



Christ's Heart for the World's Poor

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MWA Policy Document

Whistleblowing

Policy Statement

MWA is committed to creating and maintaining an open working environment in which all stakeholders are able to raise concerns regarding actual or suspected unethical, unlawful or undesirable conduct.

The Board recognises that any genuine commitment to detecting and preventing illegal and other undesirable conduct must include a mechanism whereby stakeholders can report their concerns freely and without fear of reprisal or intimidation. This Policy provides such a mechanism, and encourages the reporting of such conduct. Unethical, unlawful or undesirable conduct is referred to in this Policy as Misconduct.

1. Mission World Aid staff, volunteers, contractors and partners who are aware of possible wrongdoing have a responsibility to disclose that information.
2. Mission World Aid staff and volunteers who in good faith disclose perceived genuine wrongdoing will be protected from adverse employment consequences,
3. Mission World Aid will conduct an impartial investigative process.
4. Whistleblowers will be accorded due confidentiality and protection.

Policy Details

Definitions

For the purposes of this Policy, the definitions are as listed below:

Investigation: A search of evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law or the policies set by MWA.

Misconduct: All MWA stakeholders are encouraged to report any genuine concerns that they believe constitute a breach of MWA policies or the law. Matters which should be reported under this Policy, whether actual or suspected may include:

- Dishonest, fraudulent, corrupt or unlawful conduct or practices.
- Misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting or financial reporting practices.
- Conduct or any proposed conduct that breaches the provisions of any Australian legislation (Commonwealth or State) or in countries MWA has partner organisations.
- Coercion, harassment or discrimination by, or affecting, any member of MWA.



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- A breach of MWA policies
- Conduct within MWA control which is a significant danger to the environment.
- Conduct related to MWA activity that is endangering the health and safety of any person which has been reported to MWA management but not acted upon.
- Any action taken against, or harm suffered by a person as a result of making a report under this Policy.
- Any other conduct or act which may cause loss to MWA or which may otherwise be detrimental to its interests.

Mission World Aid Stakeholder: MWA Directors (Board members), employees, volunteers, partner organisation, contractors and consultants.

Whistleblower: Any MWA stakeholder who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with Misconduct and where the whistleblower wishes to avail themselves of protection against reprisal for having made the report.

Whistleblower Protection Officer (WPO): A designated MWA representative tasked with the responsibility of protecting and safeguarding the interests of whistleblowers within the meaning of this Policy. The WPO will have access to independent financial, legal and operational advisers as required. The WPO is MWA's legal advisor, Geoff Adams.

Whistleblower Investigations Officer (WIO): A designated MWA representative tasked with the responsibility of conducting preliminary investigations into reports received from a whistleblower. The role of the WIO is to investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made. The WIO will be appointed by the WPO on a case by case basis, depending on the nature of the report. The WIO will be an independent party who is not associated with the area under investigation.

What and How to Report

All MWA stakeholders are encouraged to report Misconduct that they believe constitute a breach of MWA policies or the law. Examples of matters which should be reported under this Policy, whether actual or suspected are outlined under the heading Misconduct.

Reporting Mechanisms

Internal Reporting

Whistleblowers may wish to discuss the matter informally with a Board Member first in order to determine whether an incident of Misconduct has occurred. This is an opportune time to clarify the



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incident, ask questions and become familiar with this and the Complaints Policy. At all times, discussions will remain confidential.

If it appears Misconduct has occurred, the matter will be documented using the Misconduct Reporting Form (MRF) and the Board member will refer the matter to the WPO. The MRF is found at:

<https://compliance.asic.gov.au/#/form/583b77dc397bbc319837ea2a/app/5fb5f9e5bb21210bf88355ae>

and is preferred / used by the Australian Charities and Not For Profits Commission (ACNC).

Where this is not appropriate, where the whistleblower does not feel comfortable in doing so, or where the whistleblower has previously done so and believes no action has been taken, the whistleblower may report the Misconduct externally.

External Reporting

The whistleblower may report Misconduct, anonymously if preferred, directly to MWA's external independent WPO, Geoff Adams, Partner at Tri-Meridian Corporate and Commercial Law. Reporting contact options include:

- Phone: 08 7120 9000
- Email - gadams@tri-meridian.com
- Post – Tri-Meridian Law. 4/185-191 Victoria Square, Adelaide SA 5000
- <http://www.tri-meridian.com/contact/>

Calls will be received by Tri-Meridian on recognised business days between 9am and 5pm (CST). Calls are not recorded. Details will be recorded in accordance with the ACNC form and procedure.

The WPO will prepare a report which details the Misconduct as reported by the whistleblower. All reports will be handled by the WPO for action or in some cases by referral to an appropriate WIO. All reports under this Policy are treated very seriously and will be investigated appropriately.

An alternative avenue for the whistleblower is to use the Australian Charities and Not for Profits Commission (ACNC) process for reporting concerns about Australian charities at:-

<https://compliance.asic.gov.au/#/form/583b77dc397bbc319837ea2a/app/5fb5f9e5bb21210bf88355ae>

Generally, ACNC will only act on concerns where:

- there is a **serious risk to public trust and confidence** in the sector, **AND**
- they relate to a **charity's compliance** with requirements of the ACNC Act.



