

## ACA Whistleblower Policy

### 1. Introduction

The Board of The Australasian Corrosion Association Inc (ACA) is committed to the ACA operating legally in accordance with applicable legislation, properly in accordance with organisational policy and procedures and ethically in all of its activities.

It is the responsibility of all Board members, Committee members, employees and members of the Association to play an important role in establishing, maintaining and enhancing the reputation of the Association by ensuring observance of the high standards of ethics and behaviour to which the Association is committed.

### 2. Purpose

This Whistleblower Policy is intended to encourage and enable Board members, Committee members, employees and members to raise serious concerns internally so that the ACA can address and correct inappropriate conduct and actions. It is the responsibility of all Board members, Committee members, employees and members to report concerns about violations of ACA's code of ethics or suspected violations of law or regulations that govern the ACA's operations.

### 3. Scope

This policy applies to all staff, Directors and members of the ACA.

### 4. Definitions

Whistleblower is a person who, whether anonymously or not, makes a report in connection with a reportable conduct and wishes to avail themselves of protection against reprisal harassment, or adverse employment consequence for having made the report.

Reportable Conduct is conduct that is:

- a) illegal, dishonest, fraudulent or corrupt;
- b) in breach of Commonwealth or state legislation;
- c) in breach of other relevant ACA policies and procedures, ACA Code of Conducts and Ethics, Employee Employment & Contractor Contracts.

Whistleblower Protection Officer is a member of the ACA Governance Committee appointed by the Board who is responsible for keeping the Whistleblower informed of the progress and outcomes of the inquiry/investigation subject to considerations of privacy of those against whom a disclosure has been made.

Whistleblower Investigations Officer is someone appointed by the ACA Governance Committee (usually the Executive Officer) who is responsible to investigate the substance of any complaint regarding Reportable Conduct to determine whether there is evidence in support in the conduct raised or, alternatively, to refute the complaint made.

### 5. Reporting

Any person who wishes to raise concerns regarding Reportable Conduct should do so by contacting the Whistleblower Protection Officer. If, for some reason, it is not appropriate to report to the Whistleblower Protection Officer the Whistleblower may contact the Executive Officer and/or Chairman of the Association or any other member of the Governance Committee.

If the Whistleblower has any personal interest in the matter, it is essential that this is made known to the Whistleblower Protection Officer at the outset. The Whistleblower raising a concern of Reportable Conduct will not be expected to produce irrefutable evidence to support the concerns raised. All that is required is that the Whistleblower has a genuine concern regarding Reportable Conduct and that the concern is raised in good faith. It is in the Association's interests to hear of suspicions of Reportable Conduct at the earliest possible opportunity.

#### **6. Confidentiality**

If the Whistleblower does not wish to be identified (other than to the Whistleblower Protection Officer), they should say this at the first possible opportunity so that appropriate arrangements can be made. In these circumstances a guarantee of anonymity will be given, subject to any legal requirements that may require disclosure of the identity of the Whistleblower (such as in legal proceedings).

Information received from the Whistleblower will be held securely and in strict confidence and will only be disclosed to a person not connected with the investigation of the Reportable Conduct if:

- a) the Whistleblower has been consulted and has consented in writing to the disclosure; or
- b) the Whistleblower Protection Officer or the Whistleblower Investigations Officer is required by law to do so.

The Whistleblower (if an employee of the ACA) may request a leave of absence during any investigation if it is not possible to maintain the Whistleblower's anonymity.

#### **Investigation**

Reports of Reportable Conduct will be thoroughly investigated by the Whistleblower Investigations Officer with the view of substantiating or refuting the claims made by the Whistleblower.

However, vague anonymous complaints, lacking in sufficient information to allow an investigation, may not be investigated.

#### **Outcome**

It is the obligation of the Whistleblower Investigations Officer, following completion of their investigation to ensure that:

- a) all verifiable Reportable Conduct is dealt with appropriately; and
- b) systemic or recurring Reportable Conduct is reported to those with sufficient authority to correct it.

#### **Feedback**

The Association will ensure that the Whistleblower is promptly informed of the outcome of the investigation of their report, subject to considerations of privacy of those against whom allegations have been made and the customary confidentiality practices of the Association. If the Whistleblower is not an employee then the provisions of this clause may apply once the Whistleblower has agreed in writing to maintain confidentiality in relation to any information provided in relation to their report.

**Consequences of Reporting - Proper Reporting**

A Whistleblower will not be regarded as a sneak or troublemaker. The Association recognises that a Whistleblower usually only decides to express a concern after a great deal of thought. Provided the concern is raised in good faith, the Whistleblower is not at risk of losing their employment, role within the Association or suffering any form of reprisal for coming forward. It does not matter whether the suspicion proved to be unfounded or real. The Association will protect the Whistleblower who raises a genuine concern and will not tolerate the harassment or victimization of, or discrimination against, such a Whistleblower or their family, relatives or colleagues. The Association will deal with any such harassment, victimization or discrimination under the disciplinary and/or harassment procedures of the Association.

**Consequences of Reporting - Improper Reporting**

If it is shown that Whistleblower has made a false report of Reportable Conduct (being one which is raised other than in good faith and which raises a matter which they know or believe to be untrue) then this will be regarded as misconduct by the Whistleblower and will be dealt with through the employment disciplinary procedures or the Associations members code of conduct.

**Relevant Legislation**

- Australia – Public Interest Disclosure Act 2013
- ACT – Public Interest Disclosure Act 2012
- NSW – Public Interest Disclosures Act 1994
- NT – Public Interest Disclosure Act 2008
- Queensland – Public Interest Disclosure Act 2010
- South Australia – Whistleblowers Protection Act 1993
- Tasmania – Public Interest Disclosures Act 2002
- Victoria – Protected Disclosure Act 2012
- Western Australia – Public Interest Disclosure Act 2003

**Policy History and Version Control**

The ACA Whistleblower Policy will be reviewed every three years.

<b>Version</b>	<b>Reviewed By</b>	<b>Reviewed</b>	<b>Approved By</b>	<b>Date Approved</b>
1.0	Governance Committee	6 <sup>th</sup> July 2017	Board	31 <sup>st</sup> July 2017