

CWS Whistleblowing Policy and Procedure

Application

Applies to all Christian World Service (CWS) personnel who have information about potentially wrongful acts relevant to their workplace.

Definitions

The following definitions apply to this document:

- Whistleblowing is the deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has, or has had privileged access to persons, data, events, or information about an actual, suspected or anticipated wrongdoing within CWS.
- The term personnel may include staff, contracted consultants, advisors, volunteers, and anyone engaged in the work of CWS.
- A wrongful act is defined as either illegal conduct within the workplace, or behaviour that is harmful or inappropriate to any stakeholder of the organisation. Wrongful acts may include, but are not limited to
 - Criminal acts
 - Mismanagement of organisational funds
 - Disclosures of confidential information
 - Acts which risk the health and safety of employees and/or public
 - Sexual, verbal or physical harassment or abuse
 - Breaches of legal obligations
 - Abuse of power
 - Other unethical conduct, or
 - The concealment of any of the above

Purpose

To ensure CWS is a safe workplace, and that the organisation has documented processes and systems to facilitate receiving and investigating accusations of wrongful acts.

Policy

1. All CWS personnel are obliged to report all allegedly illegal actions within their workplace. They are also encouraged to report actions they perceive as harmful or inappropriate to any stakeholder of CWS, or to the organisation as a whole.
2. CWS will fully investigate any report of an alleged wrongful act within the organisation and all relevant personnel are required to cooperate in any investigation.
3. The identity of whistleblowers who report alleged wrongful acts within the organisation will be protected. Exceptions to this clause include when the disclosure of the identity is required by law, when disclosure is necessary to the investigation, or when the whistle-blower consents to disclosure.

4. Whistleblowers who have acted in good faith will be protected from damages associated with their reporting, even if the subject of their report turns out to be unfounded. Damages in this context is limited to dismissal, demotion, loss of privileges, discrimination, or threats. If the whistle-blower believes that damaging actions have occurred as a consequence of their reporting, they have the right to bring such a claim to the National Director, the Board, and/or their union.
5. Whistleblowing reports that are deliberately false will be subject to disciplinary action, and may result in dismissal or prosecution.
6. In the event that a whistleblower is implicated in the wrongful act:
 - a. The reporting of the wrongful act will not lead to disciplinary measures.
 - b. Consequences for involvement in the wrongful act will be assessed. Here, admission of guilt may be a mitigating factor when considering disciplinary action.

Procedure

Any stakeholder of CWS may submit a report of alleged wrongdoing. Reporting acts of alleged wrongdoing should be raised with the National Director of CWS in the first instance. Where this is not appropriate because the National Director is thought to be involved, the report should be raised with the Board Chair.

Reports may be submitted in writing or verbally. They should include full details and any supporting evidence that may be available. The report should make it clear the whistleblower is enacting the Whistleblowing Policy, and should state whether or not they wish to keep their identity confidential.

Workplace Support will be offered to all whistleblowers.

During investigation and deliberation the person who is the subject of the report will retain rights of natural justice including:

- Being informed of sufficient details of the claim to adequately form a response.
- Being given appropriate opportunity to answer allegations before the investigation is concluded.
- Having their defence included fairly in any relevant report for investigators.

The National Director or Board Chair is responsible for leading an investigation, in accordance with relevant legislation and internal policy, unless they are implicated in the claim. The duration and depth of the investigation should correspond to the nature of the claim, but investigations must have started within 10 working days of receiving the report from the whistleblower. A preliminary outcome of the investigation should be known by no more than 60 days after acknowledgement of the report. In complex or exceptional cases, the investigation may take longer.

Corrective or disciplinary actions must be appropriate for the offense, and may include prosecution.

Where it is determined the claim is unfounded, the subject of the claim must be immediately informed of that finding, and the matter closed. CWS should provide or

arrange appropriate support to that person. The results of the investigation and the identity of the person must be handled confidentially.

Key relevant documents

- Charities Act 2005
- CWS Health and Safety Policy and Procedures
- CWS Anti-fraud Policy
- Other policies within CWS including employment agreements

Document management and control

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Note – the default period is 3 years unless the owner requests a shorter period