



## **WHISTLE-BLOWING POLICY**

**BOARD APPROVAL: OCTOBER 2018**  
**NEXT REVIEW: 2020**

## **PURPOSE**

By operating according to the standards required by the Code of Conduct of the Australian Council for International Development (ACFID), the Australian Himalayan Foundation (AHF) is committed to achieving the highest standard in every area of its work and to continuous improvement.

AHF is committed to high standards of openness, probity and accountability. As such, it is critical that all employees and volunteers of AHF and their partner organisations report concerns. AHF recognises that most cases will need to proceed on a confidential basis.

The purpose of this document is to provide a working environment where misconduct can be raised without fear of victimisation, subsequent discrimination, disadvantage, or adverse employment consequences, and provide protection for those that report misconduct. This whistle-blowing policy is intended to encourage and enable employees to raise serious concerns, in the first instance, within the organisation rather than overlooking a problem or 'blowing the whistle' outside.

The purpose of this policy is to establish procedures that enable a fair and impartial investigation of reported misconduct, and the resolution of any issue/s identified in a timely manner.

## **SCOPE OF POLICY**

The policy applies to all Board members, employees, volunteers and contractors working for AHF and its in-country partners. It also covers suppliers and those providing services under a contract or arrangement with AHF and its in-country partners.

AHF encourages all other stakeholders including children, young people and families with whom it has contact, to report breaches and serious concerns of wrongdoing.

## **BACKGROUND**

Staff and volunteers are often the first to realise that there may be something seriously wrong within an organisation. However, they may not report their concerns because they feel that it would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. It is important that staff and volunteers do not ignore their concerns and are supported to report any suspicion of wrongdoing or misconduct by the organisation and/or its partners on a timely basis.

## **DEFINITIONS and DESCRIPTIONS**

**Whistle-blowing** is the disclosure by, or for a witness, of actual or suspected serious misconduct in an organisation.

**A Whistle-blower** is a person who reports serious misconduct in accordance with this policy.

**Misconduct:** Examples of serious misconduct are listed in the *Appendix A*.

## **POLICY GUIDELINE STATEMENTS**

1. All AHF staff, volunteers, contractors and partners who are aware of, or have a concern about possible wrongdoing have a responsibility and obligation to report and disclose that information.

2. Whistle-blowers considering making a report must have reasonable grounds for believing the allegation has occurred or is likely to occur.
3. Whistle-blowers must indicate in their report they are making a disclosure of a serious matter or misconduct (**please refer to Appendix A for examples of misconduct**).
4. Whistle-blowers must ensure as far as possible that allegations are factually accurate, complete and based on first-hand knowledge and are reported in an un-biased fashion.
5. All allegations must be treated seriously and be subject to a thorough, fair and impartial investigation.
6. A whistle-blower or any other person who has expressed a concern about wrongdoing or made a complaint must be protected from any adverse employment consequences and not be subject to any form of reprisal.
7. Written reports are preferable, however if a verbal report is made, it must be documented in the form of a witness statement and signed by the person making the report/allegation.
8. The confidentiality of the person making a report will be respected however there may be instances where it is necessary to reveal their identity to a limited group of investigators, to ensure a fair and thorough investigation, lessen a serious threat to a person's safety and/or is required by law. Anonymous reports may be made but such reports may be more difficult to investigate if the information provided is unclear, vague or insufficient.
9. The AHF is committed to the highest possible standards of openness, probity and accountability. In line with this commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of AHF's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
10. All AHF staff, Directors, volunteers, in-country partners and contractors will be informed of this Policy. The Policy will also be communicated to primary stakeholders as a part of in-country project activities.
11. A link to this Policy is published on the AHF website's Policies page.

### **SAFETY FROM REPRISAL OR DISADVANTAGE FOR WHISTLE-BLOWERS**

Any allegation that a person has engaged in a reprisal contrary to the requirements of these guidelines will be investigated and the matter treated seriously. If proven to have occurred, it will expose the wrongdoer to the risk of a disciplinary response including any termination of employment/engagement.

### **FALSE OBLIGATION**

If a whistle-blower is found not to have acted in good faith or to have made a false allegation (including if made maliciously, vexatiously or without reasonable cause), the whistle-blower may be exposed to a disciplinary response including termination of employment/engagement.

### **CONFIDENTIALITY**

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the whistle-blower if that is their desire. At the appropriate time, however, a whistle-blower may need to come forward as a witness.

