



**HUMANE SOCIETY**  
**INTERNATIONAL**  
AUSTRALIA

## Humane Society International Whistleblower Policy

**Version Control Table**

<b>Version</b>	<b>Owner</b>	<b>Date</b>	<b>Changes</b>
<b>0.1</b>	<b>CEO</b>	<b>6.07.2021</b>	<b>First draft</b>
<b>0.2</b>	<b>CEO</b>	<b>27.10.21</b>	<b>Approved</b>

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### What is Whistleblowing?

Whistleblowing is the reporting of misconduct, dishonesty or illegal activity that may have occurred within an organisation by someone with inside knowledge of the organisation.

## 1. Purpose

- 1.1 Humane Society International (HSI) is committed to fostering a culture in which honesty, integrity adherence to the law, and business ethics are a part of everyday behaviour.
- 1.2 HSI encourages the reporting of any matters which may be considered unethical, illegal or an act of serious wrongdoing, ("Reportable Conduct"). HSI provides protections and measures so that those persons who make a report may do so confidentially and without fear of intimidation, disadvantage or reprisal.
- 1.3 This Policy provides a framework which helps to identify instances of wrongdoing and provide guidance on how to raise a concern about suspected or actual unethical or unlawful behaviour.

## 2. Scope

2.1 This Policy applies to:

- HSI;
- HSI's Workers (as defined below);
- suppliers and contractors (and their employees) to HSI;
- relatives and dependents of any of the persons mentioned above; and
- any other party that falls under the definition of an 'eligible whistleblower' under the Corporations Act.

## 3. Definitions

### 3.1 Reportable Conduct

Reportable conduct includes any past, present or likely future activity which:

- is dishonest, corrupt or unethical;
- involves theft, fraud, money laundering or misappropriation of funds;
- is a systemic, wilful or serious breach of the law as it relates to HSI or its internal policies and processes;
- involves offering or accepting a bribe from any person;
- is illegal (e.g criminal property damage or violence);
- presents a significant or serious threat to the health and safety of workers;
- involves a serious mismanagement of HSI's resources;

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- involves victimisation of someone for reporting a Reportable Conduct;
- involves any instruction to cover up or attempt to cover up serious wrongdoing;
- interferes with any impending internal or external audit processes; and
- presents a serious risk to the reputation or financial wellbeing of HSI.

### 3.2 What is not Reportable Conduct

This Policy does not apply to disclosures relating to conduct concerning a person's individual employment (other than as set out in Reportable Conduct) such as:

- personal, work-related grievances such as those relating to harassment, discrimination or disciplinary matters;
- alleged workplace discrimination or bullying;
- personal disputes between staff; or
- decisions regarding the engagement, transfer or promotion of staff.

These matters will be dealt with under the Grievance Management Policy.

### 3.3 Detrimental Conduct

Any reprisal, discrimination, harassment, victimisation, retaliation or threats of retaliation against a person making a report.

### 3.4 Whistleblower Protection Officer (WPO)

Is normally the Finance & Governance Manager except where the disclosure concerns the Finance & Governance Manager in which case the WPO is the CEO.

### 3.5 Worker

Any person performing work for HSI regardless of whether it is paid or voluntary. All Board Directors, Managers, employees (current or former), volunteers, students, contractors and consultants are workers for the purpose of this Policy.

## 4. Policy

### 4.1 Reporting Reportable Conduct

4.1.1 A report can be made by:

- by mail (clearly marked private and confidential), phone or email to the Finance & Governance Manager (PO Box 439, Avalon NSW 2107: 02 9973 1728 or [glawrence@hsi.org.au](mailto:glawrence@hsi.org.au)). Should the report concern the Finance & Governance Manager, then the CEO (PO Box 439, Avalon NSW 2107: 02 9973 1728 or [emartin@hsi.org.au](mailto:emartin@hsi.org.au)). Should the report concern both the Finance & Governance Manager and the CEO, then the Chair of the HSI Board (PO Box 439, Avalon NSW 2107: 02 9973 1728 or email [Board@hsi.org.au](mailto:Board@hsi.org.au)).

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4.1.2 A report can also be made to:

- a director or company secretary
- an auditor or a member of an audit team conducting an audit of HSI
- the Australian Securities and Investment Commission (ASIC); or a
- a legal practitioner for the purposes of determining whether the protections will apply to them.

