



CATHOLIC DIOCESE
OF CAIRNS

Diocese of Cairns Policy

Document name:	Whistleblower Protection
Approved by:	Bishop of Cairns
Responsibility:	Chief Operating Officer
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Whistleblower Protection

1. Purpose

The Roman Catholic Trust Corporation for the Diocese of Cairns (the “Diocese”) maintains a commitment to good risk management and corporate governance that 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.

This policy supports the effective identification, reporting, and management of Notifiable Conduct and Reportable Conduct, as defined under the *Child Safe Organisations Act 2024 (Qld)* and *Corporations Act 2001*.

2. 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 staff, clergy, volunteers and activities of the Diocese.

Consistent with this policy, are separate division-specific policies and procedures for Diocesan-operating divisions, including Catholic Education Diocese of Cairns, 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.

This policy is not a term of any contract, including any contract of employment. This policy may be varied by the Diocese from time to time.

This policy applies regardless of employment type, including employees, volunteers, contractors, clergy, and anyone engaged in Diocesan activities.

3. Definitions

Complainant	A person, organisation or their representative making a complaint about Diocesan services or staff.
Discloser	An individual who discloses wrongdoing or an eligible whistleblower.
Entity	A public company, large proprietary company or proprietary company that is a trustee of a registrable superannuation entity that must have a whistleblower policy.
Personal work-related grievance	A disclosure that relates to the discloser’s current or former employment, which has implications for the discloser personally, but does not:

	○ have any other significant implications for the entity (or another entity); or ○ relate to conduct, or alleged conduct, about a disclosable matter
Notifiable conduct	Actual or suspected conduct which the whistleblower reasonably and in good faith suspects it is: ○ Serious improper conduct including dishonest, fraudulent, negligent, corrupt, illegal, or unethical conduct; ○ Conduct involving gross or substantial maladministration or mismanagement of Diocesan resources; ○ Failure of Diocesan processes; any breaches of the Code of Conduct or policy breaches; ○ Conduct presenting risk to work health and safety in relation to Diocesan activity or conduct that presents a danger to the public; ○ 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 ○ Conduct that constitutes an offence under any State or Federal laws.
Reportable Conduct <i>(Child Safe Organisations Act 2024)</i>	Includes conduct towards a child that involves: ○ A sexual offence committed against, with, or in the presence of a child; ○ Sexual misconduct, including sexualised behaviour that does not amount to a criminal offence; ○ Physical violence against or in the presence of a child; ○ Ill-treatment or neglect of a child; ○ Behaviour that causes significant emotional or psychological harm to a child; ○ Failure to reduce or remove a known risk of child abuse; ○ Concealment of a child abuse offence.
Reportable conviction	A finding of guilt by a court in Queensland or elsewhere for an offence involving reportable conduct.
Whistleblower	A discloser who has made a disclosure that qualifies for protection under the <i>Corporations Act</i> and <i>Child Safe Organisations Act</i> .
Whistleblower Investigation Officer	The role under an entity's whistleblower policy that is responsible for investigating disclosures. For the purposes of this Policy, the Professional Standards and Safeguarding Office (PSSO) may delegate the investigation of Reportable Conduct or notifiable conduct to a Whistleblower Investigation Officer. Any such delegate is bound by the same obligations of confidentiality and protections afforded to whistleblowers under this policy.
Whistleblower Disclosure Coordinator	The role under an entity's whistleblower policy that is responsible for protecting or safeguarding disclosers and ensuring the integrity of the reporting mechanism. For the purposes of this Policy, the Whistleblower Disclosure Coordinator is the Diocesan Executive Manager, Professional Standards and Safeguarding Office (PSSO).

4. Responsibilities

Bishop of Cairns or his Delegate:

- Will be responsible for maintaining legal obligations in respect to the *Child Safe Organisations Act 2024 (Qld)* and *Corporations Act 2001*.
- The Bishop or his Delegate must organise and administer the Diocese and have the authority to govern and make rulings, that enforce policy decisions.

