



# Diocese of Cairns Policy

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<b>Approved by:</b>	Bishop of Cairns
<b>Approval date:</b>	29 November 2021
<b>Next review date:</b>	3 years from approval date or as required
<b>Previous approval / review dates:</b>	Nil

## Whistleblower Protection Policy

### 1. Purpose

The Roman Catholic Trust Corporation for the Diocese of Cairns (the “Diocese”) has a strong commitment to building a culture in the Diocese that reflects sound governance and promotes ethical behaviour in the detection and management of fraudulent, corrupt or improper conduct. This Policy provides protection to whistleblowers by establishing a mechanism for concerns to be raised on a confidential basis without fear of reprisal by any person who reasonably and in good faith suspects serious misconduct by persons associated with the Diocese through employment, contract, appointment or volunteering.

### 2. Background

The specific principles inherent in actions taken to resolve the concerns of whistleblowing complaints align with the ethical conduct in Church service and ministry as defined in *Integrity in the Service of the Church: A Resource Document of Principles and Standards for Lay Diocesan staff in the Catholic Church in Australia* (2011) and *Integrity in Ministry: A Document of Principles and Standards for Catholic Clergy & Religious in Australia* (2004). In particular, attention is drawn to:

- The need to be aware of workplace inadequacies / injustices and responding appropriately;
- Acting responsibly and being accountable in the use of resources and exercising responsible stewardship;
- Knowing, understanding and respecting the physical and emotional boundaries of adults, children and young people; and
- Promoting proper working conditions characterised by justice and fairness.

### 3. Application

This Diocesan-wide policy applies to all parishes, divisions, departments and any other activities established under the authority of the Bishop of Cairns (“Division(s)”). It applies to whistleblowing relating to our staff, clergy, volunteers and our activity at the Diocese.

Consistent with this policy, there are separate division-specific policies and procedures for Diocesan-operating divisions, such as Catholic Education, Centacare FNQ and Catholic Early Learning and Care. Where there are discrepancies between Diocesan and division-specific policy, it is the Diocesan policy that takes precedence.

Some disclosures may involve concerns which do not amount to reportable conduct under this Policy, such as personal work-related grievances. In these cases, the whistleblower will be redirected to other appropriate policies and procedures, for example, the Diocesan Feedback and Complaints Policy, Bullying and Harassment Policy, Safeguarding Policy or Work Health and Safety Policy.

## 4. Definitions

<b>Complaint</b>	An expression of dissatisfaction made to or about the Diocese, our services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.
<b>Complainant</b>	A person, organisation or their representative making a complaint about Diocesan services or staff.
<b>Feedback</b>	Opinions, comments and expressions of interest or concern, made directly or indirectly, to or about the Diocese, about our services where a response is not expected or legally required.
<b>Grievance</b>	A formal written statement by an individual staff member about another staff member or a work-related issue, as defined in our Grievance Policy.
<b>Procedural fairness</b>	A principle of acting fairly in administrative decision-making, by making decisions through a proper process, based on evidence from all affected parties, without bias, pre-judgment and unnecessary delays.
<b>Reportable conduct</b>	Actual or suspected conduct which the whistleblower reasonably and in good faith suspects it is: <ul style="list-style-type: none"> <li>• Serious improper conduct including dishonest, fraudulent, negligent, corrupt, illegal, or unethical conduct;</li> <li>• Conduct involving gross or substantial maladministration or mismanagement of Diocesan resources;</li> <li>• Failure of Diocesan processes; any breaches of the Code of Conduct or policy breaches;</li> <li>• Conduct presenting risk to work health and safety in relation to Diocesan activity or conduct that presents a danger to the public;</li> <li>• Conduct involving actual or suspected sexual, physical or other abuse or harm, where all statutory mandatory reporting requirements will be adhered to as part of this Policy; and</li> <li>• Conduct that constitutes an offence under any State or Federal laws.</li> </ul>
<b>Whistleblower</b>	A person who, acting reasonably, in good faith and in public interest, reports serious misconduct by persons associated with the Diocese in accordance with this Policy.
<b>Whistleblowing</b>	Reporting of serious misconduct as defined in this Policy.
<b>Whistleblower Governance Officer</b>	Person appointed by Diocesan Professional Standards and Safeguarding Office who has the management and reporting responsibilities in relation to specific whistleblowing incidents in the Diocese in accordance with this Policy.



**Whistleblower Protection Officer** Person appointed by the Diocesan Professional Standards and Safeguarding Office to provide protection to the whistleblower in relation to specific whistleblowing incidents in accordance with this Policy.

## 5. Policy Statement

The Diocese will not tolerate conduct by our staff, volunteers, clergy or associates which is improper. The Diocese recognises the value of transparency and accountability in administrative and management practices and will support the making of disclosures of reportable conduct by whistleblowers.

The Diocese is committed to protecting and supporting any person that may report serious misconduct. Any person who reports reportable conduct under this Policy will not be personally disadvantaged due to the report being made by any adverse employment action, any form of harassment, discrimination or current or future bias.

