



## DIOCESE OF TOWNSVILLE

### Whistleblower Policy Guidelines

#### 1. Raising a Disclosure as a Whistleblower – How to make a report

Staff and volunteers are first encouraged to raise their disclosure with their supervisor, manager or their senior manager. If a staff member or volunteer is not comfortable discussing a concern with management they can refer the matter directly to the Whistleblower Governance Officer, or alternatively by making the Disclosure through STOPline.

Parishioners, parents and students are encouraged to raise the disclosure with the Parish Priest, Principal or Agency Director. Where this may not be appropriate all parties are able to report a disclosure internally using the following email address: [whistleblower@tsv.catholic.org.au](mailto:whistleblower@tsv.catholic.org.au)

This internal email address will be directed to the Whistleblower Governance Officer and will be treated in the same manner as an external or STOPline disclosure.

Alternatively, the STOPline service outlined below can be used. STOPline Online Disclosure is a service that has been established by STOPline for the Diocese of Townsville and its Agencies, Parishes and Schools for use by employees, religious, volunteers, parishioners, parents and other members of the public.

#### The STOPline service includes:

- Dedicated hotline number, website, fax, mail and email address for employees, members of religious orders, volunteers, parishioners, parents and other members of the public to report suspected incidents of improper conduct;
- Expert forensic investigators taking the calls and analysing disclosures;
- Timely reporting of incidents to the Whistleblower Governance Officer within the Diocese of Townsville.

STOPline has been at the forefront of disclosure management services for over a decade and has partnered with some of Australia's most iconic companies to assist them in demonstrating their commitment to supporting staff, the religious, volunteers, parishioners, parents and the public.

**STOPline** can be contacted by using any of the methods listed below:

**Telephone:** 1300 304 550 (Mon - Fri 0800 – 1800 AEST)

**Email:** [tsvcatholic@stoline.com.au](mailto:tsvcatholic@stoline.com.au)

**Mail:** Diocese of Townsville  
c/o STOPline Pty Ltd  
Locked Bag 8  
HAWTHORN VIC 3122

**Web:** [tsvcatholic.stoplinereport.com](http://tsvcatholic.stoplinereport.com)



**Application:** [Download the STOPLine365 App from Apple or App Store.](#)

Acceptable organisation names for App disclosure are:

Diocese	Dioc Tsv	Townsville Dioc
Saints Tsv	TCEO	Centacare
NWQICSS	MaryMac Childcare	

The following table identifies the processes which should be followed in the normal course of events:

Problem	Initial Contact	Other Options	Policy
Reportable Conduct Suspected Misconduct	The STOPLine Exec Director/Director	Internal Whistleblower Email address, Whistleblower Governance Officer	Whistleblowing, Codes of Conduct
Safeguarding Children & Adults	Queensland Police or applicable regulator	The STOPLine, Diocesan Safeguarding Coordinator	Whistleblowing, Safeguarding, Children and Vulnerable Adults Policy
Workplace conflicts or grievances	Supervisor, Manager or Principal	Senior Executives Organisational Services TCEO	Workplace Bullying, Complaints
Occupational Health & Safety	Supervisor, Manager or Principal	WH&S Manager or STOPLine	OHS Legislation & related policies
Complaints	Parish Manager, School Principal or Agency office	Parish Priest, TCE Office or Agency Senior Exec	Various Commonwealth and State Legislation and internal policy

## 2. Reportable Conduct

- 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 Diocese its Agencies or Parishes;
- Conduct seriously jeopardising risk to workplace health and safety or the work 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 abuse/mistreatment of a student or client—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.

### **2.1 Examples of Reportable Conduct may include;**

- Dishonest, fraudulent or corrupt activity;
- Illegal activity, such as theft, drug sale or use, violence, harassment, criminal damage to Diocesan property or other breaches of State or Federal legislation;
- Breach of the Codes of Conduct and other Diocesan or Agency policies and procedures;
- Unethical behaviour, such as dishonestly altering Diocesan, Agency, School or Parish records, engaging in questionable accounting practices;
- Misusing information technology such as IT equipment, social media sites or data phones;
- The actual or suspected sexual or physical abuse of a child or adult;
- Potentially damaging to the Diocese or another employee, such as unsafe work practices or substantial wasting of resources;
- May cause financial loss to the Diocese, Agency, School or Parish or damage its reputation or be otherwise detrimental to the Diocese's interests;
- Involving any other kind of serious impropriety such as:
  - Accounting and Auditing Matters
  - Conflicts of Interest
  - Discrimination or Harassment
  - Embezzlement
  - Falsification of Contracts, Reports or Records
  - Sabotage or Vandalism
  - Substance Abuse
  - Theft
  - Violation of Policy
  - Violence or Threat of violence or,
- An intent to, or preparation to, commit any of the above.

