

LAW WHISTLE BLOWING POLICY

1. Policy on Whistle-blowing

The Whistleblowing policy sets out the framework for dealing with allegations of illegal and improper conduct in the workplace. This procedure is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

2. Scope

This procedure applies to all LAW employees, contractors/consultants, directors and trustees, interns, volunteers or those on work-placement working on behalf of LAW. This procedure does not replace other policies and procedures such as the complaints procedure, the Grievance, the Anti-fraud and other specifically laid down statutory reporting procedures.

This procedure applies to, but is not limited to, allegations about any of the following:

- Conduct which is a criminal offence or breach of the law
- Alleged miscarriage of justice
- Accepting gifts which are intended to influence decision-making
- The unauthorised use of organisation's funds, theft, fraud or corruption
- Sexual, physical or verbal abuse, or bullying or intimidation of employees.
- The endangering of an individual's health and safety and well-being
- Abuse of authority
- Other unethical conduct

3. Responsibilities

The Chief Executive is accountable for ensuring the effective implementation of this policy throughout LAW and representing LAW's interests/concerns in the event of publicity or litigation resulting from a whistle-blowing allegation.

4. Raising a Whistleblowing Concern

- In the event an employee suspect malpractice at LAW, he/she has a responsibility to inform someone who is able to do something about the problem.
- Concerns can be raised orally or, preferably, in writing.
- The employee is expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.
- Concerns should be raised as early as possible, as this will make it easier to take action and enable any problems to be resolved quickly.

- Anonymous disclosures will be considered, but are not encouraged, as this will cause substantial difficulty in investigating the concern, in protecting the employee, or giving feedback on the action being taken.

5. Reporting

It is preferable for allegations to be made to an employee's immediate manager to whom they report. However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. The whistleblower may then make an allegation direct to any of the following:

- The Executive Director
- The Chairman of the LAW Board

6. Confidentiality

All allegations will be treated in confidence and every effort will be made not to reveal a whistleblower's identity unless the whistleblower otherwise requests.

The Executive Director will not, without the whistleblower's consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation.

7. Protection of Whistleblower

LAW is committed to providing protection to those who bring a disclosure of wrongdoing.

The act of whistleblowing should not protect whistleblower from the consequences of any involvement in the improper conduct disclosed in the report. Involvement in the improper conduct may lead to disciplinary action, including termination of employment with LAW.

8. Investigation

An investigation will generally be conducted if the matter is deemed to be serious. However, the investigation process will vary, depending on the nature of the report and the amount of information provided.

In some cases, an external investigator/s may be appointed to conduct the investigation. Terms of reference for the external investigation may be developed in order to provide guidance and a reference tool. The investigators will be able to consult with any other external expert advisors as considered necessary.

All investigations will be conducted in a fair, independent and timely manner that affords procedural fairness to all involved.

If the reported matter involves an allegation of a criminal nature, the matter may be referred directly to the LAW Board.

9. Reporting of Findings

On completion of an investigation, a written report of the findings will be provided by the Investigator/s to the Board. The report should summarise the conduct of the investigation and the evidence collected and should detail any conclusions drawn, as well as making recommendation/s for response by the LAW Management.

If any wrongdoing has been found to have occurred, the Board will take appropriate action, either on an internal basis or refer the matter to an appropriate external body.

The LAW will also take reasonable steps to review policies and processes to prevent the conduct, which is the subject of the report, continuing or occurring in the future.

Where applicable, the Board may provide feedback to the person who made the initial report regarding the progress of the investigation and/or the final outcome.