



Archdiocese of Hobart

Policy Document

Grievance and Whistle-Blower Protection Policy		Document Number: AOH-PRCM-011	Level: Tier 1
		Prepared By: Executive Manager Governance, Risk & Compliance	Date Prepared: 2/11/2022
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Compliance:			
<i>Corporations Act 2001 (Cth)</i>			

1 PURPOSES

1.1 The purpose of this policy is to:

- (a) Outline the grievance process and handling; and
- (b) Outlines the policy and procedure in respect to whistle-blower protection.

2 SCOPE

2.1 This policy applies to the Archdiocese of Hobart (AoH) and its Agencies including:

- (a) CatholicCare Tasmania;
- (b) Catholic Development Fund;
- (c) Catholic Education Tasmania;
- (d) Centacare Evolve Housing Limited;
- (e) Church Office;
- (f) Parishes; and
- (g) St Joseph Affordable Homes Inc.

3 GRIEVANCE PROCESS AND HANDLING

3.1 The following principles apply to all grievances:

3.2 The complainant/s must:

- (a) Be provided with an opportunity to be heard;
- (b) Have their grievance treated seriously, appropriately investigated and considered confidentially and without bias;
- (c) Not be discriminated against on the basis of making a complaint, unless the discrimination is lawful; and
- (d) Be informed of the outcome; and
- (e) Be provided with the reasons for any decisions made with respect to the grievance.

3.3 The respondent/s must:

- (a) Be informed of the details of the grievance made against them but without necessarily requiring details of the complainant's identity to be disclosed;
- (b) Be given sufficient time to respond to any grievance;
- (c) Be informed of the processes for managing the grievance;
- (d) Have the grievance treated seriously, investigated, and considered confidentially without bias; and
- (e) Be informed of the outcome; and
- (f) Be provided with the reasons for any decision made with respect to the grievance.

3.4 In responding to complaints, each Agency must:

- (a) Appoint a suitably qualified person to undertake an investigation in response to the grievance (which may require the appointment of an external investigator);
- (b) Ensure that the grievance process is as efficient and informal as the case allows; and
- (c) Ensure that the privacy and confidentiality of all parties in the grievance and investigative process is upheld.

3.5 Agencies may develop and implement Tier 2 policies or procedures to support this policy and inform workers about the principles contained in this policy.

4 AGENCY OBLIGATIONS

4.1 Each Agency must develop and implement a Tier 2 policy or procedure which includes the following information:

- (a) How grievances can be confidentially reported; and
- (b) How grievances will be managed, investigated, and responded to; and
- (c) How the interests of complainants and respondents to any grievance will be managed in accordance with this policy.

5 WHISTLE-BLOWER PROTECTION

5.1 The AoH is committed to:

- (a) Developing an organisational culture in which workers feel safe and encouraged to raise concerns (including concerns of reportable conduct) without fear of reprisal;
- (b) Ensuring that complaints of reportable conduct are investigated and resolved in an independent and comprehensive manner;
- (c) Ensuring that managers receive adequate training about how to respond to complaints about reportable conduct; and
- (d) Providing training to support workers to understand their rights in relation to reporting misconduct.

6 REPORTABLE CONDUCT

6.1 Reportable conduct is actual or planned conduct that the whistle-blower reasonably and in good faith suspects is:

- (a) Dishonest;
- (b) Fraudulent;
- (c) Corrupt;
- (d) Illegal (including theft, drug sale/use, violence or threatened violence and criminal damage against property);
- (e) Unethical;
- (f) Serious improper conduct;
- (g) Wilful unsafe work practice;
- (h) Gross mismanagement;
- (i) Serious or substantial waste; or
- (j) Repeated instances of breaches of administrative procedures.

7 PROCEDURE FOR REPORTING

7.1 The following procedure applies in respect to reports of reportable conduct:

- (a) Reports should be made internally in the first instance;
- (b) If a report cannot be made internally or it is not appropriate in the circumstances, a report can be made to the independent external agency appointed by the AoH;
- (c) A worker's identity will remain confidential at all times to the extent permitted;
- (d) A worker will be protected from reprisal, discrimination, harassment or victimisation for making the report, even if implicated in the reportable conduct;
- (e) Issues identified from the inquiry/investigation will be resolved and/or rectified as soon as practicable; and

(f) The person who made the report will be informed about the outcome and be given reasons for any decision made following the report.

7.2 Protection is available to whistle-blowers who disclose reportable conduct that is:

- Serious in nature;
- Made in good faith; and
- Made with reasonable grounds to believe it is true.

7.3 Agencies must ensure that:

- Reports are appropriately investigated, which may include the appointment of an impartial investigator;
- All reports will be escalated to the relevant parties as required; and
- Confidentiality of all persons involved in a report is maintained.

8 RELATED POLICIES

8.1 This policy is supported by and related to the following policies:

- Personnel Code of Conduct Policy.

9 DEFINITIONS

Complainant means a person who has initiated a grievance.

Respondent means the person against whom a grievance has been initiated.

Whistle-blower means a person who discloses reportable conduct. They may be internal (employees and volunteers), or they may be external (clients and suppliers).

Whistleblowing means the disclosure by or for a witness of reportable conduct.

Worker means worker as defined in the *Work Health and Safety Act 2012 (Tas)*.

10 REVIEW

10.1 The AoH will review this policy every three years and updates are available on the intranet.

Policy approved by:



Signed:

Date: 24. 11. 22

Most Rev Julian Porteous DD

Archbishop of Hobart