### **2.2 Reportable Conduct IS NOT;**

- Complaints;
- Workplace conflicts or grievances;
- People & Culture (i.e. Human Resource) matters;
- Workplace performance issues; and
- Equal Opportunity concerns.

## **3. Anonymous Whistleblowers**

STOPline caters for anonymous Whistleblower disclosures. The Whistleblower has three options when making a disclosure through STOPline:

1. Provide their identity;
2. Provide their identity, but not release it to the Diocese; or
3. Remain anonymous.



Whichever option is selected by the Whistleblower, STOPline will provide the Whistleblower with a disclosure or report number. This report number can be utilised by the Whistleblower to check the status of their disclosure, or if it has been assessed as a non-disclosure.

When a disclosure is investigated it may be necessary to discuss the allegations with people, such as other Diocesan staff, external persons who may be involved in the investigation process and, in appropriate circumstances, law enforcement agencies.

At some point in time, to ensure compliance with the principles of natural justice and procedural fairness, it will be necessary to disclose the allegation and the substance of a disclosure to the person who is the subject of the report (the Respondent).

Although confidentiality is maintained, in some circumstances the source or Whistleblower of the reported issue may seem obvious to the Respondent.

The Diocese will also take reasonable precautions to store securely any records relating to a report of misconduct and to permit access by authorised persons only. Unauthorised access of any information relating to a Whistleblower disclosure will be regarded seriously and may result in disciplinary action, which may include dismissal.

There are nuances with anonymous disclosures, in particular where the Whistleblower does not provide adequate or relevant information or physical evidence in regard to the disclosure being made. The lack of detailed information or evidence provided by a Whistleblower can actually lengthen investigation times, lead to dead ends and result in the disclosure being ineffective.

For a disclosure under this policy to be effective the following details may improve the outcomes of an investigation:

- Date and time of incident/incidents;
- Location (if applicable);
- Persons involved, both internal and external;
- Full description of the incident, transaction(s), etc;
- Are there people at risk (nominate names of those at risk);
- Estimate of any monetary value involved;
- Did you witness the incident or transactions or were you advised by a third party;
- Any known witnesses;
- Outline of how the incident took place; and
- Provide any evidence to support the disclosure.

***NOTE:*** Broad based claims lacking detail or evidence may result in the disclosure not being pursued or not progressing past a high-level review.

#### **4. Disclosures vs. Non-Disclosures**

All disclosures to STOPline are initially assessed by STOPline to ascertain whether they are a disclosure or a non-disclosure. All reports are advised to the Whistleblower Governance Officer and the Governance Risk and Compliance Officer electronically within 24 hours of receiving the report. Once the information is received from STOPline, an internal assessment is undertaken to determine whether the information received is a disclosure.

##### ***4.1 Non-Disclosure (Not Reportable Conduct)***

Where an item is deemed to be a non-disclosure (i.e. not reportable conduct), the information is provided to the Senior Executive of the Agency involved or to the Diocesan Director – Church Life & Mission Services or the Director Organisational Services (TCEO) for confirmation of the assessment/status of the information received. If a matter is confirmed as a non-disclosure (i.e. not



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reportable conduct) the matter will be addressed by the Agency and STOPLine will be advised that this information is being treated as a non-disclosure.

Items of Non-Disclosure include:

- Complaints;
- Workplace conflicts or grievances;
- People & Culture (i.e. Human Resource) matters;
- Workplace performance issues; and
- Equal Opportunity concerns.

The whistleblowing program is NOT a replacement for management, nor a substitute for other established processes. The whistleblowing program complements other strategies and programs that have been established by the Diocese and its Agencies by providing a proactive alternative if those other strategies are not suitable.

