



## DIOCESE OF TOWNSVILLE

### WHISTLEBLOWER POLICY

#### 1. OBJECTIVE

- 1.1 To encourage the reporting, as required, of anyone suspected of serious misconduct including fraud, corruption, illegal activities, gross mismanagement or any other serious wrongdoing.
- 1.2 Notwithstanding the Church's not-for-profit status, to give effect to the spirit of relevant whistle-blowing 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 does not amount to *reportable conduct* under this Policy. In these cases, the employee will be redirected to other appropriate policies and procedures which may assist employees or volunteers. 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 Diocese 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* provision enables the reporting of *reportable conduct* and the protection of individuals who conscientiously make such disclosures. *Reportable conduct* is explained in Appendix 2: D.8
- 2.2 If *reportable conduct* is observed, an employee, volunteer, priest, member of a religious order, officer, or member of a Council, Board or Committee who reports such behaviour must feel secure if or when such a 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 our dealings at work.
- 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:
  - Awareness of workplace inadequacies or injustices and responding appropriately;
  - Acting responsibly and being accountable for the use of resources; 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.

### 3. DEFINITIONS See Appendix 2

### 4. POLICY STATEMENT

- 4.1 The Diocese will not tolerate improper conduct by paid employees, volunteers, priests, members of religious orders, officers, or members of Councils, Boards or Committees.
- 4.2 The Diocese 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*.
- 4.3 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.
- 4.4 A *Whistleblower* must provide information that may assist any inquiry or investigation of the wrongdoing being disclosed.
- 4.5 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.
- 4.6 The Diocese will ensure where practicable that no *adverse employment action* will be taken by the Diocese or any Agency of the Diocese 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.
- 4.7 The Diocese will afford natural justice to the person who is the subject of a "*whistleblower*" disclosure of *reportable conduct*. Appropriate disciplinary actions may be taken against any staff member as a result of investigations into the conduct which is reported under this Policy being substantiated.
- 4.8 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 person who is independent and qualified;
- Action taken in response to an inquiry or investigation is appropriate; and
- Retaliatory action has not been taken against the person who made the disclosure.

4.9 The *Whistleblower Governance Officer* will be the *Financial Administrator*.

4.10 If the report contains allegations or *reportable conduct* against an Executive Director or Senior Executive 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 (see paragraph 4.14).

4.11 The *Whistleblower Governance Officer* has direct, unfettered access to independent financial, legal and operational advisers as required.

4.12 The *Whistleblower Protection Officer* will have a direct reporting line to an *Executive Director/Senior Executive* from an area of the Diocese 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 support deemed necessary for 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.

4.13 If an employee/volunteer is not willing to make a disclosure of *reportable conduct* to the *Whistleblower Governance Officer*, or other persons named above, the employee or volunteer is encouraged to make a disclosure to the “STOPline” hotline, which is operated externally, securely and confidentially by an independent service provider based in Melbourne.

4.14 A disclosure to STOPline may be provided on an anonymous basis or on the basis that the Discloser’s identity is disclosed to STOPline only and kept confidential from the Diocese of Townsville and its Agencies. The provision of an identity would assist in any subsequent investigation of the Disclosure which will assist STOPline in providing feedback to the person making the disclosure and for the request of additional information if required.

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

**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:** [www.tsvcatholic.stoplinereport.com](http://www.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	

## 5. APPLICABILITY

5.1 The Diocese of Townsville, including all Agencies and Parishes under the jurisdiction of the Bishop.

## 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 or she will not be protected from the consequences flowing from 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 *Whistleblower Governance Officer* is to advise all Agencies and Parishes covered by this policy and its enacted date.

7.2 The Parish Priest or Parish Administrator is to advise the Parish Finance Council of this policy and its compliance when reviewing the annual financial accounts.

7.3 The *Executive Directors/Senior Executives* or Human Resource Senior Executive are to provide advice and communicate this Policy to all Agency staff and volunteers.



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

## **9. REPORTING**

- 9.1 STOPline will provide daily/monthly/quarterly reports to the *Whistleblower Governance Officer*.
- 9.2 The *Whistleblower Governance Officer* will provide quarterly and ad-hoc reports (when required) to the *Bishop*.
- 9.3 The *Whistleblower Governance Officer* will provide regular Compliance Reports to the Diocesan Finance Council.

## **10. DATE OF NEXT REVIEW**

31 August 2022

## **11. RELATED POLICIES AND PROCEDURES**

See Appendix 1



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**12. VERSION HISTORY**

Version Date	Enacted Date	Comments
2/08/2019	2/08/2019	Original Policy

Approved By:

*+ Timothy J Harris*

Signed:

Date: 2/8/2019

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Most Rev Timothy Harris DD  
Bishop of Townsville



## RELATED POLICIES AND PROCEDURES

- 11.1 Codes of Conduct and Ethical Behaviour (Agency specific)
- 11.2 Codes of Conduct and Ethical Behaviour (Diocese and Parishes) in progress
- 11.3 Diocesan Compliance Policy (in progress)
- 11.4 Safeguarding Children and Vulnerable Adults Policy and Procedures
- 11.5 Diocesan Whistleblower Policy Guidelines



## DEFINITIONS

*D.1 Whistleblowing is:*

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

*D.2 A Whistleblower is:*

An employee, volunteer, priest, member of a religious order, officers, members of Councils, Boards or Committees, parishioners, parents and the public generally who reports in “good faith” that the reportable conduct has occurred, is occurring or will likely occur within the Diocese of Townsville.

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

*D.3 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 Diocese in accordance with this Policy.

*D.4 Whistleblower Protection Officer:*

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

*D.5 Investigator:*

The investigator will have independence of line management of the Agency or 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 Diocese’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.

*D.6 Senior Executives (SEs)*

The *Senior Executives* of the Diocese of Townsville are the leaders of the *Agencies*, which make up part of the Curia or working organisation of the Diocese. The *SEs* provide leadership and management of the Diocesan *Agencies* as well as advice and support to the Bishop in their various areas of expertise. They each report directly to the *Bishop*. The



following position titles apply to the *SEs* of the *Agencies*:

- Townsville Catholic Education – Executive Director
- Centacare North Queensland – Executive Director
- Church Life and Mission Services – Diocesan Director
- Financial Administrator

#### D.7 *Financial Administrator*

The *Financial Administrator* is appointed by the Bishop and has *responsibility* for Diocesan financial, governance, risk and compliance matters. The *Financial Administrator* works closely with the *Bishop* and the *Agency SEs* in relation to these matters and is also the Governance Risk & Compliance officer.

#### D.8 *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 Diocese or its Agencies;
- 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 (\*);
- 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.*

#### D.9 *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.



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D.10 *STOPline*

STOPline is an independent, confidential hotline service for the receipt of disclosures relating to corruption, criminal activity, serious misconduct or improper behaviour in the workplace.

The anonymous toll-free service is a key component of the Diocese's governance program through its capacity to protect its assets, people and reputation while satisfying best practice principles, as well as local and overseas legislation.

D.11 *Child*

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

D.12 *Vulnerable Adult*

A vulnerable adult is any individual aged over 18 years who has or is suffering bereavement, marriage breakdown or other such adversity making them in particular need of pastoral support, or a person with an intellectual disability, physical illness, mental illness or other impairment that makes it difficult for that person to protect themselves from abuse or exploitation.