



YILABARA
Solutions

Creating Opportunities

Whistleblower protection policy and procedure

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Yilabara Solutions

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1. About this document

1.1 What is the purpose and objective of this policy and procedure?

This document explains how staff and Board members can raise concerns about the conduct of others without fear of reprisal, and how breaches of whistleblower protection are handled.

The objective is to encourage people to report breaches of conduct if they genuinely believe someone has broken the law or contravened the Yilabara Solutions:

- Code of Conduct
- Fraud and Corruption Prevention Policy and Procedure
- Conflicts of Interest Policy and Procedure, or
- Gifts and Benefits Policy and Procedure.

1.2 Who must comply with this policy and procedure?

This policy and procedure applies to all staff and Board members.

It covers any detected or suspected breach of conduct in relation to Yilabara Solutions business, and which involves a member of staff or the Board who is dealing with:

- another member of staff or the Board
- any party external to Yilabara Solutions.

Yilabara Solutions is committed to high standards of behaviour and ethical conduct. So, it is important for members of staff and the Board to understand their responsibilities for reporting detected and suspected breaches of conduct, and the protections afforded them.

1.3 Terms and definitions

These definitions apply to your interpretation of the terms used in this document.

Term	Meaning
Corrupt conduct	<p>A person using their position for private or personal advantage.</p> <p>Corrupt conduct includes:</p> <ul style="list-style-type: none"> • a member of staff or the Board using their position or resources dishonestly or improperly, including the misuse of information or material acquired in the course of their duties, even where this misuse occurs when the person no longer undertakes those duties • conduct by a member of staff or the Board which might lead directly or indirectly to the dishonest or improper use of position by a person undertaking official duties • conduct which might directly or indirectly interfere with the carrying out of responsibilities by staff or Board members, including bribery or violence.
Ethical conduct	<p>The standards of behaviour which govern the way in which we operate in dealing with our stakeholders, including clients, staff, colleagues, the Board, and providers of services. Ethical conduct is underpinned by the values of integrity, impartiality, accountability and honesty.</p>
The Executive	<p>The Chief Executive Officer and senior managers making up the leadership team.</p>
Fraud	<p>A deliberate, wrongful or criminal deception intended to result in financial or personal gain.</p> <p>Fraud falls into four main categories:</p> <ul style="list-style-type: none"> • theft, the misappropriation or misuse of assets for personal benefit • bribery and corruption • false accounting and/or making fraudulent statements with a view to personal gain or gain for another; for example, falsely claiming overtime, travel and subsistence, sick leave or special leave (with or without pay) • externally perpetrated fraud against Yilabara Solutions.
Manager	<p>The Executive; directors, supervisors and line managers of staff; the 'boss'.</p>
Staff	<p>Any person working for Yilabara Solutions. This includes:</p> <ul style="list-style-type: none"> • permanent, temporary and casual employees, including managers and the Executive • members of committees, working groups and advisory bodies • agency staff, consultants and contractors • volunteers • work experience students • intern placements.

1.4 Related documents

- Code of Conduct
- Fraud and Corruption Prevention Policy and Procedure
- Conflicts of Interest Policy and Procedure
- Gifts and Benefits Policy and Procedure

1.5 Authorities and accountabilities

Whistleblowing plays a crucial role in managing risk and cultivating an ethical culture. Yilabara Solutions is ultimately responsible for ensuring reported breaches of conduct are dealt with appropriately, and that the person/s making a report are protected from reprisal. This is a corporate governance responsibility against which the Chief Executive Officer is held accountable.

The Chief Executive Officer and other members of the Executive are responsible for the administration, revision, interpretation and application of this policy.

This policy and procedure shall be reviewed regularly.

1.6 Quality assurance

How Yilabara Solutions determines whistleblowing is properly dealt with

- Staff and Board members are aware of this policy and procedure.
- Managers and the Board encourage whistleblowing.
- Managers and the Board have in place systems and controls to protect whistleblowers.
- Disciplinary action is taken against anyone who harasses, bullies, discriminates against or disadvantages a whistleblower, or reveals the identity of a whistleblower.

2. Whistleblowing protection policy

2.1 General requirements

2.1.1 Relevant legislation, frameworks and directives

Whistleblowing shall be managed in line with the following legislative requirements, relevant frameworks and directives:

- *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*
- *Independent Commission Against Corruption Act 1988*

2.1.2 Ethical framework

The Yilabara Solutions Code of Conduct forms the basis of the ethical framework and the behaviour expected of staff and Board members to ensure high standards of business and personal ethics in the conduct of their duties and responsibilities.

