



CONFIDENTIAL REPORTING ('WHISTLEBLOWING') STANDARD OPERATING PROCEDURES

1. Purpose

The Oxfam Australia (OAU) Board's Complaints and Whistleblowing Standard Operating Procedures outlines OAU's approach to handling complaints and whistleblowing, including through maintaining processes to respond to complaints and protecting those who report wrongdoings within **Oxfam Australia (OAU), Oxfam Australia Trading (OAT) & Executing Affiliate (EA) country offices.**

The Oxfam Australia Risk Appetite Statement (RAS) describes our intent to manage financial, fundraising, innovation, program, advocacy, fraud and corruption, compliance, information technology, operational and safety risks as we meet the purpose described above. The collection of information about possible incidents relevant to the risk areas described above is vital in supporting Oxfam Australia's management of those risks.

The purpose of this document is to:

- encourage workers and volunteers to speak up promptly and make legitimate reports of actual or suspected wrong doing;
- provide a process and supportive system for the reporting and collection of information about wrongdoing without fear of recrimination, victimisation or disadvantage;
- support a healthier and safe environment through the reporting of inappropriate and unsafe work practices;
- provide an alternative means of reporting alleged or suspected wrongdoing where the existing reporting channels are considered inappropriate; and
- foster compliance with the organisation's obligations under law.

2. Scope

The following documents inform the way that OAU, OAT and EA country offices manage complaints and whistleblowing matters. All contents within these documents are designed to align with the OAU Board Policy.

- OAU Board Policy (BRD004) – Complaints & Whistleblowing Policy: This policy outlines OAU's approach to handling complaints and whistleblowing, including through maintaining processes to respond to complaints, and protecting those who report wrongdoing.
- Feedback and Complaints Policy (Program Partners and Beneficiaries): this policy applies to the handling of feedback and complaints specifically from *program partners* and *beneficiaries* that are addressed to OAU, its staff, partners, volunteers or anybody directly involved in the delivery of OAU programs and applies to all program activities implemented in Australia or internationally.

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- Supporter Compliments and Complaints Handling Procedure (Supporters and Donors): this procedure applies to the handling of feedback and complaints specifically from *supporters* and *donors*.
- Confidential Reporting Standard Operating Procedures: this document applies to all Oxfam Australia workers (staff and volunteers) and third parties worldwide, including offices where OAU is the Executing Affiliate or Partner Affiliate. It is subordinate to federal, state and local law in Oxfam Australia’s jurisdictions of operation. This Procedure applies to legitimate reports of actual or suspected wrongdoing which may cause damage to Oxfam Australia whether financial or reputational.

3. Definitions

Where the following terms are used in this document, they should be taken to mean as follows.

Confidential Reporter/Confidential Reporting

- A person who uses this process to report a reasonable suspicion of any of the matters in section 4, whether they choose to do so anonymously or not. A ‘whistleblower’ is a narrower definition, contained in Part 9.4AAA of the Corporations Act 2001 (Australia); this definition may not apply to every user of this SOPs.

Worker

- A person who works or volunteers for Oxfam Australia, whether paid or unpaid

Third parties

- Partners, contractors, suppliers or consultants contracted by Oxfam Australia, institutional donors that contract Oxfam Australia, and other agencies with whom Oxfam Australia might enter into contracts (such as other NGOs in consortia).

Guiding Principles

- The following principles will govern the operation of this SOPs. They will provide guidance in areas of ambiguity, and for the purposes of this SOPs are defined as follows.

Accountability	Roles and responsibilities will be cleared assigned to individuals, who will be held accountable for their actions. The segregation of duties will be practiced and the operation of the SOPs will be subject to quality-assurance.
Compliance	Activities will be compliant with the laws of both Australia and the areas in which Oxfam Australia is operating. They will also be compliant with Oxfam Australia’s other policies, procedures and systems.
Confidentiality	Oxfam Australia will take all reasonable steps to preserve the confidentiality of reporters and their information, and certain types of Confidential Reporter may enjoy protections in law (see section 7).