Diocesan Audit, Risk and Compliance Committee (ARCC):

- Provides independent advice on the Diocese's accountability and control framework.
- Will receive and review PSSO reports of Notifiable Conduct and/or Reportable Conduct on a quarterly basis.
- The ARCC provides independent oversight of whistleblower processes but does not conduct investigations.

Diocesan Executive Leadership:

- Will ensure that any updates to its whistleblower policy, processes and procedures, and training are widely disseminated to, and easily accessible by, individuals covered by the policy.

Professional Standards and Safeguarding Office (PSSO):

- Will be responsible for submitting reports of Reportable Conduct and Reportable Convictions as per the *Child Safe Organisations Act* to the Queensland Family and Child Commission (the Commission) within the delegated timeframe.
- Be responsible for the triage and management of all Notifiable Conduct and/or Reportable Conduct disclosures, ensuring procedurally fair and prompt investigation process.
- Will submit quarterly reports of Notifiable Conduct and/or Reportable Conduct to the ARCC.
- Where a disclosure involves senior leadership or presents a conflict of interest, an independent external investigator may be appointed.

5. Policy Statement

Integrity in Our Common Mission, has been developed as the primary code of conduct for clergy, religious and laity. The principles in *Integrity in Our Common Mission* guide, form, strengthen and affirm behaviours which are expected of all engaged in the ministries of the Church. These principles are inherent in actions taken to resolve whistleblowing disclosures. In committing to the code of conduct and a culture of safeguarding, we have a responsibility to:

- think and act in the best interests of children, and adults who are at risk.
- value the cultural safety of Aboriginal and Torres Strait Islander Peoples.
- speak out when actions, behaviours, language, or environments may cause harm.
- embed effective safeguarding policies and practices at all levels of governance and leadership.
- ensure safeguarding resources are easily available and reviewed regularly; and
- meet all mandatory reporting and record-keeping requirements.

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. This policy is an important tool for helping the Diocese identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing. Any person who reports reportable conduct under this policy will not be personally disadvantaged due to the report being made by:

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

Reports made in good faith are protected under this policy. Deliberately false or misleading reports may be subject to review under the Code of Conduct.

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. A discloser can still qualify for protection even if their disclosure turns out to be incorrect.

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.

Personal work-related grievances do not qualify for protection under the *Corporations Act*. Persons seeking to submit a grievance complaint should seek information from their Diocesan-operating divisions specific Grievance or Complaints Policy.

6. Disclosure Procedure

6.1 Disclosure Procedure

Persons to whom this policy applies are encouraged to refer suspected instances of Notifiable Conduct and/or Reportable Conduct directly to the applicable line manager or Parish Priest.

In instances where a person is not comfortable reporting directly to their line manager or Parish Priest, the complainant may contact the PSSO.

Where a report might implicate the PSSO, 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.

In instances where a person is not comfortable reporting directly to such persons, or the complaint is regarding the Bishop, 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 confidential STOPline 'hotline' facility. This service is operated externally, securely and confidentially by an independent service provider:

STOPline

Telephone (toll free): 1300 30 45 50

Fax: 03 9882 4480

Email: doc@stopline.com.au

Mail: c/o The Stopline, Locked Bag 8, Hawthorn Vic 3122

App: Search for Stopline in the iTunes App Store or Google Play to download the free app and submit a disclosure.

6.2 Investigation Process

A whistleblower must provide information that may assist any enquiry or investigation of the wrongdoing being disclosed.

Disclosures received by the STOPline and other referral means will be directed to the PSSO, for thorough and prompt investigation. Complainants who advise of concerns that do not amount to Notifiable Conduct and/or Reportable Conduct will be redirected to other processes available to them for resolution.

