



1. Document control

Overview	A whistle-blower is any employee, volunteer, contractor or people associated with the YMCA NSW that detects wrongdoing, or has reasonable grounds for suspecting wrongdoing and reports it to their immediate manager or to the YMCA NSW Whistle-Blower Service.
Objective	<p>The purpose of the YMCA NSW Whistle-Blower Policy is to help detect actual or suspected wrongdoing within YMCA NSW, to protect anyone who reports such incidents and to address issues raised appropriately.</p> <p>The Whistle Blower Policy is aligned with the YMCA NSW values and the NSW Standards of Conduct and is one of a number of policies to support ethical and honest behaviour.</p>
Scope	All YMCA NSW staff including Board Directors, student placements, any consultants or contractors engaged by YMCA NSW and clients of YMCA NSW.
Policy owner	Chief Risk Officer
Policy approver	Chief Executive Officer
Effective date	14 August 2015
Review date	14 August 2016
Related procedures	Whistle Blower Procedure

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2. Definitions

Term	Definition
Staff	Any person YMCA NSW employs, or engages – including paid employees, volunteers, Board Directors, contractors, consultants and student placements.
Employee	Paid employees of YMCA NSW.
Volunteer	Unpaid volunteers, student placements and Board Directors.
Whistle-Blowing	The deliberate, voluntary disclosure of individual or organizational wrongdoing by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control
Wrongdoing	Includes (but not limited to) any conduct that is: <ul style="list-style-type: none"> • Child Protection breaches or “Red Flags” • Dishonest, fraudulent or corrupt; • Illegal, such as theft, assault, harassment, drug sale or use, criminal damage, or other breaches of state or federal legislation • Unethical, such as dishonestly altering company records or engaging in questionable accounting practices or wilfully breaching the YMCA NSW Standards of Conduct or other ethical statements • Potentially damaging to YMCA NSW or a YMCA NSW person, such as unsafe work practices or substantial wasting of resources • Causing financial loss to YMCA NSW or damage its reputation or be otherwise detrimental to the interests of YMCA NSW • Involving other kind of serious impropriety

3. Policy statement

YMCA NSW is committed to the highest standards of legal, ethical and moral behaviour and ensuring compliance in all aspects of the organisation. The purpose of this policy is to provide an avenue to detect actual or suspected wrongdoing, to protect anyone who reports such incidents and to address issues raised in an appropriate manner.

The policy aims to help provide staff and all people associated with the YMCA NSW with a supportive environment in which they are able to raise issues of concern to the organisation and provide an avenue for reporting. By reporting concerns, misconduct and child protection breaches, you can help ensure the YMCA NSW’s people and patrons are safe and secure in the YMCA NSW environment. When a person makes a report they are assured that:

- Their identity remains confidential at all times to the extent permitted by law
- They are protected from reprisal, harassment or victimization for making the report.
- Should victimization or retaliation occur, YMCA NSW will treat it as serious misconduct.

This policy is not intended to replace other reporting structures such as those for dispute resolution or grievances except where the other reporting mechanisms are inappropriate or have been ineffective.

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4. What YMCA will do to promote this policy

YMCA NSW encourages all staff to report Wrongdoing. YMCA NSW promotes a culture of “If you see something...say something”.

All staff should feel confident and comfortable about reporting wrongdoing. YMCA NSW is committed to protecting and supporting the dignity, wellbeing, career and good name of anyone reporting wrongdoing.

5. Policy Requirements

5.1 Whistle Blower

- Any staff or person associated with the YMCA NSW that detects wrongdoing, or has reasonable grounds for suspecting wrongdoing, is encouraged to raise their concerns with their immediate manager, as soon as practically possible, through the normal reporting channels.
- If the person believes reporting their concerns to their immediate manager or to anyone else within the YMCA NSW is inappropriate, the report may be made directly to the YMCA Whistle-blower Service.
- The YMCA Whistle-blower Service is an independent hotline service which gives staff the opportunity to anonymously report on actual or suspected serious wrongdoing.
- The role of a YMCA Whistle-blower Service is to safeguard the interests of the whistle-blower.

5.2 Confidentiality

- Important note - if a report concerns alleged or suspected breach of corporations or securities laws, the recipient of a report under this policy must seek legal advice before disclosing any information at all relating to the report.
- YMCA NSW will not disclose the person’s identity unless:
 - The person making the report consents to disclosure
 - The disclosure is required or authorized by law
- When a report is investigated it may be necessary to reveal its substance to people such as other YMCA NSW staff, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. Although confidentiality is maintained, in some circumstances, the source of the reported issue may be obvious to a person who is the subject of a report.
- YMCA NSW will also take appropriate precautions to store any records relating to a report of wrongdoing, securely and to permit access by authorized persons only.
- Unauthorized disclosure of information relating to a report, the identity of a YMCA NSW reporter or information from which the identity of the reporting person could be inferred will be regarded seriously and may result in disciplinary action, which may include termination of employment.