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Evidentiality	Decisions will be led by evidence, not speculation or assumption.
Method	Activities will be planned and executed in a structured manner, proceeding at the correct pace to ensure the collection of reliable evidence and the diligent management of risks.
Fairness	Oxfam Australia will respond to reports with impartiality, following lines of enquiry that lead away from particular persons as well as towards.
Protection	The appropriate action will be taken to safeguard persons, physical assets, funds and stock in accordance with the available information.
Proportionality	Activities will incur the minimum collateral impact necessary to meet the aim, avoiding (for example) as much disruption to programs or persons as is possible in the circumstances.
Transparency	A clear documentary trail will be created showing what activity was conducted, the material that was encountered, and the decisions taken and their basis.

4. Reportable Matters

This procedure applies to reasonable suspicions that any of the following have taken place, are taking place, an intent exists to carry any of the following out in the future, or that any of the following have been concealed:

- Fraud and corruption. This includes fraud, theft, bribery and facilitation payments, money-laundering and nepotism;
- Terrorist financing or other forms of support to terrorists, the diversion of physical assets or stock to terrorists, or breaches of sanctions;
- Mismanagement or misuse of physical assets, funds or stock, including waste;
- Non-compliance with Oxfam International or Oxfam Australia policies, procedures or systems, or with local law;
- Criminal offences by Oxfam Australia staff or third parties;
- Damage to the environment or breaches of health and safety;
- The abuse of authority, position or power by Oxfam Australia staff;
- Undeclared conflicts of interest;
- Sexual exploitation, harassment or abuse;
- Breaches of the [ACFID Code of Conduct](#) or the proposed Oxfam International Code of Conduct.

5. The Responsibility to Report

If workers or third parties have reasonable grounds to suspect any of the matters in 'Reportable Matters', they are required to report them in accordance with this procedure. Reports from members of the public and beneficiaries are welcomed and may also be made using the mechanism described in 'How to report' Section.

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6. When to report

Workers or third parties must make the report immediately upon forming a 'reasonable suspicion.' This is a low burden of proof and an early stage in an inquiry. It might be considered a 'hunch' or 'inference' that does not require 'proof', but does need some information upon which it is based. Some helpful questions a potential Confidential Reporter could ask themselves to help determine whether they have a reasonable suspicion might include whether they can articulate why they suspect something, and whether someone else looking at the same information could also form that suspicion.

7. How to report

Workers are encouraged to raise the matter with their line manager before doing so, or, if they do not wish to raise it with their line manager, then with the relevant Director, with their People & Culture Business Partner, or with the Associate Director of Risk. Those wishing to report anonymously, of course may use the portal straight away. Those wishing to report a reasonable suspicion of the matters in 'Reportable Matters' and want to do so anonymously, must do so using the Whispli platform.

Whispli works as follows:

1. An individual reports wrongdoing anonymously from any web-enabled device. Access will be granted through a pre-configured reporting form via a QR code or unique URL – <https://app.whispli.com/OxfamAustralia>
2. Whispli encrypts the information using high grade 256 Bit encryption. It then deletes the informant's IP address so their identity is never revealed.
3. Oxfam Australia receives the information instantly. Oxfam Australia then start a secure two-way communication with the whistle-blower, who can remain anonymous if he/ she so wishes
4. Oxfam Australia manages the whole case within Whispli. All files, information and communication remain in one secure, fully auditable place.

Reporting is through this link - <https://app.whispli.com/OxfamAustralia>,

Or alternatively using this QR Code:



Alternatively, you can also contact the following people:

- OAU Chair of the Public Engagement Committee and/or Chair of the Board. Please contact OAU Executive Officer - Board Secretariat in Melbourne on +61-3-92899381, for relevant contact information.
- OAU Associate Director, Risk, on either the direct telephone line: +61-3-92899350 or by mail address: Level 3, 132 Leicester Street, Carlton VIC 3053, Australia.

8. Anonymous reporting

Where a report is made anonymously, this will not necessarily impact upon its credibility. However, Oxfam Australia encourages Confidential Reporters to provide their name as engagement with a Confidential Reporter significantly enhances Oxfam Australia's ability to protect, advise and feed back to them, as well as improve our ability to investigate their concerns.

