



ARCHDIOCESE OF BRISBANE

WHISTLEBLOWER POLICY

1. Objective:

- 1.1 To encourage the reporting by any person who reasonably and in *good faith* suspects serious misconduct by persons associated with the Archdiocese through employment, contract, appointment or volunteering.
- 1.2 Despite the Church's not-for-profit status, to give effect to the spirit of relevant whistleblowing legislation that prohibits public sector organisations or publicly listed companies from taking *adverse employment action* against an employee because of their protected *Whistleblower* activities.
- 1.3 Some disclosures may involve concerns or conduct which do not amount to *reportable conduct* under this Policy. In these cases, the *Whistleblower* will be redirected to other appropriate policies and procedures which may assist them. For example, in some cases it may be appropriate to deal with a matter under relevant bullying and harassment, workplace health and safety or complaints processes.

2. Scope:

- 2.1 The Archdiocese is committed to upholding values and ethical work practices in accord with Catholic teachings and legal obligations. To facilitate these values and ethical work practices, a *Whistleblower* service enables the reporting of *reportable conduct* and the protection of individuals who conscientiously make such disclosures. *Whistleblower and Reportable Conduct* are defined in Appendix A.
- 2.2 If *reportable conduct* is observed and reported by a *Whistleblower*, they must feel secure when such conduct is reported by them. '*Integrity in the Service of the Church*' supports individuals ("*Whistleblower*") who act responsibly in this manner and who attest to the importance of values in the workplace.
- 2.3 The specific principles inherent in actions taken to resolve the concerns of a *whistleblowing* complaint which align to '*Integrity in the Service of the Church*' include:
 - Being aware of workplace inadequacies/injustices and responding appropriately.
 - Acting responsibly and being accountable in the use of resources and exercising responsible stewardship.



- Knowing, understanding and respecting the physical and emotional boundaries of adults, children and young people.
- Promoting proper working conditions characterised by justice and fairness.

2.4 This policy applies to the Archdiocese of Brisbane, including all Agencies and Parishes under the jurisdiction of the Archbishop.

3. Policy Statement:

3.1 The Archdiocese will not tolerate conduct by employees, volunteers, priests, members of religious orders, officers, or members of Councils, Boards or Committees which has been found to be improper.

3.2 The Archdiocese will recognise the value of transparency and accountability in administrative and management practices and will support the making of disclosures of *reportable conduct* by *Whistleblowers*.

3.3 A person considering making a *Whistleblower* report is obliged to act in *good faith* and have reasonable grounds for believing the disclosure is of *reportable conduct*. This policy is intended to apply to reports of wrongdoing which are serious in nature.

3.4 A *Whistleblower* must provide information that may assist any inquiry / investigation of the wrongdoing being disclosed.

3.5 A *Whistleblower* must not be subjected to any actual or threatened retaliatory action or victimisation in retaliation for making a disclosure of *reportable conduct* under this policy.

3.6 The Archdiocese will ensure that no *adverse employment action* will be taken by the Archdiocese or any Agency of the Archdiocese against those who disclose *reportable conduct* in *good faith*. All reasonable steps will be taken to protect persons who make such disclosures from any *adverse employment action* by their employer, colleagues or workplace as a result of making the disclosure. The right of a *Whistleblower* for protection under this Policy does not apply where the "*Whistleblower*" was complicit in the wrongdoing or any other misconduct.

3.7 The Archdiocese will afford natural justice to the person who is the subject of a "*Whistleblower*" disclosure of *reportable conduct*. Appropriate disciplinary action may be taken against any employee as a result of allegations about the conduct reported under this Policy being found to be substantiated through a review or investigation.



