.5.2 Any retaliatory action will be treated as employee misconduct and will result in disciplinary action. If a whistleblower believes retaliatory action has occurred or has been threatened, the whistleblower has the right to make a submission to the CEO/SSW or the Board.