All members of staff and the Board shall practice honesty and integrity in fulfilling their responsibilities, and comply with all applicable laws and regulations.

Reports of detected or suspected breaches of conduct shall be made in good faith, and shall not be malicious, deliberately misleading or frivolous.

2.1.3 Responsibility structures

All members of staff and the Board shall be responsible for reporting breaches of conduct if they genuinely believe someone has broken the law or contravened the Yilabara Solutions:

- Code of Conduct
- Fraud and Corruption Prevention Policy and Procedure
- Conflicts of Interest Policy and Procedure, or
- Gifts and Benefits Policy and Procedure.

All members of staff and the Board shall be responsible for protecting whistleblowers.

2.1.4 Notification systems

Yilabara Solutions shall ensure there are adequate means for reporting detected and suspected breaches of conduct, and that these means are widely known and available.

2.1.5 Protection systems

Staff and Board members shall be able to report detected and suspected breaches of conduct without fear of prejudice or harassment, and shall not be discriminated against or disadvantaged for making a report in accordance with this policy. This applies if the matter is proven or not, and whether it is reported internally or to an external authority.

2.2 Management responsibility

The Executive and managers shall implement this policy and an effective internal control structure.

The Chief Executive Officer, in consultation with the relevant managers and members of the Executive, shall determine disciplinary action against any person who breaches this policy.

3. Procedure

3.1 Being a whistleblower

3.1.1 All staff and Board members

You are responsible for ensuring that Yilabara Solutions maintains the highest level of probity and that the organisation is not brought into disrepute.

As such, you have an individual responsibility to report possible breaches of conduct — including suspected instances of fraud, corrupt conduct, maladministration, or serious or substantial waste — so that they can be fully investigated.

How to report a breach of conduct is set out in section 2 of the Yilabara Solutions Code of Conduct.

If you report a breach of conduct, it:

- must be made in good faith
- must not be malicious, deliberately misleading or frivolous.

Otherwise, you may face disciplinary action. Disciplinary action may result in the termination of your employment, Board membership, contract or other engagement with Yilabara Solutions.

3.2 Encouraging and protecting whistleblowers

3.2.1 All staff and Board members

Assist in the investigation of any detected or suspected breach of conduct. Take care to avoid doing anything which might prejudice the case against or reveal the identity of:

- the member of staff or the Board member detected or suspected of a breach of conduct
- the whistleblower.

It is essential that you do not take detrimental action against the whistleblower in reprisal for reporting a breach of conduct. This includes any action that could reasonably be perceived to be detrimental action in reprisal.

If you know the identity of a whistleblower, you **must not**:

- harass, bully, discriminate against or disadvantage the whistleblower
- reveal the identity of the whistleblower
- share information about the detected or suspected breach of conduct if you are informed of it or become aware of it, or are involved in its investigation, except with persons who have a legitimate need to know.

Otherwise, you may face disciplinary action. Disciplinary action may result in the termination of your employment, Board membership, contract or other engagement with Yilabara Solutions.

If you bully, harass, discriminate against or disadvantage a member of staff or the Board in reprisal for having disclosed a breach of conduct, you could be committing a criminal offence, which could result in imprisonment if convicted.

Inform your manager, an executive or the Chair, as applicable, if you have detected or suspect a fellow member of staff or the Board may be/ is breaching this policy or procedure.

3.2.2 Managers and Board members

As a manager or Board member, you are responsible for encouraging and protecting whistleblowers, and must:

- ensure that an adequate system of internal control exists within your area of responsibility, appropriate to the risk involved, and that the controls are properly operated and complied with
- review and test control systems to satisfy yourself the systems continue to operate effectively.

Inform the Chief Executive Officer if you have detected or suspect your staff or fellow Board members may be/ are breaching this policy or procedure.

Inform the Chair, if you have detected or suspect the Chief Executive Officer may be/ is breaching this policy or procedure.

3.3 Dealing with a breach of whistleblower protections

3.3.1 Chief Executive Officer and the Chair

If you are informed that:

- the identify of whistleblower has deliberately been revealed
- a whistleblower has been subjected to bullying, harassment, discriminated against or disadvantaged
- a reported breach of conduct was not made in good faith, or has been found to be malicious, deliberately misleading or frivolous
- whistleblowing has been discouraged by any member staff or the Board

have it investigated and dealt with according to the requirements set out in section 2 of the Yilabara Solutions Code of Conduct.

Document information

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