#### **4.2 Disclosure (Reportable Conduct)**

Where a report is assessed as a disclosure, the matter is escalated to the Senior Executive of an Agency or their nominated representative which may include external lawyers, auditors or investigators. This process will be monitored by the Whistleblower Governance Officer.

The assessment and investigation process of a disclosure will vary and will be dependent upon the quality of the information provided by the Whistleblower, the evidence provided, available access to the Whistleblower (using STOPLine as an intermediary for anonymous disclosures) and the extent to which an investigation is to be undertaken.

The processes are outlined in the sections below.

Disclosures are also reviewed at least quarterly by the Diocesan Finance Council (DFC).

### **5. Confidentiality**

#### **5.1 Protection for Whistleblowers**

All reports or disclosures made under this policy provide protection to the Whistleblower's identity. Identifying information will be restricted to a need to know basis. A typical example of need to know basis is where a Whistleblower's manager and senior manager are not likely to be advised of the disclosure unless they are identified as a potential witness or staff person of interest or are responding to the allegations contained in the disclosure.

The Diocese will not disclose the Whistleblower's identity unless:

- The Whistleblower provides consent;
- The Diocese is required or authorised by law;
- In some circumstances, it is necessary to further the investigation.

In each circumstance the matter will be discussed with the Whistleblower as soon as possible before any identifying information is provided or as soon as possible after disclosing identifying information.

Where a Whistleblower makes a disclosure in "good faith" under this policy, the Diocese will act in the Whistleblower's best interest to protect them from any reprisal, victimisation, adverse reaction or intimidation and ensure they will not be disadvantaged in their employment with the Diocese, Agency, Parish or School. However, making a disclosure will not necessarily shield the Whistleblower from the consequences flowing from their involvement in any determined misconduct matter.



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An employee's liability for their own conduct is not overlooked even if they are a Whistleblower under this policy. However, in some circumstances, an admission by the Whistleblower may be a mitigating factor when the Diocese is determining an investigation under this policy.

### ***5.2 Staff assisting in the investigation must maintain Confidentiality***

During an investigation other staff, such as potential witnesses or staff who are requested to assist in the investigation, must maintain confidentiality about the existence of an investigation and their contribution to it, at all times. This is to protect all parties involved in the investigation such as the Diocese, the Whistleblower, the Respondent and the Investigator. Any breaches of confidentiality by staff assisting in an investigation will be regarded seriously and may result in disciplinary action which may include dismissal.

### ***5.3 The Whistleblower and Respondent must maintain Confidentiality***

During an investigation both the Whistleblower and the Respondent of the disclosure, must maintain confidentiality at all times about the existence of an investigation and their contribution or response to it. This is to protect all parties involved in the investigation. Any breaches of confidentiality will be regarded seriously and may result in disciplinary action which may include dismissal.

### ***5.4 Vexatious or Malicious Disclosure (reports not made in "good faith")***

Where it is shown that a staff person purporting to be a Whistleblower has knowingly made a false disclosure, and it is evident that they know, or should have known, the report has no substance, then that conduct itself will be considered a serious matter and that staff person may be subject to disciplinary action which may include dismissal.

### ***5.5 Investigation***

All reports of misconduct made under this policy will be assessed and if appropriate, will be investigated in a timely manner with the objective of locating evidence that either substantiates or refutes the claims made by the Whistleblower.

Matters to be investigated under this policy will be delegated to an appropriately qualified and/or experienced lawyer, auditor or investigator who may be an employee of the Diocese or external provider.

The person appointed to investigate the disclosure (the Investigator) will be required to follow Diocesan procedures for managing an investigation. This would generally involve:

- Undertaking a fair, independent and discreet investigation into the substance of the report to determine whether there is evidence to support the matters raised;
- Respecting individual confidentiality;
- Collecting all available information and verifying the reported information;
- In order to observe the rules of procedural fairness, interviewing any relevant person to understand their perspective;
- Proceeding with due care and appropriate timeliness; and
- The preparation of a written report detailing the findings of the investigation including recommendations made.

### ***5.6 Timeline of an investigation***

Due to the varied nature of misconduct complaints, which may involve internal and / or external investigators and / or the authorities or regulators, it is not possible to lay down precise timelines. The Investigator should always take care to ensure that the investigation is undertaken as quickly as possible without affecting the quality and depth of that investigation and observing confidentiality.