- 3.8 The *Whistleblower Governance Officer* is the person named in this Policy who has the following responsibility to ensure that:
- A *Whistleblower Protection Officer* is appointed to provide support to the *Whistleblower*;
 - Each disclosure is appropriately inquired into and investigated by either an internal or external *investigator* who is independent and qualified;
 - Action taken in response to an inquiry/investigation is appropriate; and
 - Retaliatory action has not been taken against the person who made the disclosure.
- 3.9 The *Whistleblower Governance Officer* will be the *Financial Administrator* or the *Governance Risk and Compliance (GRC) Officer*. Should either of these officers be included in the reportable conduct, there are two alternates, being the *Vicar General* and/or the *Director Evangelisation Brisbane*.
- 3.10 If the report contains allegations of *reportable conduct* against an *Executive Director* or someone else, and the *Whistleblower* has a reasonable belief that this avenue would not be sufficiently independent, the *Whistleblower* should use the external *Whistleblower* service provided by STOPline.
- 3.11 The *Whistleblower Governance Officer* has direct, unfettered access to independent financial, legal and operational advisers as required.
- 3.12 The *Whistleblower Protection Officer* will have a direct reporting line to an *Executive Director/Director* from an area of the Archdiocese that is independent of line management in the area that is the subject of the *reportable conduct* being reported. The *Whistleblower Protection Officer* will provide the necessary assistance deemed necessary to support the *Whistleblower*. The *Whistleblower Protection Officer* is responsible for keeping the *Whistleblower* informed of the progress of the investigation into the matter raised, subject to the privacy of the person(s) against whom allegations are made.
- 3.13 Internal disclosures may be made to the *Whistleblower Governance Officer* by emailing to;

Email: whistleblower@bne.catholic.net.au



Note: Emails to this address are not anonymous and will assist the *Whistleblower Governance Officer* in communicating with the *Whistleblower* in the event further information or evidence is required, as well as providing feedback to the *Whistleblower*.

3.14 **STOPline** can be contacted by any of the following:

Telephone: 1300 304 550

Email: AOB@stopline.com.au

Web: www.bnecatholic.stoplinereport.com

Refer AD09.P01 Archdiocesan *Whistleblower* Procedures which provides guidance to making a disclosure.

4. **Definitions:**

Refer Appendix A.

5. **Reporting:**

5.1 STOPline will provide daily/monthly/quarterly reports to the *Whistleblower Governance Officer*.

5.2 The *Whistleblower Governance Officer* will provide monthly and ad-hoc reports (when required) to the *Vicar General*.

5.3 The *Whistleblower Governance Officer* will provide regular Compliance Reports to the Audit Risk and Management Committee.

6. **Quality Control:**

6.1 Analysis of all *Whistleblower* disclosures will be undertaken. Relevant assessment of the underlying process will be reviewed and modified if deemed appropriate.

6.2 An employee or volunteer who makes a frivolous or vexatious allegation or who clearly files a false report of wrongdoing, may be the subject of disciplinary actions up to and including the possibility of their services being terminated or cessation of a client relationship.



- 6.3 Where an employee or volunteer who is a *Whistleblower* is implicated in the wrongdoing, he/she will not be protected from the consequences flowing from their 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.

7. Communication and Implementation:

- 7.1 The *Vicar General* or his delegate is to advise all Agencies and Parishes of this policy and its enacted date.
- 7.2 The Parish Priest is to advise facilitate the communication of this policy to parishioners.
- 7.3 The *Executive Directors* or Director People & Culture or Director Human Services are to provide advice and communicate this policy to all Agency employees and volunteers.

8. Compliance, Monitoring and Review:

- 8.1 The *Whistleblower Governance Officer* has responsibility for monitoring compliance of this policy.
- 8.1.1 Non-compliance of this policy is to be referred to the *Vicar General* for discussion and remedial action where necessary. Remedial action will be actioned by the *Executive Director* or delegated persons within the Archdiocese.
- 8.2 The *Vicar General* has responsibility to review the policy to ensure it is compliant with Archdiocesan and Agency policies and procedures. Reviews are to be at least every three (3) years and aligned with Archdiocesan and Agency requirements.
- 8.3 The Office of the *Financial Administrator* checks the Policy documents for compliance with this procedure and approved template.

9. Date of Next Review:

June 2022.

10. Related Publications, Policies and/or Procedures:

- 10.1 AD09.PR01 – Whistleblower Procedures
- 10.2 HR/006/1.0 Archdiocesan Code of Conduct - Dated 7 January 2016
- 10.3 Catholic Education Archdiocese of Brisbane Code of Conduct –February 2019



- 10.4 Archdiocese Compliance Policy – AD07
- 10.5 Safeguarding Children and Vulnerable Adults Policy – AD16
- 10.6 Student Protection Processes Catholic Education Archdiocese of Brisbane
- 10.7 Integrity in the Ministry of the Church (2010)
- 10.8 Integrity in the Service of the Church (2013)

11. Version History:

Version Date	Enacted Date	Comments
August 2011	August 2011	Original Policy
June 2015	June 2015	Policy update – major review with separate procedure and Appendices identified.
June 2016	June 2016	Change to email and Code of Conduct Version.
August 2017	January 2018	Inclusion of public.
July 2019	August 2019	Procedures Document addendum added, policy reformatted.

