



Whistle-blower Policy and Procedure

1. Introduction

- 1.1 BuildAid Missions is committed to fostering a 'speak up' culture in which honesty, integrity and business ethics are a part of everyday behaviour.
- 1.2 BuildAid recognises the value of transparency and accountability in its administrative and management practices and supports the reporting of improper conduct.
- 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 & Application

2.1 This Policy applies to current and former:

- a. board member's;
- b. directors;
- c. contractors (including employees of contractors);
- d. volunteers;
- e. suppliers; and
- f. consultants.

of all entities within or associated with BuildAid. This includes any third-party entity with whom BuildAid collaborates to deliver programs outside Australia.

2.2 Although they are under no obligation to do so, an associate, family member or dependent of any person in the above groups of people may also speak up. If they do choose to speak up in line with this Policy, we will extend the relevant rights and protections under this Policy to them.

3. Reportable Conduct

3.1 Who can make a report?

- (a) A whistle-blower is a person who, whether anonymously or not, attempts to report, or reports misconduct or dishonest or illegal activity that has occurred in connection with BuildAid, and wishes to avail themselves of protection against reprisal for having made the report.

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- (b) A whistle-blower may fall within one of the categories identified at section 2.1 whether they are currently employed or previously held a role with BuildAid.

3.2 Reportable Conduct is defined as any past, present or likely future activity, behaviour or situation considered to be:

- a. dishonest;
- b. corrupt (including soliciting, accepting or offering a bribe, facilitation payments or other such benefits);
- c. fraudulent;
- d. illegal (including theft, drug sale or use, violence or threatened violence and property damage);
- e. in breach of regulation, internal policy or code
- f. impending internal or external audit processes;
- g. improper conduct relating to accounting, internal controls, compliance, actuarial, audit or other matters of concern to the whistle blower;
- h. a serious impropriety or an improper situation or circumstances;
- i. endangering health or safety;
- j. damaging or substantially risking damage to the environment;
- k. endangering the financial system;
- l. a serious mismanagement of BuildAid's resources;
- m. detrimental to BuildAid's financial position or reputation;
- n. maladministration (an act or omission of a serious nature that is negligent, unjust, oppressive, discriminatory or is based on improper motives);
- o. concealing reportable conduct.

3.3 What information is needed to make a report?

- (a) To make a report the whistle-blower must know of or have reasonable grounds to suspect the Reportable Conduct.
- (b) For a report to be investigated, it must contain enough information to form a reasonable basis for investigation. It is important

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therefore that the whistle-blower provides as much information as possible. This includes any known details about the events underlying the report such as the:

- (i) date;
 - (ii) time;
 - (iii) location;
 - (iv) name of person(s) involved;
 - (v) possible witnesses to the events; and
 - (vi) evidence of the events (e.g. documents, emails).
- (c) In the report, include any steps the whistle-blower may have already taken to report the matter elsewhere or to resolve the concern.

4. Procedure

4.1 How is a report made?

- (a) Whistleblowing protections will only apply to reports of Reportable Conduct made in accordance with this Policy and Procedure.
- (b) Where the whistle-blower have reasonable grounds to suspect that an individual has engaged in Reportable Conduct, the whistle-blower should first aim to resolve the matter internally by reporting their concern to:
 - (i) the Field Director;
 - (ii) the Chairman of the Board;
 - (iii) a Organisation's Secretary;

4.2 How are reports investigated?

- (a) After receiving the report BuildAid will:
 - (i) assess the report of Reportable Conduct;
 - (ii) consider whether there are any conflicts of interest prior to investigating;
 - (iii) determine whether external authorities need to be notified;
 - (iv) determine whether and how to investigate; and

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- (v) appoint a Whistleblowing Investigator if appropriate.
- (b) If an investigation is deemed necessary, it will be conducted fairly, objectively and in a timely manner. The investigation process will vary depending on the nature of the Reportable Conduct and the amount of information provided.
- (c) Any individuals who are accused of misconduct in a report (a Respondent) will have an opportunity to respond to allegations before any adverse findings are made and before any disciplinary action (if appropriate) is taken.
- (d) BuildAid may need to speak with the whistle-blower as part of an investigation. If the identity is known, we will endeavour to keep them informed about the status of an investigation.
- (e) If there is insufficient information to warrant further investigation or the initial investigation immediately identifies there is no case to answer, the individual who reported the Reportable Conduct will be notified at the earliest possible opportunity.

