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## Introduction

Kyeema Foundation (Kyeema) is a not-for-profit NGO that works predominantly to reach resource-poor members of communities in developing countries. Kyeema is dedicated to upholding accountability and transparency, and aims to safeguard the well-being of its staff, volunteers, partners, and other stakeholders by addressing difficulties, grievances, and complaints in a timely, unbiased, and fair manner.

## Purpose

Kyeema’s Whistleblower policy is founded upon the organisation’s commitment to accountability and transparency and desire to protect its staff, volunteers, partners and other stakeholders to resolve difficulties, grievances, and complaints in a prompt, impartial and just manner. The purpose of this procedure is to:

- a) encourage the reporting of matters that may cause harm to individuals or financial or non-financial loss to Kyeema or damage to its reputation;
- b) enable Kyeema to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower and provide for the secure storage of the information provided;
- c) establish the policies for protecting whistleblowers against reprisal by any person internal or external to the entity;
- d) provide for the appropriate infrastructure; and
- e) help to ensure Kyeema maintains the highest standards of ethical behaviour and integrity.

## Guiding Principles

This policy is based on the following principles:

- Kyeema personnel have an obligation to report wrongful acts or suspected wrongful acts in accordance with this policy;
- Kyeema personnel have the right to speak freely and honestly to report wrongful acts in a safe environment without fear of retaliation or reprisal; and

- Kyeema will respond in a timely, respectful and confidential manner to all disclosures of wrongful acts.
- Kyeema will take steps to protect its personnel from detrimental treatment or dismissal if they report actual or suspected wrongful acts in good faith.

### Definitions

**Accountability:** The processes through which an organisation makes a commitment to respond to and balance the needs of stakeholders in its decision-making processes and activities, and delivers against the commitment

**Transparency:** An organisation's openness about its activities, providing information on what it is doing, where and how this takes place and how it is performing

**Kyeema Personnel:** All individuals and institutions who act on behalf of Kyeema regardless of whether or not there is a formal legal agreement between them and Kyeema. This includes, but is not limited to, all trustees, members, directors, employees, contractors, consultants, advisors, volunteers and implementing partners irrespective of which country their role is situated.

**Whistleblower:** A member of staff, volunteer, contractor or partner who reports suspected wrong doing, including suspicion of fraud, misuse of resources, neglect of duties or a risk to health and safety.

**Whistleblowing:** A deliberate, voluntary disclosure of individual or organizational wrongdoing by a person who has access to data, events or information about an actual, suspected or anticipated wrongdoing within the organisation.

**Wrongful Acts** includes but is not limited to:

- is fraudulent or corrupt
- is illegal
- is unethical, such as acting dishonestly; altering company records; willfully making false entries in official records; engaging in questionable accounting practices; or willfully breaching code of conduct of the ACFID Code of Conduct
- is potentially damaging to such as maladministration
- is seriously harmful or potentially seriously harmful to a employee or volunteer such as deliberate unsafe work practice or willful disregard to the safety of others in the workplace
- is in breach of child or adult safeguarding measures (including Child Protection Policy and Code of Conduct and Prevention of Sexual Exploitation, Abuse & Harassment Policy)

- may cause serious financial or non-financial loss; or damage its reputation; or be otherwise seriously contrary to the Whistleblower policy
- involves any other kind of serious impropriety including retaliatory action against a whistleblower for having made a wrongdoing disclosure.

### **Scope**

This policy is applicable to a broad range of individuals associated with Kyeema Foundation, such as directors, employees, volunteers, contractors, partners, and related personnel. Additionally, it applies to any person or organization that has a relationship with Kyeema Foundation, including formal partners and program beneficiaries, who report misconduct committed by a Kyeema Foundation employee or associate or within the organization itself.

### **Policy statement**

Kyeema Foundation is dedicated to conducting its activities with professionalism, honesty, and integrity. Nonetheless, like all organizations, there is always the possibility of unprofessional behavior, criminal activities, or mismanagement. Kyeema Foundation recognizes that it is its responsibility to take appropriate actions to detect such situations and address them.