APPROVED by:

Signed: 

Rev Monsignor Peter Meneely VG
Vicar General

Date: 25 July 2019



Appendix A

Definitions:

A Whistleblower

Any person who reasonably and in *good faith* suspects serious misconduct by persons associated with the Archdiocese through employment, contract, appointment or volunteering.

“*Good faith*” means a disclosure must be honest, based on reasonable grounds, genuine and motivated by wanting to disclose a *reportable conduct* matter. A disclosure will not be in “*good faith*” if there is any other secret or unrelated reason for making the disclosure.

Adverse Employment Action

An *Adverse Employment Action* is employment action which personally disadvantages a *Whistleblower* by termination of employment, a reduction in the terms and conditions of employment, demotion or unfair or unequal treatment in the workplace.

Child

A *child* is a person under the age of 18 years.

Executive Directors (EDs)

The *Executive Directors* of the Archdiocese of Brisbane are the leaders of the *Agencies*, which make up part of the curia or working organisation of the Archdiocese. The *EDs* provide leadership and management of the Archdiocesan *Agencies* as well as advice and support in their various areas of expertise to the Archbishop and the *Vicar General*. They each report directly to the *Vicar General*. The following position titles apply to the *EDs* of the *Agencies*:

- Archdiocesan Development Fund – *General Manager*
- Archdiocesan Services – *Executive Director*
- Brisbane Catholic Education – *Executive Director*
- Centacare – *Executive Director*
- Episcopal and Corporate – *Financial Administrator*
- Evangelisation Brisbane – *Director*

Financial Administrator

The *Financial Administrator* is appointed by the Archbishop and has *responsibility* for Archdiocesan financial, governance, risk and compliance matters. The *Financial Administrator* works closely with the *Vicar General* and the *Agency EDs* in relation to these matters.



Governance Risk & Compliance (GRC) Officer

The *GRC Officer* is appointed by the *Financial Administrator* to provide guidance and support in the development, implementation and maintenance of the Archdioceses governance, risk and compliance systems.

Investigator

The *investigator* will have independence of line management of the Agency/area affected by the *whistleblowing*. *Preference is for the investigator to have relevant internal audit experience and is authorised to apply the appropriate authority delegated by the Archdiocese's Financial Administrator.*

Where necessary, the appointment of an external *investigator* may be necessary and will be approved by the *Whistleblower Governance Officer*.

The external *investigator* will be appointed by the *Executive Director* of the relevant Agency or by the *Financial Administrator*.

Reportable Conduct

Reportable Conduct is actual or planned conduct which the *Whistleblower* reasonably and in *good faith* suspects is:

- Serious improper conduct including fraudulent, corrupt, illegal, unethical conduct;
- Conduct involving gross mismanagement or a substantial mismanagement of resources,
- Repeated serious breaches of the policies and practices of the Archdiocese its Agencies or Parishes,
- Conduct seriously jeopardizing risk to work health and safety or the environment,
- Conduct involving sexual abuse, abuse, harm or misconduct in relation to children or adults (*), or
- Suspicion in regard to potential or actual sexual abuse, abuse, harm or misconduct in relation to children or adults (*).

* **NOTE:** *In all cases where there is statutory mandatory requirement to report a wrongdoing or student/client abuse/mistreatment – for example, in child protection or disability services areas, or as a condition of public funding and contracts, those processes will be adhered to as part of this Policy.*



Vicar General

The *Vicar General* is appointed by the Archbishop to assist him in the governance of the whole Archdiocese. The *Vicar General* is to oversee the work of the various *Agencies* within the Archdiocese.

Whistleblower Governance Officer

The *Whistleblower Governance Officer* is the person named in this Policy who has management and reporting responsibilities in relation to *whistleblowing* in the Archdiocese in accordance with this policy.

Whistleblower Protection Officer

A *Whistleblower Protection Officer* is an officer of the Archdiocese appointed by the *Whistleblower Governance Officer* to provide protection to the *Whistleblower* according to this policy.

Whistleblowing

The disclosure by or for a witness, of actual or suspected *reportable conduct*.

