



WHISTLEBLOWER POLICY

ORGANISATION:	Kokoda Track Foundation
ACN:	103 660 948
POLICY TITLE:	Whistle Blower
VERSION:	2.0
STATUS:	Final
ALLIED POLICIES / PROCEDURES:	Code of Conduct Complaints Handling Policy Child Protection Policy Prevention of Sexual Exploitation, Abuse & Harassment Policy CP & PSEAH Allegation Management Procedures Fraud & Corruption Prevention Policy Conflict of Interest Policy
OWNER:	Senior Management
APPROVED BY:	CEO
LAST UPDATE:	19.01.2022
NEXT REVIEW DATE:	19.01.2024

PURPOSE

KTF's Whistleblower policy is founded upon the organisation's commitment to accountability and transparency and desire to protect its staff, volunteers, partners and other stakeholders to resolve difficulties, grievances, and complaints in a prompt, impartial and just manner. The purpose of this policy is to provide a supportive work-relationship environment where misconduct within or by KTF or its partners can be raised without fear of retribution.

This is achieved by:

- encouraging the reporting of serious misconduct
- providing protected misconduct reporting alternatives to remove inhibitions that may impede such disclosures
- establishing procedures that enable:
 - protection for those that make serious misconduct disclosures
 - independent internal inquiry/investigation of disclosures made
 - resolution of the issue(s) identified

SCOPE

This policy applies to directors, employees, volunteers, contractors, partners and related personnel. It also applies to a person or organisation with a relationship with KTF, including formal partners and program beneficiaries, who reports misconduct within or by a KTF employee or associate.

DEFINITION

Whistleblowing is: The disclosure by or for a witness, of actual or suspected misconduct in an organisation that reveals fraud, corruption, illegal activities, gross mismanagement, malpractice or any other serious wrongdoing or policy breach.

A Whistleblower is: A person who reports serious misconduct in accordance with this policy.

Misconduct includes behaviour that:

- is fraudulent or corrupt
- is illegal
- is unethical, such as acting dishonestly; altering company records; willfully making false entries in official records; engaging in questionable accounting practices; or willfully breaching KTF's code of conduct of the ACFID Code of Conduct
- is potentially damaging to KTF, such as maladministration
- is seriously harmful or potentially seriously harmful to a KTF employee or volunteer such as deliberate unsafe work practice or willful disregard to the safety of others in the workplace
- is in breach of child or adult safeguarding measures (including KTF's Child Protection Policy and Code of Conduct and KTF's Prevention of Sexual Exploitation, Abuse & Harassment Policy)
- may cause serious financial or non-financial loss to KTF; or damage its reputation; or be otherwise seriously contrary to KTF's Whistleblower policy
- involves any other kind of serious impropriety including retaliatory action against a whistleblower for having made a wrongdoing disclosure.

POLICY

KTF is committed to the highest standards of legal, ethical and moral behaviour. KTF recognises that people who have a working relationship with KTF are often the first to realise there may be concerns related to misconduct. However, for fear of appearing disloyal or concern about being victimised or the subject of other reprisals, they may be concerned about reporting this misconduct.

No person should be personally disadvantaged for reporting an actual or suspected wrongdoing. Not only may this misconduct be illegal, but it may directly oppose the values and purpose statement of KTF and/or KTF policies and code of conduct. A person considering making a whistleblower report is obliged to act in good faith and have reasonable grounds for believing the disclosure is reportable wrongdoing.

KTF is committed to maintaining an environment where legitimate concerns are able to be reported without fear of retaliatory action or retribution. When a person makes such a disclosure they are entitled to expect that:

- Their identity remains confidential at all times to the extent permitted by law or is practical in the circumstances; KTF will also facilitate anonymous complaints to be made;
- They will be protected from reprisal, harassment or victimisation for making the report; and
- Should retaliation occur for having made the disclosure then KTF will treat it as wrongdoing under this Policy.

PROCEDURES

All KTF staff will be made aware of this policy and their responsibilities to report wrongdoing to the Chief Executive Officer (CEO). It is the responsibility of the CEO to ensure all staff are adequately trained in understanding, identifying and (where possible) mitigating any activity that may breach the definitions of fraudulent or corrupt behaviour.

A whistleblower should report instances of, or suspicions of, misconduct to the CEO. Reports must be made in good-faith and be as thorough as is possible. False or malicious allegations may result in disciplinary actions.

Where it is not possible or appropriate to report suspicion of misconduct to the CEO, reports should be raised directly to the Chair of KTF (chair@kokodatrackfoundation.org).

Where the report is lodged with the CEO, they will contact the chair of the Finance, Audit and Risk Committee and both parties will agree on the appointment of an appropriate delegate, who is not implicated in the report, to lead the investigation. If the report is lodged directly with the Chair, the issue will be raised with the board of directors. Both parties will agree on the appointment of an appropriate delegate, who is not implicated in the report, to lead the investigation.

The individual who leads the investigation will be referred to as the Whistleblower Protection Officer and should either be:

- An internal investigator who is independent of the area where the wrongdoing is alleged to have occurred; or
- An external investigator independent of KTF where considered necessary.

The responsibilities of the appointed investigator include the assurance that action taken in response to the inquiry is appropriate to the circumstances and retaliatory action will not be taken against the person who made the disclosure.

The investigator has direct, unfettered access to independent financial, legal and operational advisers as required, and a direct line of reporting to the CEO or Chair of the Board, as may be required to satisfy the objectives of this Policy. The Whistleblower Protection Officer must keep the CEO or Chair regularly informed of the investigation progress. The Whistleblower Protection Officer is also responsible for keeping the Whistleblower informed of the progress and outcomes of the inquiry/investigation subject to considerations of privacy of those against whom the allegations have been made. The investigator may second the expertise of other officers in KTF to assist in the investigation and may seek the advice of internal or external experts as required.

OBLIGATIONS

A Whistleblower must provide information to assist any inquiry/investigation of the wrongdoing disclosed. Even when a Whistleblower may be implicated in the wrongdoing, they must not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this Policy.

It is important to note that making a report may not protect the whistleblower from the consequences flowing from involvement in the wrongdoing itself. A person's liability for their own conduct is not affected by their reporting of that conduct under this Policy. However active cooperation in the investigation, an admission and remorse may be taken into account when considering disciplinary or other action.

REVIEW OF WHISTLEBLOWER POLICY

KTF is committed to ongoing improvement and the KTF's board of directors and committees will review this policy regularly.

END