

Whistleblower Procedure (PRO 2.04)



Relates to policy - Management Systems Policy (POL 2.00)

OVERVIEW

Whistleblowing can be an effective way of uncovering fraud and other misconduct which may not be identified by internal or external controls within an organisation. Nadrasca is committed to the principles of transparency and accountability and views Whistleblowing as an opportunity to reflect upon organisational procedures and promote an ethical and values based culture.

Where someone associated with the organisation or member of the public, believes, on reasonable grounds, that another person or persons associated with the organisation has been involved in alleged illegal, improper or unethical conduct, they are encouraged and supported to report the conduct without reprisal or consequence.

Nadrasca protects Whistleblowers from retaliatory action of any kind including:

- Dismissal;
- Demotion;
- Harassment or discrimination;
- Victimisation of any kind;
- Current or future bias; or
- Threats of any of the above.

SCOPE

This procedure is applicable to Nadrasca staff, employees, volunteers, participants, parents/carers, family members and contractors.

DEFINITIONS

Anonymity	is when one's identity is unknown. In the case of an anonymous Whistleblower, their identity is not known by anyone, including those who receive and investigate the report.
Confidentiality	is when one's identity is protected to prevent harm. In the case of a Whistleblower, their identity may be known to those receiving and investigating the report, but is protected from the broader organisation and public.
Whistleblower	is a person who discloses information regarding organisational wrongdoing/misconduct, and wishes to be protected against reprisal for reporting.
Whistleblowing	is the disclosure of individual or organisation wrongdoing by a person with access to data, events or information about misconduct by the organisation.
Wrongdoing	is illegal, improper or unethical conduct that: <ul style="list-style-type: none">• Is in breach of legislation or regulations, or which is otherwise illegal;• Is fraudulent or dishonest;• Could cause financial or non-financial damage to the organisation, or the reputation of the organisation;• Is a breach of the organisation's Code of Conduct;

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 1 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	

Whistleblower Procedure (PRO 2.04)



- Involves improper administration;
- Infringes on the rights of any person;
- Endangers the health and safety of others; or
- Is a misuse of organisational, funds/assets.

Whistleblower Protection Officer (WPO) The WPO is responsible for ensuring that Eligible Whistleblowers are afforded protection in accordance with this procedure and all relevant legislation. (Chief Executive Officer (CEO))

PROCEDURE

1 Awareness and Education

Procedure:	Responsibility
1.1 The organisation will inform and educate its staff, participants, employees and volunteers of the Whistleblower procedures for reporting, and the protections available to them in order to facilitate a safe environment in which concerns of misconduct may be voiced without reprisal.	Manager Quality & Compliance Training & Support Coordinators
1.2 Staff involved in the management of Whistleblower reports will receive appropriate training in dealing with reports, investigation, and supporting Whistleblowers and staff who are the subject of allegations.	

2 Support and protection for Whistleblowers

Procedure:	Responsibility
2.1 Whistleblowers found to have made reports in good faith, according to organisational procedures and based on reasonable grounds will receive support and protection as below: <ul style="list-style-type: none"> a) The confidentiality of a Whistleblower’s identity will be protected as far as the law allows; b) The Whistleblower will have the right to request positive action for the purposes of protection, such as relocation or a leave of absence while the matter is under investigation; c) The WPO will be responsible for ensuring that the Whistleblower (if identity is known) receives any necessary support and referrals, and that they are not subject to any form of negative employment-related consequence as a result of reporting; 	CEO
If an act of reprisal is alleged, the Whistleblower will have the automatic right of appeal to an independent appeal body	

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 2 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	

3 Reporting Process

Procedure:	Responsibility
<p>3.1 For Nadrasca staff/employees/participants, it is emphasised that this procedure does not replace Incident, Injury and Investigation Reporting (PRO 9.02) nor Responding to Allegations of Physical and Sexual Assault, Abuse and Neglect (PRO 9.14) and staff/employees/participants are reminded that reporting of such incidents is a mandatory requirement.</p> <p>3.2 Nadrasca staff/ employees/ participants can use Complaints, Grievances, and Disputes & Harassment (PRO 2.02) to make a complaint.</p> <p>3.3 If staff/employees/participants are not satisfied with Complaints, Grievances, Disputes & Harassment (PRO 2.02) they may then report the matter to Your-Call, which is an independent company. Your-Call enables staff/employees/participants to report securely, anonymously and confidentially any such matters.</p> <p>3.4 Where someone associated with Nadrasca or a member of the public has an honest belief based on reasonable grounds that an illegal or corrupt act or any other improper conduct may have occurred in relation to Nadrasca, they may disclose that concern to Your-Call. The disclosure to Your-Call will be treated with utmost confidentiality. Contact with Your-Call may be by any of the following methods:</p> <ul style="list-style-type: none"> a) Web: logging on to the ‘Your-Call’ website www.your-call.com.au and clicking on the “Click Here to Make a Secure Report” on the right hand side of the screen. This will direct staff/employees to https://www.whistleblowing.com.au/report. Follow the prompts after entering Nadrasca’s unique identifier code of NADA2007. The Whistleblower will be asked to supply supporting information on an electronic form. Privacy is protected by secure 256-bit encryption. b) Telephone: Call 1300 798 101 between the hours of 7pm to 10pm Monday to Friday (AEST excluding public holidays). Your-Call does NOT have telephone number identification for either inbound or outbound telephone calls. Your-Call will provide a code and security password for the purposes of any further contact and/or feedback. c) Email to nadrasca@your-call.com.au. If there are concerns about the identity protection a generic Hotmail or Gmail account should be used. d) Mail to: Nadrasca c/o Your-Call D.M.S. Locked Mail Bag 7777, Malvern, Vic 3144 <p>The disclosure will be received and reviewed by Your-Call and a report will be provided to Nadrasca’s CEO resolution.</p>	<p>Nadrasca CEO</p>

