



## Whistleblowing Policy

### Introduction

At all times BGGC seeks to conduct its activities professionally, honestly and with integrity. However, all organisations face the risk of unprofessional conduct, criminal behavior, or mismanagement. BGGC believes it is its responsibility to take appropriate measures to identify such situations and attempt to remedy them.

BGGC is committed to fostering a culture where, members, board members, employees, contractors, and volunteers of BGGC and others acting on its behalf are encouraged to raise concerns about unethical and unacceptable conduct and can do so in a safe environment.

The purpose of this policy is to strengthen BGGC's core values by empowering all persons to report any wrongful acts in good faith.

This policy is intended to provide reporting mechanisms and the means through which all persons regardless of their office location, are able to report alleged or suspected wrongful acts.

The BGGC's Secretary is to ensure that all persons are made aware of this policy, who to report concerns to and any amendments to it.

### Definitions

1. Whistleblowing is defined as deliberate, voluntary disclosure of individual or organisational wrongdoing by a person who has access to data, events, or information about an actual, suspected, or anticipated wrongdoing within the organisation
2. Whistleblower refers to any person who attempt to make or wish to make a report in connection with a wrongful act under this policy and who wish to avail themselves of the protections offered by this policy.
3. A wrongful act includes, but is not limited to:
  - breaches of legal obligations (including negligence, breach of contract, breach of administrative law.
  - criminal offences.
  - mismanagement of funds.
  - actual or suspected fraud.
  - abuse of authority.
  - disclosures related to miscarriages of justice.



- health and safety risks, including risks to the public as well as other employees.
- damage to the environment.
- the unauthorised use of organisational funds.
- possible fraud and corruption.
- sexual or physical abuse of members or guests.
- other unethical conduct; or
- the concealment of any of the above.

### Policy

BGGC seeks to provide people with a supportive work environment in which they feel able to raise issues of legitimate concern. BGGC will take steps to protect its personnel from detrimental treatment or dismissal if they report actual or suspected wrongful acts in good faith. BGGC undertakes to act in accordance with relevant legislation on disclosure of wrongful acts in the workplace

### Principles

All Persons have an obligation to report wrongful acts or suspected wrongful acts in accordance with this policy.

- All Persons have the right to speak freely and honestly to report wrongful acts in a safe environment without fear of retaliation or reprisal; and
- BGGC will respond in a timely, respectful, and confidential manner to all disclosures of wrongful acts.

### Policy in Action

#### 1. Confidentiality

If a wrongful act or a suspected wrongful act is reported under this policy, BGGC will endeavor to protect the whistleblower's identity. In order not to jeopardise the investigation into the alleged wrongful act, the whistleblower is also expected to keep the fact they have raised a concern, the nature of the concern and the identity of those involved confidential.

Generally, BGGC will not disclose the whistleblower's identity unless:

- the whistleblower consents to the disclosure.
- the disclosure is required or authorised by law; and/or
- the disclosure is necessary to further the investigation.



Mostly, reports made under this policy will be treated confidentially. However, when a report is investigated it may be necessary to reveal its substance to people such as other Person's, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies. At some point it may also be necessary to disclose the fact and the substance of a report to the person who is the subject of the report. BGGC will take reasonable precautions to store any records relating to a report of a wrongful act securely and to permit access by authorised personnel only.

## 2. Protection of whistleblowers.

No person who raises genuinely held concerns in good faith under this policy will be dismissed or subjected to any detriment because of such action, even if the concerns turn out to be unfounded. Detriment includes, but is not limited to, unwarranted disciplinary action and victimisation in any of the following forms:

- dismissal.
- any form of harassment.
- discrimination.
- current or future bias

Any such retaliatory action will be treated as serious misconduct and will result in disciplinary action which may include dismissal. If a whistleblower believes retaliatory action has occurred or has been threatened, the whistleblower has the right to make a submission to the BGGC Board. The BGGC Board will arbitrate the matter.

## 3. Whistleblowers implicated in a wrongful act.

Even though a whistleblower may be implicated in the wrongful act, they will not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy. However, making a report will not necessarily shield the whistleblower from the consequences flowing from that person's involvement in the wrongful act. In some circumstances an admission may be a mitigating factor when considering disciplinary or other action.

