



# **WHISTLEBLOWER POLICY**

# **Football Queensland Whistleblower Policy**

## **What this policy is about**

Football Queensland Limited (Football Queensland) is committed to a culture of good commercial practice and highly ethical behaviour.

The Whistleblower Policy deals with issues relating to those employees (or others) who wish to raise issues about whether Football Queensland or its employees have complied with applicable laws and other standards of behaviour (such as Football Queensland's policies or codes of conduct).

This policy should be read in conjunction with other Football Queensland policies and procedures, agreements and relevant legislation.

## **Who this policy applies to**

All Football Queensland officers, directors and employees.

## **Who do I see if I have a question?**

If you have a question, please speak to your immediate supervisor/manager.

## **Objectives**

The objectives of this policy are to:

1. encourage employees to disclose any malpractice, misconduct or conflicts of interest of which they become aware;
2. provide protection for employees who disclose allegations of malpractice, misconduct or conflicts of interest; and
3. indicate when such disclosures will be investigated.

## **Policy**

### ***Whistleblower protection***

1. This policy is designed to give guidance so that honesty and integrity are maintained at all times at Football Queensland.
2. To the maximum extent practicable, a person who genuinely discloses an allegation or concern about compliance with laws or other standards of behaviour (a whistleblower) will be protected from any adverse action (such as dismissal, demotion, suspension, harassment, or other forms of discrimination) because they have raised such allegations. Subject to this policy, a whistleblower is protected, even if the allegations prove to be incorrect or unsubstantiated (although a person who maliciously or vexatiously makes disclosures or makes false disclosures may be subject to disciplinary action).
3. Employees who participate, or assist in, an investigation will also be protected. Every effort will be made to protect the anonymity of the whistleblower, however, there may be situations where anonymity cannot be guaranteed. In such situations, the whistleblower will be informed.

### ***Reportable conduct***

1. This policy does not apply to general employment grievances and complaints by a person about their own employment or situation.
2. A director, officer or employee may make a report under this policy if he/she has reasonable grounds to suspect that a Football Queensland director, officer, employee, contractor, supplier, tenderer or other person who has business dealings with Football Queensland has engaged in conduct which:
  - a. is dishonest, fraudulent or corrupt, including bribery;
  - b. is illegal activity (such as theft, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);
  - c. is unethical or in breach of Football Queensland's policies (such as dishonestly altering company records or data, adopting questionable accounting practices);
  - d. is potentially damaging to Football Queensland, a Football Queensland employee or a third party, such as unsafe work practices, environmental damage, health risks or abuse of Football Queensland's property or resources;
  - e. may cause financial loss to Football Queensland or damage its reputation or be otherwise detrimental to Football Queensland's interests;
  - f. involves harassment, discrimination, victimisation or bullying, other than personal work-related grievances as defined in the Corporations Act 2001 (Cth); or
  - g. involves any other kind of misconduct or an improper state of affairs or circumstances.

## **Protection of Whistleblower**

### ***When the policy will operate***

1. This policy protects the whistleblower against any reprisals, provided that the whistleblower identifies himself or herself to Football Queensland, and the disclosure is:
  - a. submitted in good faith and without any malice or intentionally false allegations;
  - b. based on the whistleblower's reasonable belief that the alleged conduct, or issue related to the alleged conduct constitutes, or may constitute, a material breach of a law or other standard of behaviour; and
  - c. does not result in a personal gain or advantage for the whistleblower.

### ***No reprisals***

1. Football Queensland will not take any adverse action against a whistleblower because they have made a disclosure which meet the above-mentioned conditions, unless the whistleblower is a participant in the prohibited activities with respect to which the complaint is made.
2. If the whistleblower was involved in the conduct which was the subject of the disclosure, the fact that the whistleblower has made the disclosure may be taken into account in determining the severity of the disciplinary measures, if any, that may eventually be taken against such whistleblower.
3. Any reprisals against a whistleblower are a serious breach of this policy and may result in disciplinary action, including dismissal. This protection applies to anyone providing information related to an investigation pursuant to this policy.

## **Confidentiality**

1. Football Queensland recognises that maintaining appropriate confidentiality is crucial in ensuring that potential whistleblowers come forward and make disclosures in an open and timely manner and without fear of reprisals being made against them.
2. Football Queensland will take all reasonable steps to protect the identity of the whistleblower and will adhere to any statutory requirements in respect of the confidentiality of disclosures made. In appropriate cases, disclosure of the identity of the whistleblower, or the allegation made by them, may be unavoidable, such as if court proceedings result from a disclosure pursuant to this policy.

## **Reporting procedures**

1. Any person who has reasonable grounds to suspect that a breach of a law or other standard of behaviour has occurred, is encouraged to report that suspicion to the Chief Executive Officer or Head of Human Resources of the Football Queensland.
2. All disclosures should provide specific, adequate and pertinent information with respect to, among other things, dates, places, persons, witnesses, amounts, and other relevant information, in order to allow for a reasonable investigation to be conducted. If the whistleblower discloses his or her name, the person receiving the disclosure will acknowledge having received the disclosure and may initiate a follow-up meeting. However, if the disclosure is submitted on an anonymous basis, there will be no follow-up meeting regarding the disclosure and Football Queensland will be unable to communicate with the whistleblower if more information is required, or if the matter is to be referred to external parties for further investigation.
3. Please remember that all disclosures received will be dealt with on a confidential basis and whistleblowers are encouraged to disclose their identities, to obtain the protection afforded to them at law.

## **Procedures following disclosure**

1. Once a disclosure has been received from a whistleblower Football Queensland will consider the most appropriate action. This might include an investigation of the alleged conduct.
2. Any investigation in relation to a disclosure will be conducted promptly and fairly, with due regard for the nature of the allegation and the rights of the persons involved in the investigation.
3. Any evidence gathered during an investigation, including any materials, documents or records, must be held by the investigator, and held securely. During the investigation, the investigator will have access to all of the relevant materials, documents, and records. The directors, officers, employees and agents of Football Queensland must cooperate fully with the investigator.

## **Communications to the whistleblower**

Football Queensland will ensure that, provided the disclosure was not made anonymously, the whistleblower is kept informed of the outcomes of the investigation of his or her allegations, subject to the considerations of privacy of those against whom allegations are made.

**Further information and advice**

For further information, refer to other related policies or contact:

John Mullins, Mullins Lawyers (07 3224 0222)

Robert Cavallucci, Football Queensland (07 3208 2677)

A handwritten signature in black ink, appearing to be 'R. Cavallucci', with a stylized, cursive script.

Robert Cavallucci

**CHIEF EXECUTIVE OFFICER**

Date: 28 August 2020



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