

Whistleblower Policy

Introduction

The Board of Healthy Living NT is committed to operating:

- legally (in accordance with applicable legislation and regulation),
- properly (in accordance with organisational policy and procedures), and
- ethically (in accordance with recognised ethical principles).

Employees are expected to cooperate with the organisation in maintaining legal, proper, and ethical operations, if necessary by reporting non-compliant actions by other people. Correspondingly, employees who do assist in maintaining legal, proper, and ethical operations should not be penalised in any way.

HLNT employees are expected to actively promote honest and ethical conduct by upholding appropriate standards of behaviour as per HLNT's Ethical Relationship and Practice Guide and Values.

Employees who suspect improper conduct are encouraged to report it as soon as possible so that it can be assessed.

This policy outlines HLNT's management of whistleblowers referred to as protected persons in the Independent Commissioner Against Corruption Act 2017 ('the Act'), and the management of protected actions and protected communications under the Act.

This policy should be read in conjunction with the HLNT Improper Conduct Investigations and Reporting Policy.

Policy

Employees who communicate their suspicion of improper conduct will be taken seriously, and will be protected as if they had made a protected communication.

HLNT will have appropriate measures and processes in place that enable employees to feel safe in communicating allegations or suspicions.

HLNT will not tolerate retaliation, harassment, intimidation or harm of an employee, including against an employee reporting improper conduct. Employees that discourage another employee from reporting improper conduct, or engage in retaliation against an employee who has disclosed or cooperated in an investigation into improper conduct, will be referred for appropriate administrative or disciplinary action.

Employees who have knowingly made a false or vexatious allegation will be similarly referred.

Where there is any inconsistency between this policy and the requirements of legislation, the legislative requirements will prevail.

<i>Status</i>	<i>Approved</i>	Whistleblower Policy	<i>Document ID</i>	<i>G0064</i>
<i>Consultation</i>	<i>Board</i>		<i>Date of Issue</i>	<i>14/12/2024</i>
<i>Approval By</i>	<i>Board</i>		<i>Current Version Number</i>	<i>3.0</i>
<i>Circulation (on approval)</i>	<i>Staff and Board</i>	<i>Page 1 of 5</i>	<i>Review Cycle</i>	<i>Annual</i>

Principles

HLNT subscribes to the following principles:

- Employees are expected to be honest and behave ethically in accordance with HLNT's Ethical Relationship and Practice Guide and Values.
- Employees are encouraged to communicate suspicion of improper conduct.
- Employees who communicate their suspicion or allegation in good faith and out of genuine concern will be protected from reprisal or retaliation, regardless of the outcome.
- Administrative or disciplinary action will be taken if an employee engages in retaliation against another employee who has communicated a suspicion or allegation.
- The identity of a protected person should be kept confidential, as anonymity is the best protection of a person from retaliation.
- The primary responsibility for providing protected persons with protection and support resides with Healthy Living NT.

Scope

This policy encompasses all employees of HLNT. This policy uses the definition of **improper conduct** as defined in the ICAC Act 2017, which includes fraud or corruption.

This policy does not apply to matters that do not fall within the definition of improper conduct in the Act, such as:

- inappropriate behaviour e.g. inappropriate or unreasonable behaviour, such as bullying or harassment (refer to the HLNT Appropriate Workplace Behaviour Policy for more information)
- a matter raised expressing dissatisfaction with an aspect of employment, e.g. promotion or grievances

This policy does not authorise any employee to inform commercial media or social media of their concern, and does not offer protection to any employee who does so.

Roles and Responsibilities

Board

As the accountable body, the Board of Healthy Living NT will ensure appropriate policies and processes are in place to protect persons reporting improper conduct.

Chief Executive Officer, President, Treasurer, Vice President Alice Springs

Employees can communicate their suspicion of improper conduct directly to the Chief Executive Officer, President or Treasurer or Vice President Alice Springs (as appropriate). These positions are the nominated recipients for employees who wish to provide a protected communication as a protected person.

Executive Board

The Executive Board will support HLNT in meeting its requirements relating to protected persons (including under the Act), and provide direction and assistance to managers and supervisors.

Employees

Employees are encouraged to report suspected improper conduct, including fraud or corruption, internally through their manager or supervisor. This includes reporting a suspicion of improper conduct, as well as in the form of a protected communication.

An employee who considers they have been harmed, harassed or intimidated due to the reporting of improper conduct should notify the Chief Executive Officer, President or Treasurer (as appropriate) who will consult with the Executive Board to recommend appropriate actions for employees involved, including administrative or disciplinary action.

Managers and Supervisors

Managers and supervisors are required to keep the identity of a complainant or protected person confidential and to protect that person from retaliation or any adverse treatment.

Independent Commissioner Against Corruption

Under the Act, employees can make a protected communication as a protected person to the ICAC directly.

Reporting improper conduct

Employees are encouraged to report any suspicion of improper conduct and not to undertake an investigation themselves. The Improper Conduct Prevention and Management Policy is the primary document to guide HLNT employees and includes details of who to report allegations.

