



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:

- (a) Serious in nature;
- (b) Made in good faith; and
- (c) Made with reasonable grounds to believe it is true.

7.3 Agencies must ensure that:

- (a) Reports are appropriately investigated, which may include the appointment of an impartial investigator;
- (b) All reports will be escalated to the relevant parties as required; and
- (c) 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:

- (a) 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