Whistleblower protection does not extend to those whose engagement with the whistleblowing process is motivated by vexatious, malicious or dishonest behaviour. Such behaviour may be subject to our internal misconduct processes.

Where a person who is a whistleblower is implicated in the wrongdoing, they will not be protected from the consequences flowing from their 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.

The Diocese will award procedural fairness to the person who is subject of a whistleblower disclosure of reportable conduct. Appropriate disciplinary action may be taken as a result of allegation of conduct reported under this Policy being found to be substantiated through a review or investigation.

## 6. Whistleblower Governance and Protection

- 6.1. Any person who suspects that a reportable conduct has occurred is encouraged to refer the suspected conduct directly to the applicable line manager or Parish Priest.
- 6.2. In instances where a person is not comfortable reporting directly to their line manager or Parish Priest, the complainant may contact the Diocesan Professional Standards and Safeguarding Office.
- 6.3. A whistleblower must provide information that may assist any enquiry or investigation of the wrongdoing being disclosed.
- 6.4. All reports of reportable conduct, including reports directed to the Diocesan Professional Standards and Safeguarding Office, will be subject to a thorough and prompt investigation.
- 6.5. Diocesan Professional Standards and Safeguarding Office has the responsibility to appoint a Whistleblower Protection Officer who will ensure that support is provided to the whistleblower and will keep the whistleblower informed of the progress of the investigation subject to privacy protections of the person against whom allegations are made.
- 6.6. Diocesan Professional Standards and Safeguarding Office will nominate a Whistleblower Governance Officer who will have the has responsibility for monitoring compliance of this Policy in relation to specific, individual disclosures.
- 6.7. The Diocese will take all reasonable steps to protect the confidentiality of a whistleblower except where the law requires their identification.



- 6.8.** Where a confidential service is required the complainant should use the STOPline facility. This service is operated externally, securely and confidentially by an independent service provider. STOPline can be accessed by any of the following:

STOPline online reporting: <https://doc.stoplinereport.com/>  
Telephone: 1300 30 45 50  
Email: [doc@stopline.com.au](mailto:doc@stopline.com.au)

Further details on STOPline access: <https://doc.stoplinereport.com/>

- 6.9.** If the report contains allegations against an Executive Director or anyone else where the whistleblower has a reasonable belief that the investigation would not be sufficiently independent, the whistleblower should use the external STOPline service.
- 6.10.** Complaints directed to STOPline will be forwarded to the Diocesan Professional Standards and Safeguarding Office where appropriate. Where a report might implicate the Diocesan Professional Standards and Safeguarding Office, the report will be submitted to the Executive Director or delegate, and if that role is also implicated the report will be directed to the Bishop of Cairns or his delegate.
- 6.11.** A preliminary report with recommendations about further actions will be submitted to the whistleblower following initial investigation. The investigation report and recommendations will be provided to the Bishop of Cairns or his delegate. All recipients will be required to respond promptly.
- 6.12.** The Bishop of Cairns or his delegate will ensure recommendations of the final report are implemented and monitored.

## 7. Reporting and Quality Control

- 7.1.** Diocesan Professional Standards and Safeguarding Office will provide monthly compliance reports on reportable conduct complaints to the Bishop of Cairns or his delegate. The reports will include the quantity and nature of reportable conduct, the outcome of investigations and areas of concern.
- 7.2.** The timing and nature of the reporting will not compromise the integrity of investigations and all statistical information will be de-identified as much as possible to maintain the confidentiality of the affected parties.
- 7.3.** From time to time, reports on the effectiveness of the implementation of this Policy and suggested improvements will also be provided to the Bishop of Cairns or delegate. Underlying processes will be reviewed and modified if deemed appropriate.
- 7.4.** STOPline will provide monthly reports to the Diocesan Professional Standards and Safeguarding Office.

## 8. Communication, Compliance and Review

- 8.1.** Communication and implementation of this Policy will be achieved through consultation with relevant stakeholders, specific training, awareness raising measures, and/or various internal and external communications.
- 8.2.** Executive Directors, Parish Priests and relevant line managers are responsible for communication of this Policy and implementation of division-specific whistleblower policies and procedures, in accordance with this Policy.

- 8.3. Non-compliance of this Policy must be reported to the Financial Administrator or the Moderator of the Curia, for discussion and remedial action where needed.
- 8.4. Where it is determined that a breach of this Policy has occurred, the nature and gravity of the breach will be considered. Any matters requiring final adjudication will be referred to the Bishop of Cairns or his delegate.
- 8.5. This Policy will be reviewed at least every three years or where significant changes occur, which impact on the Policy, to ensure compliance with relevant Diocesan requirements, standards and legislation.

## 9. Enquiries

Diocesan Professional Standards Unit  
Anonymous complaints contact

Ph: 4050 9705  
STOPline - 1300 30 45 50

## 10. Approval



Most Rev. James Foley  
Bishop  
Diocese of Cairns  
29 November 2021