The Whistleblower Disclosure Coordinator will investigate the report or may elect to appoint a Whistleblower Investigations Officer to investigate the matter. This will depend on the nature and extent of the allegation(s). The investigative process will be guided by Diocesan Policy and Procedure.

The person against whom the allegations are made will be informed accordingly. All reports and investigation procedures will be dealt with confidentially and promptly.

6.3 Report Procedure

The Whistleblower Investigations Officer will provide a preliminary investigation report to the Whistleblower Disclosure Coordinator. This report will summarise the relevant facts of the suspected Notifiable Conduct and/or Reportable Conduct, outline the investigation process undertaken, and present findings.

The report will also include recommendations as to whether the allegation is substantiated or unsubstantiated, whether the matter should be referred to police, any disciplinary action that may be required,

and, where applicable, proposed steps for the recovery of misappropriated funds or property. Consideration will also be given to any internal control weaknesses identified.

The Whistleblower Disclosure Coordinator will review the report and provide it, together with recommendations, to the relevant Executive Director. Where the matters involve or implicate the Executive Director, the Whistleblower Disclosure Coordinator may instead escalate the report to the Bishop of Cairns or their delegate.

All recipients are required to consider and respond to the report in a timely manner. Following the initial investigation, the whistleblower will be provided with a preliminary update, including any recommendations for further action, to the extent appropriate and permissible.

A final investigation report, including recommendations, will be submitted to the Bishop of Cairns or their delegate. The Bishop or delegate will be responsible for ensuring that approved recommendations are implemented and appropriately monitored.

6.4 Confidentiality and Protection

The Diocese will take all reasonable steps to protect the confidentiality of a whistleblower except where the law requires their identification. A worker who makes a disclosure:

- In good faith; and
- In accordance with this Policy

will be protected, so far as is reasonably practicable, from:

- Reprisal;
- Dismissal;
- Discrimination; or
- Any other unfavourable treatment arising from the making of the report.

The PSSO will have responsibility for monitoring compliance of this policy in relation to specific, individual disclosures.

Any form of retaliation against a whistleblower will be treated as a serious breach of this policy and may result in disciplinary action.

If a complainant has any concerns regarding victimisation, discrimination or any other unfavourable treatment as a result of a report made under this policy, they should immediately contact the Whistleblower Disclosure Coordinator, either directly or through STOPline.

6.5 Monitoring and Communication

The complainant will have access to information on the conduct and outcome of the investigation process through the STOPline facility.

The Whistleblower Disclosure Coordinator shall retain a coordinating role in monitoring the implementation of the recommendations of the final report.

6.6 Governance

The Whistleblower Disclosure Coordinator will provide quarterly to the ARCC and other delegated Diocesan Boards and Committees as required. The report will outline the number and nature of reportable disclosures, the outcomes of investigations, and any identified areas of concern. 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.

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.

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.

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.

This policy will be reviewed at least every two years or where significant changes occur, which impact on the policy, to ensure compliance with relevant Diocesan requirements, standards and legislation.

6.7 Data Handling and Record Management

All disclosures and investigation records must be securely stored in a restricted-access system. Access to records will be limited to authorised personnel directly involved in the assessment and investigation process. Records must not be stored in general shared drives or standard personnel files. All access and modifications to records should be auditable.

Records will be retained and disposed of in accordance with Diocesan recordkeeping and legal requirements.

7. Breaches to the Policy

Non-compliance of this policy must be reported to the relevant Executive Director or PSSO for investigation and remedial action where needed.

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. Related Directives and Policy

Code of Conduct Policy
Grievance Policy
Harassment Discrimination Bullying Prevention Policy
Safeguarding Policy

Integrity in our Common Mission
National Catholic Safeguarding Standards

STOPline - Whistleblower Hotline
E: <https://doc.stoplinereport.com/>
P: 1300 304 550

Corporations Act 2001
<https://www.legislation.gov.au/C2004A00818/latest/text>

9. Enquires

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Professional Standards and Safeguarding Office
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