

# WHISTLEBLOWER POLICY

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## Overview

The purpose of this policy is to encourage WAAFL players and officials to report actual and suspected breaches of ethical and legal standards without fear of being disadvantaged in anyway by raising their concern.

The policy ensures all players and officials are protected from victimisation, harassment or disciplinary action as a result of making a report, where the report is made in good faith and is not made maliciously or for personal or club gain.

The General Manager is responsible for implementing this policy.

## POLICY STATEMENT

A whistleblowing program is an important aspect of detecting poor or unacceptable practice and misconduct in an organisation.

The WAAFL is committed to maintaining a culture where players and officials are encouraged to be responsible for the integrity of their own competition and club.

The WAAFL Board and staff are to support and assist clubs run a successful competition through transparent and effective governance.

### 1. WHAT IS WHISTLEBLOWING?

Whistleblowing is the confidential disclosure by an individual regarding any concern encountered in an organisation relating to a perceived wrong doing. The person raising the concern is referred to as a Whistleblower.

### 2. WHAT CAN BE REPORTED?

Players and officials are encouraged to report any genuine concern they believe may constitute a breach of policy or the law. These are known as **Reportable Instances**.

### 3. REPORTABLE INSTANCES

Reportable Instances are matters described as any conduct or activity (actual or suspected) that players and officials genuinely believe:

- a) is dishonest, fraudulent, corrupt or illegal.
- b) endangers the health and safety of any person.
- c) is considered a significant danger to the environment.
- d) is coercive, harassing or discriminatory by, or affecting, any player or official.
- e) is a significant breach of football rules and policies.
- f) may be detrimental to the WAAFL's reputation and interests.

#### Examples of Reportable Instances;

- Offers and payments to play in the WAAFL.
- Playing under a false name.
- Failing to comply with the concussion policy.
- Committees not operating within their constitution and rules.

### 4. REPORTING PROCESS

#### 4.1 Making an initial report

If a player or official believe a Reportable Instance has occurred, they should in the first instance, raise the issue with their direct report eg; President, Coach, Team Manager.

#### **4.2 Making a report under the Whistleblower Policy**

Where a player or official does not feel comfortable or confident of reporting the matter with their direct report, they are encouraged to report the matter in accordance with the WAAFL Whistleblower Policy.

#### **4.3 Making a report outside of the WAAFL**

The WAAFL aims to ensure that individuals do not have a need to discuss concerns outside of the WAAFL, however nothing in the Whistleblower Policy or Procedures should be interpreted as preventing or restricting an individual from raising an issue or providing information to a third party in accordance with any relevant law or regulation.

### **5. INVESTIGATION OF REPORTS**

#### **5.1 Investigation process**

- All reports made through the Whistleblower Policy will be managed by the Competition Integrity Officer.
- The report will be investigated as reasonably possible, dependent on the nature of the matter. The Whistleblower (unless anonymous) will be kept informed of the progress of the investigation.
- Whistleblowers will be promptly informed of the outcome of the investigation of their report. This is subject to considerations of privacy of those against whom allegations have been made and the customary confidentiality practices of the WAAFL.

#### **5.2 Role of the Competition Integrity Officer**

The Competition Integrity Officer is responsible for protecting and safeguarding the interest of any player or official making a report within the context of this policy. The Competition Integrity Officer will have access to independent financial, legal and specialist advisors.

The Competition Integrity Officer;

- a) will receive whistleblower reports.
- b) will investigate matters reported to him.
- c) will protect the identity of the Whistleblower and keep the matter confidential.
- d) may consult and seek guidance from the General Manager to determine the appropriate course of action.
- e) will advise the Whistleblower of how the matter will be investigated.
- f) will communicate with the Whistleblower of the progress and outcomes of the investigation.
- g) will investigate and action appropriately any concerns the Whistleblower may have with reprisal from reporting the matter.
- h) keep a secure record of any documents relating to their investigation.
- i) act to resolve the matter or correct offending behaviour.
- j) report findings to the WAAFL Board or General Manager, which may then be referred to an Investigation Tribunal or Competition Integrity Committee.

### **6. PROTECTION, ANONYMITY AND CONFIDENTIALITY**

The WAAFL is committed to fostering an environment that encourages effective reporting of misconduct. Whistleblowers will be provided with protection under this policy so long as they have complied with all obligations of this policy. Individuals who make a false report may be subject to deregistration, fine or disciplinary proceedings.

#### **6.1 Confidentiality**

For all reports made, the WAAFL will keep confidential:

- the identity of the individuals.
- the information that is reported.

- any information which may lead to the identity of the individual being revealed.

The identity of an individual making a report will not be disclosed to any person, including the General Manager, unless they have consented to this in writing.

It may not be possible for the WAAFL to investigate a matter further unless the individual gives consent for the information reported to be disclosed. Generally, subject to any requirements by law, the WAAFL will not need to disclose their identity, or any information that would lead to their identity being revealed.

## **6.2 Protection**

The WAAFL will not tolerate retribution against any individual who makes a report in good faith and with reasonable grounds. Disciplinary action will be taken against anyone who subjects a person to discrimination, bias, harassment, demotion or dismissal as a result of their legitimate Whistleblower actions.

Individuals making a report:

- are only protected from liability relating to the reporting of the conduct.
- are not protected from the liability arising out of an illegal act or act of misconduct in which they themselves are involved.

All reports must be in good faith in order for the individual to qualify for protection.

## **6.3 Anonymity**

The individual can choose to make a report anonymously, however this may limit the investigation as:

- it may limit the Competition Integrity Officer to progress with the investigation if they cannot make contact if further information is required
- less priority may be given to a report made anonymously.
- An individual can request to only disclose their identity to the Competition Integrity Officer.
- In these circumstances:
- a guarantee of anonymity will be given, subject to any legal requirements that may require disclosure of the identity of the person making the report
- this must be requested at the first possible opportunity so that appropriate arrangements can be made.

## **7. CONSEQUENCES OF REPORTING**

WAAFL recognises that an individual will usually decide to submit a report after a great deal of thought. Provided the report is raised in good faith, individuals are not at risk of suffering any form of reprisal for coming forward.

It does not matter whether the report proves to be unfounded or real. Where a report leads to action being taken against a club for breaching WAAFL rules and policies, the Board may approve a financial reward up to the Whistleblower of \$1000.

### **7.1 Improper reporting**

Improper reporting is described as a false report. False reports are those that are not raised in good faith. If an individual know or believe that matters relating to the Reportable Instance are untrue, this is considered a false reports. If a false report occurs, this will be regarded as misconduct and the individual is subject to deregistration, fine or disciplinary proceedings.