## 4. False disclosures

BGGC will treat all disclosures of wrongful acts seriously and protect staff who raise concerns in good faith. However, while protection is provided to whistleblowers under this policy, deliberate false reports will not be tolerated and anyone found making a deliberate false claim or report will be subjected to disciplinary action, which could include dismissal.

### Procedure for raising a concern

If a Person believes that the actions of anyone (or a group of people) working, contracting to, or volunteering for BGGC do or could constitute a wrongful act they should raise the matter with the President. If, however, the president is involved in the alleged wrongful act in some way, the matter should be raised with BGGC secretary. If, however, the secretary is involved in the alleged wrongful act in some way, or it is inappropriate



to raise the matter directly with the secretary they may raise the matter with the whole BGGC Board. Persons may raise their concerns verbally or in writing and should include full details together with any supporting evidence that may be available. They should state they are using the Whistleblowing Policy and specify whether they wish for their identity to be kept confidential. People choosing to raise their concerns in writing must use the template provided (see Annexure A).

#### 5. How a disclosure will be handled

All disclosures will be taken seriously, and the following procedure will be used:

- . (a) The whistleblower must disclose at the outset, any personal interest they may have in the matter. This must include full disclosure of any involvement the whistleblower has had in the matter.
- . (b) The person to whom it was raised (i.e., Chair, or entire Board) shall manage the disclosure (the Disclosure Manager).
- . (c) The Disclosure Manager will identify a suitable individual who will be instructed to investigate the allegation. This person may be internal or external to BGGC. BGGC undertakes to start the investigation within two weeks of the disclosure. The length and scope of the investigation will depend on the subject matter of the disclosure. In most instances, there will be an initial assessment of the disclosure to determine whether there are grounds for a more detailed investigation to take place or whether the disclosure is, for example, based on erroneous information.
- . (d) The whistleblower may be asked to provide more information during the course of the investigation.
- . (e) The person investigating the disclosure will prepare an investigation report that will be reviewed by the Disclosure Manager.
- . (f) Appropriate action will be decided by the Disclosure Manager in discussion with relevant senior managers and the executive team. Action may include initiating a disciplinary process or informing external authorities if a criminal action has been committed, e.g., fraud or theft. If referral to an external authority is necessary the Board will be advised and the whistleblower will be informed, although if BGGC considers it appropriate to do so, such a referral may need to be made without the whistleblower's knowledge or consent.
- . (g) If it is found that there is not sufficient evidence of a wrongful act, or the actions of the individual(s) are not serious enough to warrant disciplinary action, it may be appropriate for the Disclosure Manager to take a more informal approach to dealing with the matter. In this circumstance possible outcomes of the investigation could be that:
  - The allegation could not be substantiated; or
  - Action has been taken to ensure that the problem does not arise again.
- . (h) If the whistleblower is not satisfied with the response, they have received they have the option to raise the matter directly with the President. or the BGGC Board directly.

#### Corrective action and compliance

Should allegations be found to be unsubstantiated, every effort will be made to address any negative effects on the reputation and morale of personnel involved.



As part of the investigation into disclosures made under this policy, recommendations for change will be invited from the investigator to enable BGGC to minimise the risk of the recurrence of any wrongful act that has been disclosed. The Disclosure Manager, or a designated board member, will be responsible for reviewing and implementing these recommendations.

#### Communication with the whistleblower

Provided the disclosure was not submitted anonymously, the whistleblower will be kept informed of the progress of the investigation by the Disclosure Manager. The whistleblower will be informed of the outcomes of the investigation subject to the considerations of privacy of those against whom the allegations have been made.

#### Management of a person against whom a report is made

Generally, the person who is the subject of any report that is investigated, will:

- be informed as to the substance of the allegations.
- be given the opportunity to answer the allegations before any investigation is finalised.
- be informed about the substance of any adverse comments that may be included in any report arising from the investigation before it is finalised; and
- have their defence set out fairly in any report.

BGGC recognises that individuals against whom a report is made must also be supported during the handling and investigation of the alleged wrongful act. BGGC will take reasonable steps to ensure the person who is the subject of a report, is treated fairly, particularly during the assessment and investigation process. Support provided by BGGC may include referral for counselling. Where a person is named by a whistleblower as being suspected of a possible wrongful act, but preliminary inquiries determine that the suspicion is baseless or unfounded and that no formal investigation is warranted then the whistleblower will be informed of this outcome and the matter laid to rest. Where an investigation does not substantiate the report, the fact that the investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the report must be handled confidentially.