

# WHISTLEBLOWER POLICY



## 1.0 Objective

The purpose of this policy is to:

- provide a mechanism to encourage the reporting of matters that may cause financial or non-financial loss to the ASCC or damage its reputation including anyone suspected of fraud, corrupt conduct or other inappropriate behaviour;
- enable ASCC to effectively deal with reports from whistleblowers in a way that will protect the identity of the whistleblower and provide for the secure storage of the information provided;
- establish the policies for protecting whistleblowers against reprisal by any person;
- provide for an appropriate infrastructure for encouraging and protecting whistleblowers including the appointment of a Whistleblower Complaints Coordinator.

## 2.0 Definitions

“Whistleblower” means an employee, contractor or supplier of ASCC who wishes to report Improper Conduct.

“Respondent” means a person to whom the allegation relates.

“Improper Conduct” means conduct by a person or persons connected with the ASCC which, in the view of a Whistleblower acting in good faith, is conduct which includes, but is not limited to:

- dishonesty;
- fraud;
- corruption;
- illegality (including theft, drug sale/use, violence or threatened violence and criminal damage against property);
- financial malpractice or impropriety;
- other criminal activity;
- undisclosed conflicts of interest;
- breach of a confidentiality undertaking or agreement;
- unethical behaviour;
- breach of ASCC policy;
- breach of Commonwealth or State legislation;
- actions that may breach OH&S or Environmental policies;
- unsafe work practices;
- coercion, harassment or discrimination;
- gross mismanagement;
- other serious improper conduct

“Whistleblower Complaints Coordinator (**WCC**)” means the initial contact for any report being the Chair for the time being of the Audit Sub-committee of the Board. The WCC will also conduct the Investigation.

“Whistleblower Review Panel (**WRP**)” means the body that reviews any complaints that are not resolved by the WCC. This is the Audit Sub-committee of the Board.

### 3.0 Scope & Training

This policy applies to all ASCC employees (full time and part time), Ph. D students, contractors, consultants and suppliers.

ASCC employees and students will be made aware of this whistleblower policy and the importance of reporting corrupt and illegal practices, as part of induction and appropriate ongoing employee training programs as well as emphasising the undesirability of malicious or vexatious reporting.

### 4.0 Procedure

- 4.1 **Making a complaint:** A complaint of Improper Conduct or any related issue may be raised with either the WCC or an independent person appointed by the ASCC. The complaint or report should include as much detail as possible to enable a thorough investigation of the matter. A complaint or any issue can be made or raised anonymously and all efforts will be made to retain this anonymity throughout the process.
- 4.2 **Investigation:** The WCC or other person receiving the complaint or information will investigate the matter and recommend a course of action based on his findings. The investigation will include discussions with the Respondent and other parties who may have knowledge of the issue. In all circumstances, the investigation will be conducted with procedural fairness and in an impartial manner.
- 4.3 **Reporting:** The WCC will report his findings to the WRP as well as to the parties involved in the issue.
- 4.4 **Response:** all verifiable Improper Conduct and compliance failures are dealt with appropriately and systemic and recurring problems of Improper Conduct or non-compliance are reported to those with sufficient authority to correct them.
- 4.5 **Appeal:** Either party will be able to request a review of the case by the WRP.
- 4.6 **Feedback:** If any party involved in the case is disadvantaged in any way as a result of the investigation (harassment, discrimination, dismissal, demotion or other reprisal) they may raise the issue with the WRP and WCC for resolution through appropriate procedures.

### 5.0 Safeguards

- 5.1 No action will be taken against any Whistleblower who makes a complaint in good faith that is not confirmed by subsequent investigation, nor will they have been considered to have breached any employment contract or confidentiality agreement which restricts the disclosure of confidential information.
- 5.2 Anonymity will be retained wherever possible if requested by the Whistleblower. In some cases, the identity of the Whistleblower may be apparent from the information contained within the report. In such cases the Whistleblower will be informed by the investigator prior to disclosing the information. The WCC may be required to disclose information to third parties in some circumstances, such as legal proceedings arising from the complaint.
- 5.3 If the complaint involves parties involved in the implementation of the procedure any member of the ASCC Executive or Board may appoint other parties to act as WCC or WRP.
- 5.4 Making a complaint under this procedure does not automatically shield the Whistleblower from the consequences of their involvement in unlawful or improper conduct. However, full and frank admissions may be considered in deciding disciplinary actions.
- 5.5 The WCC or WRP are available to provide advice on whether a matter is covered by this policy prior to a formal complaint being lodged.

## 6.0 Related Documents

Grievance Procedure  
Disciplinary Policy and Procedures  
Bullying and Violence  
Creating a Positive Work Environment  
Investigation Procedure