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Reporting Non-Compliance outside the Company

It is MWA's aim to ensure that stakeholders do not feel the need to discuss MWA company concerns outside of MWA, however, nothing in this Policy should be interpreted as restricting a stakeholder from raising issues or providing information to an external party, in accordance with any relevant law, regulation or prudential standard.

Investigation of Misconduct Reports

All reports of Misconduct will be treated seriously and the subject of a thorough investigation with the objective of locating evidence that either substantiates or refutes the claims/allegations made by the whistleblower. Investigations are to be undertaken by the WIO.

The WIO responds to all concerns raised and reports to the WPO.

Following a report of Misconduct, either internally or externally, the following procedure is to be followed:

- The completed MRF is to be forwarded to the WIO by the WPO
- The WIO is to review the MRF and determine the appropriate manner of investigation, and then inform the whistleblower and the WPO (who is required to inform the whistleblower) of how the investigation will proceed.
- The WIO is to determine what resources are needed and secure access to those resources, including where necessary the assistance of other employees or external professional help (including lawyers, accountants, forensic analysts or operational experts).
- The WIO plans and conducts the investigation.
- The WIO to consider process/control improvements (risk assessments, audits, etc.).
- The WIO prepares an Investigation Report and forwards the Investigation Report to the WPO and Director of MWA.
- The WPO advises and debriefs the whistleblower.

Reporting of Investigation Findings

At the end of the investigation, the WPO will report their findings to the Director MWA and they will determine the appropriate response. This response will include addressing any unacceptable conduct and taking remedial action required to prevent any future occurrences of the same Misconduct.

In the event of the Director of MWA being the subject of an investigation or allegation, the Founding Director, Jenny Hagger will determine the report and corrective measures. All reported incidents and investigation outcomes will be reported to the MWA Board.



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Where issues of discipline arise the response will be in line with the MWA Disciplinary Procedure. Where allegations of unacceptable conduct made against another person cannot be substantiated, that person will be advised accordingly and will be entitled to continue in their role as if the allegations had not been made.

Dealings with Whistleblowers

Anonymity

If requested, the identity of the whistleblower will be kept strictly confidential by the WPO and WIO unless:

- The person making the report consents to the disclosure.
- The disclosure is required by law.
- The disclosure is necessary to prevent or lessen a serious threat to a person's health or safety.
- It is necessary to protect or enforce MWA's legal rights or interests.
- It is necessary to defend any claims.

Protection

A whistleblower that reports matters in good faith, and provided they have not been involved in the Misconduct reported, will not be penalised or personally disadvantaged because they have reported a matter. MWA will not tolerate any instances of legitimate whistleblowers being:

- dismissed;
- demoted;
- subjected to any form of harassment and persecution; or
- discriminated against.

A whistleblower who believes they, or their family, has been the victim of any of the above by reason of their status as a whistleblower, should immediately report the matter to the WPO. Where an incident of this nature occurs, the MWA Harassment Policy will apply.

Any MWA stakeholder who is found to have dismissed, demoted, harassed, or discriminated against a whistleblower by reason of their status as a whistleblower, will be subjected to disciplinary measures. A whistleblower who has been involved in the reported Misconduct may be provided with immunity or due consideration from MWA initiated disciplinary proceedings, by agreement with MWA. MWA however, has no power to provide immunity from criminal prosecution.

Feedback and Communication

Where possible, and assuming the identity of the whistleblower is known, the whistleblower will be kept informed of the outcome of the investigation of his or her report, subject to privacy and confidentiality



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considerations. All whistleblowers must maintain confidentiality of all such reports and not disclose details to any person.

On a broader basis the existence and operation of the Whistleblower policy should be promoted openly within the organisation. It is to be incorporated into induction activities for new employees or volunteers and with partner organisations.

Any systemic issues or trends identified should be corrected and also communicated within MWA to increase awareness.

False Reports

Where it is established by the WIO that the whistleblower is not acting in good faith, or he or she has made a false report of Misconduct (including where the allegation has been made maliciously, vexatiously or without any basis), then they will be subjected to disciplinary proceedings, including summary dismissal.

Whilst not intending to discourage whistleblowers from reporting matters of genuine concern, whistleblowers must ensure as far as possible, that reports are factually accurate, complete, from firsthand knowledge, presented in an unbiased fashion (and any possible perception of bias of the whistleblower is disclosed), and without material omission.

Document Retention and Confidentiality

All information, documents, records and reports relating to the investigation of a reported misconduct will be confidentially stored and retained in an appropriate and secure manner.

Policy Review

The Whistleblower Policy will be reviewed periodically by the MWA Board.

Responsibilities

All MWA board members and volunteers are made aware of the policy, and have a responsibility to adhere to it.

Relevant Legislation and related documents

ACNC Act.

ACFID guidelines

Approved : 18th November 2020

Authorised by : Mission World Aid, Inc Board