4.1.3 Reports and disclosures can be made verbally or in writing and can be anonymous. They should include as much information as possible, including the details of the misconduct, people involved, dates and locations and any other evidence that exists.

4.1.4 A person making a report must not make a false or vexatious claim. Protections under this Policy will not be applied to false reports or vexatious claims and HSI may apply disciplinary proceedings to any Worker making them.

#### **4.2 Anonymous Reporting and Confidentiality**

4.2.1 All reports can be made anonymously and still receive protection provided under this Policy. Be aware that anonymity may limit HSI's ability to investigate the matters reported. HSI encourages you to disclose your identity when making a report as this will enable us to monitor your wellbeing and protect you from any retaliation or detriment.

4.2.2 HSI will treat all reports, as well as all confidential information acquired in the course of investigating a report in the strictest confidence. Subject to legal requirements HSI will only disclose the identity of the person who made the report, or any other information that is likely to lead to the identification of that person, with their prior consent or otherwise in the limited circumstances listed below.

4.2.3 In limited circumstances, HSI may need to disclose the identity of the person making the report without their consent to certain third parties, including:

- HSI's lawyers
- ASIC
- Australian Charities and Not-for-Profits Commission (ACNC)
- Australian Federal Police/State Police

#### **4.3 Protection from Detrimental Conduct**

4.3.1 HSI is committed to ensuring that any person making a report feels safe. The identity of the person making the report will remain confidential and the person will be protected from Detrimental Conduct.

4.3.2 Under this Policy, any Detrimental Conduct against a person reporting Reportable Conduct will be treated as a serious wrongdoing. These protections will apply even where it is subsequently determined that a report was mistakenly made or not substantiated.

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4.3.3 If a person making a report subsequently experiences any kind of Detrimental Conduct they are encouraged to notify the Whistleblower Protection Officer who is to ensure that the matter is promptly investigated. If a person is found to have disadvantaged or retaliated against a person because of the submission of a report, that will be grounds for disciplinary action, up to and including dismissal.

4.3.4 HSI understands that there may be serious repercussions for individuals who are mentioned in a report. HSI will ensure their fair treatment and will extend the protections stated above where appropriate.

#### **4.4 Responding to Reportable Conduct**

4.4.1 The Whistleblower Protection Officer (WPO) will assess all reports that are received and determine whether the matter falls under this Policy.

4.4.2 If the WPO determines a report does not fall under or relate to Reportable Conduct, they will advise the person making the report and further advise them of how the report will be handled under a separate policy if relevant (e.g. Grievance Management Policy).

#### **4.5 Investigating Reportable Conduct**

4.5.1 A report made that is assessed as falling within this Policy will be investigated:

- The WPO will determine whether the investigation will be conducted by an internal or external investigator, depending on the nature of the report.
- The investigator will conduct the investigation as soon as is practicable and will ensure it is fair and independent from any persons to whom the disclosure relates.
- The investigator will conduct the investigation promptly, and in an objective and fair manner, ensuring that every individual subject to the investigation is granted sufficient opportunity to reply to allegations before any findings are made.
- Issues identified from the investigation will be resolved or otherwise finalised.
- The WPO will inform the person who made the report of the outcome of the investigation.
- The details of the investigation and the outcome will be communicated to the Board, on a confidential and anonymous basis.

### **5 Failure to comply with this Policy**

5.1 Any breach of this Policy by a Worker may be regarded as misconduct and may result in disciplinary action (up to and including dismissal where relevant).

5.2 A breach of this Policy may also amount to a civil or criminal contravention under the Australian whistleblower protection laws (in particular, the regime contained in the Corporations Act and the Taxation Administration Act), giving rise to significant penalties.

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## **6. Related Policies**

6.1 Other organisational policies and guidelines that should be read in conjunction with this Policy include:

- HSI values
- Conflict of Interest
- Grievance Management

## **7. Policy Review and Amendment**

This Policy can only be amended with the approval of the Board. The WPO's will monitor and review the effectiveness of the Policy and make recommendations to the Board. The Policy is available to all officers and employees of HSI on the S: drive under HSI Shared\Governance\Policies and Procedures.

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