

Policy Date: 20200501

Purpose

Many Rivers is committed to maintaining the highest standards of behaviour consistent with our values of "Care, Respect & Accountability". The purpose of this policy is to provide a safe and accessible means to report any wrongdoing or conduct that is illegal, unethical or improper, immoral or illegitimate, occurring within the organisation without fear of retribution.

Scope

This policy applies to all Many Rivers' current and former Directors, Team Members, Volunteers, Contractors, Funders and Supporters including any relative, dependent, spouse or employee of such individuals.

Policy Owner

This policy is managed by the CEO and Head of Finance.

Definitions

Whistleblowing is the disclosure by organisation members (former or current) of illegal, immoral or illegitimate practices under the control of their employers to persons that may be able to effect action.

Whistleblower, an individual as stated under the scope of this policy, making a report (**disclosure**).

Wrongdoing may include (but is not limited) the following conduct:

- Illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property or breaches of State, Federal or Territory legislation
- Fraud, money laundering or misappropriation of funds
- Offering or accepting a bribe
- Dishonestly altering and/or falsifying company records, engaging in suspect accounting practices
- Failure to comply with, or breach of, legal or regulatory requirements
- Conduct that is materially damaging to Many Rivers or any Director, Team Member, Contractor or Volunteer (for example, engaging in materially unsafe or dangerous work practices, creating material health risks or material misuse of Many Rivers' property or resources)
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made, or be planning to make, a wrongdoing disclosure

Policy Statement

Many Rivers is committed to upholding a culture of 'no degrees of honesty' where legitimate concerns of wrongdoing can be reported without fear of retribution. When anyone makes an allegation under this policy, they can expect that:

- Their identity remains confidential to the extent permitted by law or is practical in the circumstances;
- They will be protected from reprisal, harassment or victimisation for making the report;
- Many Rivers will treat seriously any retaliation occurring for having made a wrongdoing disclosure under this policy;
- Their allegations will be investigated independently, seriously and in a timely manner; and
- Those involved in the investigation will maintain confidentiality.

This policy must not be used to make false or vexatious allegations. Further, if the matter does not relate to a wrongdoing (as defined in the policy) then Team Members should contact their Team Leader,

Head of Organisational & People Development or Executive Team member and report the matter in accordance with the Many Rivers Code of Conduct and/or Equal Opportunity, Discrimination, Harassment, Bullying & Victimisation Policy.

Reporting and investigation of suspected wrongdoing

Any suspected wrongdoing (**disclosure**) can be reported to the Chief Executive Officer (**CEO**). If the CEO is the subject of the allegation the report should be to the Chairman of the Board (**Chairman**) (refer *Whistleblowing Reporting Procedure* ([Appendix 1](#))).

Disclosures should be made as soon as reasonably possible, however there is no time limit on disclosures. The report can be made by email or phone and should detail: What occurred, how the misconduct was executed, when and where it occurred and who was involved.

A whistleblower may make an anonymous disclosure or adopt a pseudonym and still be entitled to the protections set out in this policy. They can do so by calling from a phone where caller id is withheld or reporting via an anonymous email address. However, it should be noted this might impact Many Rivers' ability to progress its investigations, make contact, provide updates and/or protect the whistleblower from detriment.

Disclosures reported to the CEO will be investigated with the support of the Head of Finance, unless the Head of Finance is the subject of the allegation in which case the CEO will lead the investigation. Disclosures reported to the Chairman will be investigated with the support of external legal counsel. The course of investigation will consider:

- The nature and scope of the investigation;
- The nature of any technical, financial or legal advice that may be required to support the investigation; and
- The timeframe for the investigation.

In the course of the investigation Many Rivers may proceed to speak to anyone who may be affected or involved in the disclosure, providing an opportunity to respond to the allegations. Responses will be considered, and witnesses questioned where facts are disputed. Investigations will be conducted in a comprehensive and fair manner including ensuring procedural fairness and due process to any person accused of wrongdoing. Many Rivers will also afford the presumption of innocence to any person accused of wrongdoing.

A final investigation report will be provided to the CEO, or the Chairman of the Board where the CEO is the alleged. Where necessary, the whistleblower's name may be redacted to protect their identity. Many Rivers will provide feedback, where appropriate, to the whistleblower regarding the progress and outcome of any investigation.

Exception to Policy

Any exception to this policy or guidance on matters not expressly stated will be taken to the CEO for decision.

Failure to comply with the Whistleblower Policy

Where it is established that a Team Member has breached the Whistleblower Policy, they may be subject to disciplinary action, up to and including termination of employment.

Chairman's Contact Details

Where required under this Policy the Chairman can be contacted at quay@bigpond.net.au or on (02) 9251 2181.

Appendix 1: Whistleblower Reporting Procedure

The Whistleblowing Reporting Procedure is available for whistleblowers to report wrongdoing or conduct that is illegal, unethical or improper, immoral or illegitimate, as defined in this policy.

Action	Responsibilities
Whistleblowing referral and assessment	
Whistleblower identifies wrongdoing and notifies the CEO or Chairman (where the CEO is the subject of the allegation).	Whistleblower
Allegation is received, reviewed and initially assessed for validity as a wrongdoing under the policy. If not a wrongdoing as defined under the policy the report is closed and the whistleblower informed.	CEO / Chairman
Head of Finance or external legal counsel (where the CEO is the subject of the allegation) engaged to support the investigation.	CEO / Chairman
Investigation and determination	
Head of Finance or external legal counsel (where the CEO is the subject of the allegation) assesses the allegation, conducts interviews with the alleged, witnesses and other parties as required.	Head of Finance / External legal counsel
Head of Finance reports findings to the CEO. If the allegations involve the CEO, external legal counsel reports findings to the Chairman of the Board.	Head of Finance / External legal counsel
Head of Finance or external legal counsel (where the CEO is the subject of the allegation) provides ongoing communication and outcome to whistleblower throughout the investigation.	Head of Finance / External legal counsel
If the whistleblower is not satisfied with the outcome of an investigation, they may refer the matter to the attention of the Chairman of the Board as the final reviewer.	Whistleblower
Appropriate action is taken by Many Rivers.	CEO / Chairman
Reporting & Review	
Where the wrongdoing does not involve the CEO, the CEO reports to the Many Rivers Board the status of any whistleblowing investigations at each Board Meeting.	CEO

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