4.3 Outcome of an investigation

- (a) At the conclusion of the investigation, a report will be prepared outlining:
 - (i) a finding of all relevant facts;
 - (ii) a determination as to whether the allegation(s) have been substantiated or otherwise;
 - (iii) the disciplinary or other action, which may include dismissal, that is to be taken.
- (b) The disciplinary action will be dependent on the severity, nature and circumstances of the Reportable Conduct.
- (c) Where possible and appropriate, having regard to BuildAid privacy and confidentiality obligations, the Whistle-blower will be informed of the outcome of any investigation into their concerns.

5. Protection

5.1 Protection for those speaking up about Reportable Conduct?

- (a) If the whistle-blower has reasonable grounds to suspect Reportable Conduct, even if it turns out the concerns are mistaken, we will support and protect the whistle-blower and anyone else assisting in the investigation.

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- (b) BuildAid will not tolerate any detriment inflicted on the whistle-blower because they or somebody else has made, or might make, a report of Reportable Conduct. Examples of a detriment include:
 - (i) retaliation, dismissal, suspension, demotion, or having their engagement terminated;
 - (ii) bullying, harassment, threats or intimidation;
 - (iii) discrimination, subject to current or future bias, or derogatory treatment;
 - (iv) harm or injury;
 - (v) damage or threats to their property, business, financial position or reputation; or
 - (vi) revealing their identity as a Whistle-blower without their consent or contrary to law;
 - (vii) threatening to carry out any of the above actions.
- (c) This protection applies regardless of whether any concerns raised in a report are found to be true, provided that the whistle-blower is acting honestly and ethically and made the report on reasonable grounds. This protection also applies to individuals conducting, assisting or participating in an investigation.
- (d) Anyone found to be victimising or disadvantaging another individual for making a disclosure under this Policy will be disciplined and may be dismissed or subject to criminal or civil penalties.
- (e) If the whistle-blower believes they have suffered a detriment in violation of this Policy, we encourage them to report this immediately to the Director/s. The whistle-blower's concerns of being disadvantaged will be treated as a report of Reportable Conduct in line with this Policy.
- (f) Anyone engaging in detrimental conduct may be subject to serious consequences, including disciplinary action and/or termination of engagements or contracts, as applicable. They may also be subject to civil and criminal penalties.
- (g) The whistle-blower may also be entitled to the following legal protections for making a report:
 - (i) protection from civil, criminal or administrative legal action;

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- (ii) protection from having to give evidence in legal proceedings; and/or
- (iii) compensation or other legal remedy.

5.2 How will BuildAid ensure confidentiality?

- (a) The whistle-blower may choose to report their concerns anonymously. However, if they choose to disclose their identity, their details will be treated confidentially to the fullest extent possible in connection with the investigation, and their identity will not be disclosed unless:
 - (i) The whistle-blower consents in writing to the disclosure;
 - (ii) the disclosure is made to ASIC, APRA or the Australian Federal Police;
 - (iii) the disclosure is made to a Legal Practitioner for the purpose of obtaining advice;
 - (iv) disclosure is necessary to prevent or lessen a threat to a person's health, safety or welfare.
- (b) We encourage all individuals to disclose their identity when raising a concern. This will assist us to gather further information on the report. All information relating to a report of Reportable Conduct will be stored securely and access will be limited to authorised board members.

6. False reports or disclosures

6.1 Protected Disclosures must be made on reasonable grounds. Anyone who knowingly makes a false report/disclosure of Reportable Conduct may be subject to disciplinary action, including dismissal.

6.2 The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.

7. Monitoring and assurance

7.1 The Board will monitor and review this Policy as required.

8. Whistleblowing and third-party programs

8.1 BuildAid pursues its charitable purposes in part through collaborating with a third party or third parties to deliver programs overseas.



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8.2 BuildAid may require third parties to:

- (a) produce a Whistleblowing Policy in respect (at least) of the programs on which they collaborate with BuildAid;
- (b) distribute and make this Policy available to the third party's workers;
- (c) notify BuildAid of any disclosures of Reportable Conduct made to the third party, unless the Whistle-blower will not consent to BuildAid receiving notice; and/or
- (d) provide similar protections to overseas Whistle-blowers (whether they make their disclosure to the third party or directly to BuildAid as are available under this Policy.

Date: 26/07/2021

Signed: _____ (Board Administrator)

Print Name: Murray Brown

Signed: _____ (Director)

Print Name: Ian Walter