

WHISTLEBLOWING PROGRAM CHECKLIST

Establishing A Whistleblowing Program

A whistleblowing program starts with a clear management statement of commitment. This is crucial for the success of any whistleblowing program. The ingredients provided within this checklist are also fundamental in achieving a compliant and secure whistleblowing program.

*This checklist is intended as a guide only.
Your Call can provide consultation where required.*

yourcall



COMMITMENT FROM MANAGEMENT

- i. **Is there a clear statement from senior management of your organisation's commitment to enable reporting of wrongdoing?**
- Create a clearly defined Code of Conduct
 - Ensure senior management has committed to maintaining a workplace free of unacceptable behaviour and misconduct
 - Ensure senior management has committed to addressing reported wrongdoing, investigating reported misconduct and rectifying proven wrongdoing
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ONGOING REVIEW AND EVALUATION

- ii. **Have you reviewed your whistleblowing policy and procedures in the last two years?**
- Evaluate policies for effectiveness
 - Ensure changes to the law and corporate governance requirements have been reflected in your policy and procedures
 - Communicate changes to the policy and procedures to employees
- iii. **Do you have a committee to receive and review all information received, action taken and outcomes?**
- Employ an independent committee, comprising of senior personnel, to review all information received, how it was addressed and the outcomes of each case
 - Store all information securely and report to the board and directors.
- iv. **Have you received any reports in the last 12 months?**
- Ensure all cases have been examined and appropriate changes to facilitate/ensure effective reporting of wrongdoing have been implemented
 - Investigate the effectiveness of the whistleblowing process
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POLICY ESTABLISHED IN CONSULTATION

- v. **Is the policy a corroborative effort of management and employees?**
- Implement a framework to enable reporting of illegal, inappropriate or unethical conduct
 - Advise employees as to why the policy has been introduced
 - Consult employees on their views on appropriate reporting mechanisms
 - Ensure the policies and procedures allow for an integrated and co-ordinated procedure to address all wrongdoing
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INFORMATION AND TRAINING

- vi. **Have all employees been given sufficient information and training in the reporting of wrongdoing?**
- Ensure all employees are provided with a copy of the policy and procedures manual
 - Determine a process for new employees and casual/part time employees
- vii. **Do you have an ongoing awareness/promotion program?**
- Undertake ongoing awareness and promotion of the program to keep employees informed
 - Advise employees of changes to the policy and procedures
 - Consider providing employees with 'wallet' cards detailing how they can make a report, issuing an employee newsletter or providing eLearning resources
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CLEARLY STEPPED OUT PROCESSES

- viii. **Does the policy detail the steps that will be taken and what will happen on receipt of information?**
- Ensure employees are aware of the actions the organisation may/will take in response to their submission
 - Communicate how outcomes will be reported and to whom
 - Ensure the organisation's policy clearly states when an investigation will be carried out and the processes it will follow
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MULTIPLE REPORTING TIMES AND MEANS

- ix. **Is an employee able to make a report 24/7 365 days a year?**
- Given most whistleblowing occurs out of hours when the person feels most comfortable and safe, ensure the organisation's current procedure covers this time frame
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ANONYMITY AND CONFIDENTIALITY

- x. **Can a whistleblower report information confidentially and anonymously?**
- Ensure the organisation's policy demonstrates confidentiality and anonymity can be assured. Whistleblowers are reluctant to speak up if they fear their information may not remain confidential or their identity will become known
- xi. **Does a whistleblower have the option to report the information to an external, independent and impartial third party?**
- Despite an organisation's best efforts, some employees won't speak up internally for fear of reprisals or retribution.
 - Do your procedures allow for independent external reporting where employees feel uncomfortable or unable to use the internal reporting option? For example a 24/7 whistleblowing hotline and online service

SKILLS, EXPERIENCE AND QUALIFICATIONS OF INDEPENDENT EXTERNAL PARTY RECEIVING REPORT

- xii. Is the person or organisation to whom the report is made appropriately trained or accredited?**
- Ensure the person or organisation receiving the report has a trusted reputation, otherwise the whistleblower will be reluctant to report
 - The person receiving the information must have the required training, skills and qualifications to receive and act on the information

PROTECTION AND SUPPORT AGAINST RETALIATION

- xiii. Does the organisation's policy clearly spell out the protection offered to a whistleblower against victimisation?**
- Ensure the organisation has created the position of a Whistleblower Protection Officer. There are many instances in which a person fears making a report, unless they have adequate support and protection
 - The position of the Whistleblower Protection Officer should be clearly stated in terms of how they will support and protect the whistleblower, if required
- xiv. Does the organisation's policy clearly spell out the assistance available to a person accused of wrongdoing?**
- An employer has an obligation to all parties including the person accused. Everyone is entitled to a presumption of innocence. People accused often suffer stress and emotional reactions. They need to know where they can find assistance and how to get it. An employer has an obligation to all parties including the person accused

CONSEQUENCES OF WRONGDOING SPELT OUT

- xv. Are the consequences for wrongdoing, breaching the policy and or making a false disclosure clearly defined?**
- Ensure it is clear to all parties who participate in a process, especially the person accused of misconduct, what action could be taken against them if the misconduct is proven. An outcome may be invalidated unless the parties understand the consequences they will face for breaching a policy

KEY ROLES AND RESPONSIBILITIES

- xvi. Does the organisation's policy define the relevant roles and responsibilities of key persons in the whistleblowing program and who is responsible for them?**
- Each step in the process, from receiving the information to finalising an investigation may need to be governed by different persons to ensure independence and impartiality
 - An investigator, for example, cannot decide to discipline or dismiss the person accused based on their findings without being open to prejudice or bias

REPORTABLE WRONGDOING DEFINED

- xvii. Does the organisation's policy outline the type of conduct or behaviour that should be reported, as well as what should not be reported pursuant to the policy?**
- Ensure the organisation's policy defines wrongdoing and reportable conduct is readily identifiable. Not all inappropriate behaviour is illegal and not all unacceptable conduct requires formal reporting via the whistleblowing procedures

Ready to protect your organisation?

SPEAK TO AN EXPERT

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Australia's first online whistleblowing service integrated with a traditional telephone hotline (est. 2004). Built around AS 8004_2003 Whistleblower Protection Programs for Entities. We listen, we respect, we protect.

Reference:

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