## **REPORTING BY THE WHISTLE-BLOWER**

The whistle-blower should report the misconduct in writing or by email to the AHF CEO. If the report of misconduct is made verbally, AHF commits to recording this in writing in the form of a witness statement which must be signed by the whistle-blower. In all cases the confidentiality and anonymity of the complainant will be respected.

Anonymous reports may be made but such reports may be more difficult to investigate if the information provided is unclear, vague or insufficient.

If the report of misconduct relates to the CEO, the whistle-blower should report the misconduct to the Chairman of the Board, who will conduct the investigation.

## **RESPONDING TO A WHISTLE-BLOWER**

The whistle-blower will be responded to in writing, or verbally in exceptional circumstances in remote rural locations. The AHF recognizes that the whistle-blower may be at risk and will communicate that the concerns are being taken seriously, that an investigation will be undertaken, and that the AHF will keep the whistle-blower informed of progress and outcome/s.

The whistle-blower will be asked whether they are satisfied with the outcome of the AHF's investigation. If they are not satisfied, a review of the process and decision will be undertaken.

In some cases, AHF will advise the whistleblower that the serious misconduct be referred to the Code Committee of ACFID. The AHF will provide all necessary information for referral and assist in further investigation if required.

## **INVESTIGATIVE PROCESS**

The AHF CEO has prime responsibility for the management of this Policy and other procedures. If the report of misconduct relates to the CEO, the Chairman of the Board has prime responsibility for the management of this Policy and its procedures.

The AHF Board will be kept informed about the progress of the investigation and its outcomes.

Serious allegations of misconduct may be referred by the CEO to the AHF Board for consideration and decision. Investigative assistance may be sought from internal or external experts as required.

The whistle-blower must provide information to assist the investigation. AHF will make every reasonable effort to investigate all relevant circumstances and information relevant to the whistle-blower's report. AHF will at all times respect the confidentiality of the whistle-blower. There may be instances where it is necessary to reveal their identity to a limited group of investigators, to ensure a fair and thorough investigation, lessen a serious threat to a person's safety and/or is required by law.

AHF will ensure that the whistle-blower is satisfied with the intended process. To determine how the report is to be managed AHF will assess it in terms of: severity; health (including

mental health) and safety; financial implications; the complexity; the impact on the whistle-blower; systematic implications; and potential timeframes, including the need for and possibility of immediate action.

### **TIMEFRAMES**

AHF commits to acknowledging written reports from whistle-blowers within five working days, and oral reports immediately. It further aims to resolve reports of misconduct within thirty working days. If the report is not resolved by then it will inform the whistle-blower of the progress and keep them regularly updated regarding the progress of their report of misconduct.

### **OUTCOMES**

AHF will take all required remedial action, be prepared to change the way in which it operates and commit to further training of staff if necessary. Where necessary, staff or volunteers will be counselled, disciplined or have their employment or contract terminated.

AHF will monitor the effectiveness of its Whistle-blower policy on a regular basis and make amendments as appropriate.

### **AHF CONTACT PERSON**

The whistle-blower should contact:

AHF CEO  
PO Box 553  
Crows Nest NSW 1585  
Australia

Or email:

[carolyn@ahf.org.au](mailto:carolyn@ahf.org.au)

If the whistle-blower would prefer to contact the Chairman he/she should contact:

AHF Chairman  
PO Box 553  
Crows Nest NSW 1585  
Australia

### **RELATED POLICIES AND MANUALS**

AHF Complaints Policy  
AHF Code of Conduct  
AHF Fraud and Anti-Corruption Policy  
AHF Human Resources Policy and Manual  
AHF Financial Management Procedures Manual  
AHF Conflict of Interest Policy  
AHF Program Management Procedures Manual  
AHF Child Protection Policy  
AHF Administrative Procedures Manual  
AHF Volunteers Policy

## **APPENDIX A**

### **Examples of serious misconduct:**

Serious misconduct may include (but is not limited to) conduct that:

- is a civil or criminal offence or a breach of the law
- may result in miscarriages of justice to an individual or organisation
- results in health and safety risk, including risks to the public as well as other employees
- results in damage to the environment
- the unauthorized use of funds or resources
- possible fraud and corruption
- is sexually, emotionally or physically abusive of clients and/or staff/volunteers. This includes all forms of sexual harassment
- breaches AHF's Child Protection Policy
- involves mismanagement or waste of AHF funds or resources
- Involves behaviour or actions that results in loss to AHF, including financial or non-financial loss or damage
- Involves actions or behaviour that is an abuse of information, authority or position that poses a serious risk of any form of harm to an AHF employee, beneficiary, volunteer, and/or contractor.