5.3 Protections

- YMCA NSW is committed to protecting and respecting the rights of a person who reports wrongdoing in good faith. YMCA NSW will not tolerate any retaliation or threats of retaliatory

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action against any person who has made or who is believed to have made a report of wrongdoing, or against that person's colleagues, employer (if a contractor) or relatives. For example, the person must not be disadvantaged or victimized by having made the report by:

- Dismissal
- Demotion
- Any form of harassment or discrimination
- Current or future bias
- Threats of any of the above
- Any such retaliation or victimization in reprisal for a report made will be treated as serious misconduct and will result in disciplinary action, which may include termination of employment.
- If a person who has made a report believes retaliatory action or victimization has occurred or been threatened, they are to report this to their manager or via the Whistle-Blower Service as appropriate

5.4 Disclosers Implicated in Wrongdoing

- Even though a person who makes a report may be implicated in the wrongdoing, that person must not be subjected to any actual or threatened retaliation or victimization in reprisal for making a report.
- Making a report will not necessarily shield the discloser 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. In some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

5.5 Reporting

- False Reporting - Where it is shown that a whistle-blower has knowingly made a false report, being matters that the report knows, or ought to know, have no substance, that conduct itself will be considered a serious matter and that person may be subject to disciplinary action which may include termination of employment
- Trivial or vexatious reports - This policy is intended to apply to reports of alleged or suspected wrongdoing. The policy must not be used for trivial or vexatious matters.

5.6 Investigation

- All reports of alleged or suspected wrongdoing will be assessed, and if appropriate, independently investigated with the objective of locating evidence that either substantiates or refutes the claims made by the whistle-blower.
- A Whistle-Blower Investigator will be appointed and is responsible for ensuring the fair and proper conduct of the investigation. The investigation will not be conducted by a person who may be the subject of the investigation or has inappropriate links or connections (actual or perceived) to the person(s) or practice(s) under investigation.

5.7 Communication to the Whistle-Blower

- The Whistle-Blower Investigator will keep the YMCA NSW Whistle-Blower Service informed of the progress of the investigation. The Whistle-Blower Service is responsible for keeping the whistle-blower informed of the outcomes of the investigation to his/her report subject to the considerations of privacy of those against whom the allegations have been made.

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5.8 Management of the Person Whom a Report is Made Against

- YMCA NSW recognizes that individuals against whom a report is made must also be supported during the handling and investigation of the report. YMCA NSW takes reasonable steps to treat fairly the person who is the subject of a report, particularly during the assessment and investigation process.
- Where a person is named by a whistle-blower as being suspected of possible wrongdoing but preliminary inquiries determine that the suspicion is baseless or unfounded and that no formal investigation is warranted, then the whistle-blower will be informed of this outcome and the matter closed.
- The YMCA NSW Whistle-blower Service will decide whether or not the person named in the suspicion should be informed that a suspicion had been raised and found to be baseless upon preliminary review. This decision will be based on a desire to preserve the integrity of a person so named so as to enable workplace harmony to continue unfettered and to protect the whistle-blower if it was a genuine disclosure.
- Where the allegations in a report have been investigated and the person who is the subject of the report is aware of the allegations or the fact of the investigation, the Whistle-Blower Investigator must formally advise the person who is the subject of the disclosure of the outcome of the investigation.

6. Accountability and responsibility

Role	Responsibility
YMCA NSW Board	<ul style="list-style-type: none"> • Ensure adequate resources are allocated to allow effective implementation
Chief Executive Officer	<ul style="list-style-type: none"> • Ensure management understand their obligations in accordance with the Whistle Blower Policy. • Plan organisational resources and requirements for policy and procedure implementation • Ensure annual organisational reporting is completed
Chief Risk Officer	<ul style="list-style-type: none"> • Ensure access to policy for all staff members and volunteers • Provide advice and support to managers and staff in relation to this policy • Manage the reporting and escalation process in relation to this policy • Conduct regular reporting to the board of directors
Human Resources	<ul style="list-style-type: none"> • Ensure access to policy for all staff members and volunteers • Ensure induction and adequate training is provided for managers, supervisors, staff and volunteers for the policy's implementation • Provide advice and support to managers and staff in relation to this policy • Manage the internal review process for ensuring adherence to this policy
Managers and Supervisors	<ul style="list-style-type: none"> • Support all training and development initiatives targeted to raise awareness of this policy • Follow the guidance, training and resources provided for the implementation of this policy • Partake when required with internal reviews
Staff Members	<ul style="list-style-type: none"> • Participate in the induction process and follow the guidance, training and resources provided for the

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	implementation of this policy
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7. Interactions with related documents

Related policies	Link to the policy
YMCA NSW Standards of Conduct	
YMCA Australia Safeguarding Children and Young People Policy	
YMCA NSW Safeguarding Children, Young People and Vulnerable Adults Policy	
Reporting Child Protection Concerns Policy	

Related procedures	Link to the procedure
Whistle Blower Procedure	

Related legislation	
Corporations Act 2001	Fair Work Act 2009
Work Health and Safety Act 2011	

8. Monitoring, Evaluation and Review

The YMCA NSW Whistle Blower Policy will be reviewed annually by and in consultation with YMCA NSW Board, Executive Leadership Team and other stakeholders.

9. Document History and Version Control

Version	Date Approved	Author	Brief Description
2	17 July 2015	L. Durrell	Update of procedure

10. Endorsement

I endorse the Whistle Blower Policy:

Name	<i>WESA HART</i>	Role	<i>CEO</i>
Signature	<i>[Handwritten Signature]</i>	Date	<i>14/8/15</i>

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