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### **5.7 Requests to assist in an investigation**

In almost all instances, the Investigator will require assistance from some or several staff at the Diocese, Agency or relevant site. This may include requesting, or requesting access to, reports or other information from a number of business areas such as Human Resources, IT, or Financial Services, as examples. This may also include participating in an interview as a potential witness.

In all occurrences, the Investigator will provide a caution of Confidentiality (refer to Confidentiality) before making a formal request either orally or in writing for specific reports and/or information relating to the investigation of a Whistleblower disclosure.

Where applicable a witness interview will be made in writing by the Investigator. Staff will be advised of a date, time and appropriate venue where the interview is to be conducted.

Each witness will be given a reasonable amount of notice ahead of the interview and cautioned for confidentiality.

All staff are required to extend their full cooperation for any such stated requests and comply with all confidentiality requirements contained in this policy and other related policies.

When communicating any reports or information in writing, the Investigator will place a subject heading of “Confidential”. Assisting staff are also expected to ensure their written communications to the Investigator are labelled “Confidential”. Any discussions must take place in an appropriate, confidential venue – they are not to occur in areas where other staff can overhear the conversations.

Any obstruction, hindrance or failure to comply in a reasonable and timely manner with the Investigator’s requests are considered a serious matter and that staff person or persons may be subject to disciplinary action which may include termination of employment.

### **5.8 The Respondent to a Whistleblower Investigation**

A staff person named as the subject of an investigation (the Respondent) will be treated in accordance with the rules of procedural fairness. This means the Respondent will be given a fair and reasonable opportunity to respond to matters and advised of any evidence relevant to the investigation.

The request to the Respondent to attend one or more interviews will be made in writing by the Investigator with a subject heading “Confidential” which will detail the allegations made in the Whistleblower’s disclosure as well as other information to which the Respondent will be asked to respond during the interview and/or in writing. The request will nominate a date, time and appropriate venue for the interview or a deadline set for a written response to the allegations.

Changes to interview times can occur by agreement between the Investigator and the Respondent, but note, the Investigator is required to conduct a timely investigation and cannot accept prolonged or unreasonable requests to change scheduled interviews without valid and legitimate reasons. The Respondent will be given a reasonable amount of notice relevant to the allegations in order to prepare and refresh their memory of the particulars involved in the allegations before the interview.

### **5.9 Updating the Whistleblower**

The Investigator will advise, as a minimum, the Whistleblower Governance Officer on the following statuses of the investigation:

- a) Confirm receipt of the disclosure and assessment of the investigation;
- b) If the investigation is prolonged, the progress of the investigation and when it is likely to be concluded; and
- c) The result of the investigation.



The Whistleblower Governance Officer will liaise with STOPline in providing the Whistleblower with updates to the investigation. All information provided to the Whistleblower through STOPline as part of an update are also subject to Confidentiality and any breaches by the Whistleblower will be regarded seriously and may result in disciplinary action where the identity of the Whistleblower is known, which may include dismissal.

When an investigation has been concluded, the Whistleblower will be advised through the above process. Where the Whistleblower has not provided STOPline with their contact details, the Whistleblower will be able to contact STOPline quoting the disclosure number provided at the time of the initial disclosure, and STOPline will provide the Whistleblower with the information provided by the Diocese where legally permissible.

## 6. Whistleblower Governance Officer(s)

All Disclosures are forwarded by STOPline to the Whistleblower Governance Officer. The Diocese has appointed the Financial Administrator to undertake this role.

In the event of this officer being identified in a Disclosure, STOPline will direct the Disclosure to the Director, Church Life and Mission Services.

### **Contact details:**

Financial Administrator

Bob Witty (07) 4726 3205

[bwitty@tsv.catholic.org.au](mailto:bwitty@tsv.catholic.org.au)

### **Alternate Whistleblower Governance Officer:**

Director, Church Life and Mission Services:

Geoff Gowdie (07) 4726 3235

[ggowdie@tsv.catholic.org.au](mailto:ggowdie@tsv.catholic.org.au)

## 7. Employee Assistance Programs

At any time during and after an investigation, staff should be encouraged to contact the appointed Employee Assistance Program (EAP) provider.