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9. Guidance to Confidential Reporters

Having made a report, guidance to Confidential Reporters will be provided in accordance with ‘Oxfam Australia’s Response to Confidential Reports’ – note 11 below. This includes:

- Avoiding informing others unnecessarily that they have made a report;
- Not conducting any investigative actions themselves – leave this to Oxfam Australia;
- Being vigilant and reporting any threats, signs of harassment towards themselves, or any other safety or security concerns.

10. What to report

Confidential Reporters should clearly describe their concern and how it arose in as much detail as possible. They should:

- Provide specific information where possible, including dates, times, quantities, people’s names, locations, project and organisation names;
- Explain how they know the information being reported. Did they see the events themselves, or did that information come from someone else? Who?
- Provide details of anything or anyone that might corroborate their concerns, such as documents, CCTV, e-mails or witnesses.

11. Oxfam Australia’s Response to Confidential Reports

11.1 Receiving, acknowledging and assessing the report

Reports made through the means in the app.whispli.com/OxfamAustralia portal are made to the Associate Director, Risk, who will acknowledge receipt within 24 hours or within 2 hours (if urgent). The Associate Director, Risk will provide the Confidential Reporter with an appropriate Single Point of Contact (SPoC). This individual will seek any further information necessary from the Confidential Reporter, provide guidance to them, and feed back to them.

A Confidential Reporting Committee (CRC) will be convened, comprising the Associate Director, Risk, the General Counsel and the Associate Director, P&C. The CRC will assess the report, determine actions, and manage Oxfam Australia’s response to it. In assessing its contents, considerations will include its credibility (including whether it can be corroborated or refuted by other sources), the reliability of the source, and whether the information gives rise to lines of enquiry and the likely availability of evidential opportunities.

11.2 Investigation

Initial ‘investigation’ begins when Oxfam Australia seeks further information about the matters described in the report, including further details from the Confidential Reporter. If the CRC determines that the matter requires further investigation, Oxfam Australia has a number of pathways that could be used, dependent on the matters described. For example, the investigation of an allegation of sexual harassment will be carried out within a different framework to an allegation of fraud.

The CRC will determine the nature, extent and model of the investigation that will follow the report based on the assessment in 6.2. If the Confidential Reporter meets the definition of ‘whistle-blower’, their consent will be sought before their material is passed to an investigator.

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11.3 Determination and outcomes

The Director in whose division the incident has arisen is responsible for ensuring that lessons learned to strengthen Oxfam Australia’s resilience to the relevant risks are captured and implemented. This may include changes to policies, procedures, systems, programs and governance.

The Associate Director, Risk is responsible for ensuring that feedback is provided to Confidential Reporters in a timely manner.

Where reports to a criminal justice organisation (such as the police) or a regulator (such as the Australian Charities and Not for Profits Commission) are deemed necessary, this will be at the discretion of the CRC.

11.4 Timeframe and case closure

Oxfam Australia’s response to the report, including investigation, determination and any necessary changes, will be completed as soon as is reasonably practicable. The Associate Director, Risk is responsible for determining when a report is ‘closed,’ a decision that will include:

- Whether the matters reported have been adequately investigated;
- Whether any risks have been satisfactorily resolved and any action taken;
- Whether any lessons to learn have been captured, and necessary changes implemented;
- Whether any onward referral or notification has been made.

12. Protection of Confidential Reporters

Oxfam Australia will take all reasonable steps to protect Confidential Reporters from any retaliation, victimisation, harassment or penalisation that might arise because they made a report. This includes, but is not limited to:

- Dismissal or other employment-related sanctions;
- Harassment;
- Reduced duties or hours;
- With-holding of training or promotion;
- Loss of status or benefits;
- Threats of any of the above.

These protections apply even when an investigation into the matters raised show that there is no case to answer. The burden-of-proof shall be on Oxfam Australia to show that any change in the employment terms or performance appraisal of a staff member who makes a report is not related to that report.

This protection applies to the *making* of a report, and not to the *matters reported*. For example, if an individual uses this procedure to report their own involvement in matters described in section 4 above, this procedure will not prevent any disciplinary action that might arise from those matters. In all cases, Oxfam Australia encourages transparency, but reserves its right to make judgements on the facts of the case.