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 3 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	

Whistleblower Procedure (PRO 2.04)



4 Anonymous Reporting

Procedure	Responsibility
4.1 The WPO will receive and consider anonymous reports and ensure the anonymity of the Whistleblower as far as possible. Anonymous Whistleblowers must be aware that anonymous reporting may affect the outcome of the investigation, as evidence may be more difficult to substantiate.	WPO

5 Whistleblowing to media or social media

Procedure:	Responsibility
5.1 Protection will not be offered to personnel who report internal wrongdoing to the media or social media.	

6 External Whistleblowers

Procedure:	Responsibility
6.1 Persons external to the organisation who wish to make a disclosure regarding organisational wrongdoing will be afforded the same confidential protections as personnel of the organisation.	
6.2 External persons may report wrongdoing to the organisation’s CEO	CEO
6.3 If the Whistleblower believes that all internal measures have been taken to try to get the issue addressed; or the issue is significant and poses dangers to health or safety, external persons may report wrongdoing to Your Call, see section 3. above.	
6.4 Information about external reporting is publicly available, and can be accessed on the Nadrasca website.	

7 Investigation Procedures

Procedure:	Responsibility
7.1 All reports received will be considered seriously. At the discretion of the CEO an external investigation will be appointed to investigate the facts of the case. The investigation will verify if the allegations, are substantiated and recommend possible further action if necessary.	CEO
7.2 When a report is received, the WPO will use their discretion to decide whether legal advice is required.	CEO

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 4 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	

Whistleblower Procedure (PRO 2.04)



8 Notification Procedures

Procedure:	Responsibility
8.1 The CEO will first notify the Chair of the Board of any Whistle-blower allegations if required. The person/s accused will be notified, so that they can respond to the allegation.	CEO

9 Principles of conducting investigations

Procedure:	Responsibility
<p>9.1 Investigations will be undertaken applying fair and ethical principles, and as such:</p> <ul style="list-style-type: none"> a) Any person accused of wrongdoing will have the presumption of innocence; b) All investigations will be conducted without bias; c) Persons accused of wrongdoing will be supported throughout the process and referred to external support services if necessary; d) Investigations will follow the procedures of natural justice; e) In circumstances where the Whistleblower chooses to remain anonymous, they must remain free from any retaliatory action; f) All disciplinary action will be proportionate to the seriousness of the breach. <p>See Staff Performance, Counselling and Discipline Procedure (PRO 3.03)</p>	

10 Documentation

Procedure:	Responsibility
<p>10.1 Throughout the course of the investigation conversations, interviews, communications and relevant documents will be recorded and stored. Upon completion, an investigation report will be prepared and filed. The investigation report will include but not limited to:</p> <ul style="list-style-type: none"> a) The allegation(s); b) A statement of facts and the corroborating evidence; c) Conclusions reached by the investigation; d) Recommended amendments to organisational policy/procedure to avoid future wrongdoing. 	CEO
10.2 All documents relating to Whistleblowing reports and investigations must be kept securely and confidentially, and access to documents granted only when necessary.	
10.3 The Whistleblower will be informed of the process and outcomes of the investigation.	WPO

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 5 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	

Whistleblower Procedure (PRO 2.04)

11 Review

Procedure:	Responsibility
11.1 Based on the recommendations made by the investigation report, CEO will review, evaluate and amend relevant organisational processes in order to avoid future wrongdoing and to increase organisational transparency.	CEO

12 False Reporting

Procedure:	Responsibility
12.1 If it is discovered that the Whistleblower knowingly and intentionally fabricated an accusation for their own personal gain or with malicious intent, they may be subject to disciplinary action which may include termination or cancellation of service agreements/contracts/partnerships. Other people associated with Nadrasca or other members of the public will be dealt with on a case by case basis.	

References

Standards

NDIS Practice Standards

Acts

National Disability Insurance Scheme Act 2013

Corporations Act (2001)

Fair Work Act (2009)

Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019

Privacy Act 1988

Related Policies

Management Systems Policy (POL 2.00)

Related Procedures

Privacy Procedure (PRO6.06) Incident, Injury and Investigation Reporting (PRO 9.02)

Complaints, Grievances, Disputes and Harassment (PRO 2.02)

Allegations of Physical and Sexual Assault, Abuse and Neglect (PRO 9.14)

Staff performance, Counselling and Discipline (PRO 3.03)

Related Forms

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 6 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	



Speak up if something at work is not right.

At Nadrasca, we support your right to feel safe and uncompromised in the workplace. If you feel there may be dishonest, unsafe or inappropriate practices in your workplace, we support your right to use Your Call.

Please quote our organisation ID: **NADA2007**

📶 24/7 online at www.yourcall.com.au/report

☎ 1300 798 101 between 7pm - 10pm AEST, Mon - Fri,
excluding public holidays.

yourcall

Document Title	Whistleblower Procedure (PRO 2.04)	Next Review	May 2023	Page 7 of 7
Status	Approved 5 May 2020	Doc ID	PRO 2.04	
Document Owner	CEO	Authorised By	QMRC	
Supersedes	New	Version No	1.0	