Where an employee wishes to report improper conduct as a protected communication, they may do so by:

1. providing information in accordance with directions or guidelines issued by the ICAC
2. reporting behaviour that an employee believes on reasonable grounds shows improper conduct has occurred, is occurring or is at risk of occurring, to HLNT's nominated recipients or to ICAC directly.

A protected communication can be provided orally or in writing, and/or anonymously, and the employee does not need to declare that it is a protected communication as long as the two points above are met.

If an employee reports improper conduct in good faith to anyone other than the Chief Executive Officer, President or Treasurer or to the ICAC directly, the principles of this policy will apply, and the employee will be considered to have provided a protected communication. HLNT will provide the employee with support and assistance to apply to the ICAC for the information to be considered as a protected communication.

All reports of alleged improper conduct will be treated in confidence; however, when a matter is referred to the NT Police or ICAC, it is highly likely the employee will be required to assist the authority with their inquiries.

Further information and advice

To report improper conduct including fraud and or corruption, contact (as appropriate) the:

CEO (Anne Kemp) Ph: 0412180330	President (William De Decker) Phone: 0407 724 010	Treasurer (Kevin Wrigley) Phone: 0418 347 113	Vice President Alice Springs (Yvonne Rowan) Phone: 0448 747 405
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Employees can also report directly to ICAC:

Independent Commissioner Against Corruption

Free call: 1800 250 918 icac.nt@icac.nt.gov.au <https://icac.nt.gov.au>

Definitions

Allegation:	a claim or assertion that someone has done something illegal or wrong. Until such time that an allegation is proved, it remains an assertion.
Engage in retaliation:	a person engages in retaliation if they cause, or threaten to cause, harm to another person or their support person with the intention of discouraging them from taking protected action or providing support, or because of protected action or action taken (s94, <i>ICAC Act</i>).
False:	an allegation that is deliberately untrue.
Harm:	generally, includes injury, loss and damage, intimidation and harassment, discrimination, disadvantage and adverse treatment (including disciplinary action), in relation to employment, career, profession, trade or business and for protection of protected persons (s4, <i>ICAC Act</i>).
Improper conduct:	corrupt conduct, misconduct, unsatisfactory conduct, anti-democratic conduct and conduct constituting an offence against the Act (s9, <i>ICAC Act</i>).
Misleading information:	a person commits an offence if the person intentionally gives information to another person acting in an official capacity, and the information is misleading and the person has knowledge of that circumstance (s151, <i>ICAC Act</i>).
Nominated recipient:	Under the <i>ICAC Act</i> , HLNT may nominate an eligible person(s) to be the nominated recipient for HLNT (s96, <i>ICAC Act</i>). HLNT has nominated the Chief Executive Officer, President or Treasurer or Vice President Alice Springs (as appropriate).
Protected action:	A person takes protected action if they, being an individual, make a protected communication, takes another action for the purpose of complying with the Act or cooperating with a person or body performing functions under the Act. An action is not a protected action if the person knows or believes it to be misleading information (s91, <i>ICAC Act</i>).
Protected communication:	A protected communication is information reported by an individual to, but not limited to (refer to the <i>ICAC Act</i> for the complete list), HLNT's nominated recipients, ICAC or ICAC's office, that shows improper conduct has occurred, is occurring or is at risk of occurring. A protected communication can be made orally or in writing and can be anonymous. The individual does not need to state that the communication is a protected communication (s93, <i>ICAC Act</i>).
Protected person:	A person who takes or has taken protected action (s4, <i>ICAC Act</i>). A protected person incurs no civil or criminal liability by taking protected action and does not become liable to disciplinary action or other adverse administrative action (s98, <i>ICAC Act</i>). Public bodies have the primary responsibility for providing protected persons with protection and support (s90, <i>ICAC Act</i>).
Provide support:	to provide support includes to assist and encourage (s94, <i>ICAC Act</i>).
Vexatious:	an allegation that is made to cause or intended to cause annoyance, frustration, or worry.
Whistleblower:	a person who advises of improper conduct by a person, organisation or agency.

Responsibility for Policy

The Board of Diabetes Association of the NT Inc. is responsible for ensuring this policy is up to date and complied with.

Approval

Original Submission Date: Board Meeting 4/19 of 24 August 2019
Original Approval Date: Board Meeting 4/19 of 24 August 2019
Revision Date Proposed: Board Meeting 6/20 of 12 December 2020
Revision 1 Approval Date: Board Meeting 6/20 of 12 December 2020

Circulation: All HLNT Board Members and staff.

Sign off by: Chair of the Board



Signature: William De Decker

Related documents

- <https://icac.nt.gov.au/>
- [Whistleblower Protection Guidelines and Directions](#)
- HLNT Improper Conduct Prevention and Management Policy
- HLNT Privacy Policy
- HLNT Workplace Investigation Policy
- HLNT Disclosure of Interests Policy
- HLNT Corporate Governance Statement
- HLNT Ethical Relationships Guide
- Financial Roles and Delegations Policy
- Asset Management Policy
- Investment Policy
- Motor Vehicle Policy
- Delegations of HLNT nominees to external bodies and companies
- Logo Use Policy
- ICT Policy
- HLNT Recruitment Policy
- HLNT Induction Procedures
- HLNT Operational Procedures
- HLNT Service Agreements with external funders