Australian law may provide certain protections to a person making a disclosure. Oxfam Australia recommends that those considering doing so seek independent legal advice. These protections may not apply to anonymous disclosures.

13. Knowingly False Reports (Malicious Reporting)

No disciplinary action will be taken against a member of staff who reports a reasonable suspicion in good faith. Where a member of staff makes a report that they know to be false, however, this abuse of the SOPs may

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constitute a serious disciplinary offence. Such individuals are not entitled to the protection described in section 12 above and may be subject to disciplinary action.

14. Information Management and Security

The CRC is responsible for ensuring that all reports, decisions, actions and outcomes are documented in corporate memory accurately, lawfully, securely and retrievably.

The 'need-to-know' rule (only relevant information sharing) will be applied to the Confidential Reporter's identity, material and any subsequent action. Disclosures of material or facts in the case made to persons outside the CRC must be authorised by the Associate Director, Risk and where it involves a whistleblower's information this must have their consent.

15. Segregation of duties

A definitive pathway will be created to help protect the Confidential Reporter - the SPoC (described in 11.1) will not be the same person as one conducting the investigation, and the identity of the Confidential Reporter will only be provided to the investigators if the Associate Director, Risk in consultation with the General Counsel, deem that there is a need to know (and, if the Confidential Reporter is a whistleblower, only with their consent).

16. Oversight

The Board of Oxfam Australia is responsible for the oversight of its Complaints and Whistleblowing Policy, which includes this SOPs and its operation. The Associate Director, Risk will provide the Board where required with sufficient information to maintain that oversight, including information about cases and that the Complaints and Whistleblowing Policy has been adhered to.

Feedback or complaints about the Oxfam Complaints and Whistleblowing Policy and the associated policies, its operation or the conduct of cases reported using it may be made directly to any member of the Oxfam Australia Board. The Board are ultimately responsible for responding to and investigating such complaints.

17. Communication

17.1 Responsibilities of the Associate Director, Risk

The Associate Director, Risk is responsible for ensuring that this procedure is easily accessible by all workers and third parties. This includes its presence on the Oxfam Australia intranet, its translation into relevant local working languages and its public availability on the Oxfam Australia website.

17.2 Responsibilities of managers

Managers are responsible for ensuring that any staff or third parties for whom they are responsible are aware of and understand this procedure. This procedure should be provided to new staff and appear in the contract documentation for agreements with third parties.

18. Related Documents

This procedure is to be read in conjunction with:

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- 1). BRD004 - Complaints and Whistleblowing Policy
<https://oxfam.box.com/v/ComplaintsWhistleblowPolicy>
- 2). Feedback and Complaints Policy (Program Partners and Beneficiaries)
<https://oxfam.box.com/v/ComplaintsPolicy>
- 3). Supporter Compliments and Complaints Handling Procedure
<https://oxfam.box.com/v/SupporterCompliments>

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19. Process Flowchart for Anonymous Reporting

Anonymous Reporting Procedure

Reporting

Staff or third party forms a reasonable suspicion of a reportable matter.



They make a report using the means described in the online portal below - <https://app.whispli.com/OxfamAustralia> and become an Anonymous Reporter.



Receipt, acknowledgement and assessment ('initial investigation')

The Associate Director, Risk and/or the CFO, will be informed that a matter has arisen anonymously.



Investigation

Confidential Reporter provides guidance, seeks any further information, and provides feedback.



Confidential Reporting Committee (CRC) convened to assess report, determine actions and manage Oxfam Australia's response.



CRC determines whether further investigation is necessary.

YES



CRC determines which Oxfam Australia framework applies and investigation is executed.



NO



Determination

Relevant Divisional Director ensures lessons are learned and any changes made.
Associate Director, Risk feeds back to Confidential Reporter.
CRC determines whether onward reports to criminal justice authorities or regulators are necessary.



Closure

Associate Director, Risk closes matter if:

- Matters have been adequately investigated;
- Any risks have been satisfactorily resolved and action taken;
- Any lessons to learn have been captured and implemented;
- Any onward referral or notification has been made.