To encourage a culture where its representatives can raise concerns about unethical and unacceptable conduct in a safe environment, Kyeema Foundation is committed to implementing a policy that empowers all personnel to report any wrongful acts in good faith. This policy reinforces Kyeema Foundation's core values and aims to provide reporting mechanisms that enable all personnel to report any alleged or suspected wrongful acts.

### **Responsibilities**

All Kyeema personnel will be made aware of this policy and their responsibilities to report wrongdoing to the Chief Executive Officer (CEO). It is the responsibility of the CEO to ensure all staff are adequately trained in understanding, identifying and (where possible) mitigating any activity that may breach the definitions of fraudulent or corrupt behaviour.

Where it is not possible or appropriate to report suspicion of misconduct to the CEO, reports should be raised directly to the Chair of Kyeema. This policy will be reviewed every three years, with approval of the board.

## Information Resources

[ACFID Code of Conduct Commitment 9.2.2](#) Members enable staff and volunteers to make complaints and report wrongdoing through fair, transparent and accessible procedures.

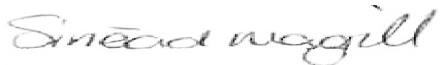
[CPA Australia Good Practice Guide to Whistleblowing Policies](#)

## Related Documents

This policy is to be read in conjunction with:

- [Kyeema Foundation Complaints Policy](#)
- [Kyeema Foundation Risk Management Policy](#)
- [Kyeema Foundation Transparency Policy](#)
- [Kyeema Foundation Fraud Control and Anti-Corruption Policy](#)
- [Kyeema Foundation Child Protection Policy](#)
- [Kyeema Foundation Preventing Sexual Exploitation, Abuse and Harassment Policy](#)

## Authorisation



Sinead Magill

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Signature of Policy Officer

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Name of Policy Officer

23/11/2023

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Date

### **Procedure:**

#### **Concerns regarding illegal or corrupt behaviour**

1. Where an employee of Kyeema believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached any provision of the general law that employee must report their concern to:
  - their supervisor: or, if they feel that their supervisor may be complicit in the breach,
  - the CEO: or, if they feel that the CEO may be complicit in the breach,
  - the Kyeema Board Chair; or, if they feel this to be necessary, the ACFID Complaints officer, or
  - the duly constituted authorities responsible for the enforcement of the law in the relevant area.
2. The person making their concern known will not suffer any sanctions from Kyeema on account of their actions in this regard provided that their actions are in good faith, and are based on reasonable grounds, and conform to the designated procedures.
3. Any person within Kyeema to whom such a disclosure is made will:
  - if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision; or
  - if they believe the behaviour complained of to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.
4. Any such investigation will observe the rules of natural justice and the provisions of procedural fairness.

Disclosures may be made anonymously, and this anonymity will as far as possible be preserved by Kyeema.

#### **Concerns regarding improper or unethical behaviour**

1. Where an employee of Kyeema believes in good faith on reasonable grounds that any other employee, volunteer, or contractor has breached any provision of Kyeema's constitution,
2. or its bylaws, or its policies, or its code of conduct, or the ACFID Code of Conduct, that employee may report their concern to:
  - their supervisor: or, if they feel that their supervisor may be complicit in the breach,
  - the CEO: or, if they feel that the CEO may be complicit in the breach,
  - the Kyeema Board Chair.

Complaints relating to a breach of the ACFID Code of Conduct can be made directly to the ACFID Code of Conduct Committee by email [complaints@acfid.asn.au](mailto:complaints@acfid.asn.au) or website address <http://www.acfid.asn.au/code-of-conduct/complaints>.

3. The person making their concern known will not suffer any sanctions from Kyeema on account of their actions in this regard provided that their actions are in good faith, and are based on reasonable grounds, and conform to the designated procedures.
4. Any person within Kyeema to whom such a disclosure is made will:
  - if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision; or
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Any such investigation will observe the rules of natural justice and the provisions of procedural fairness. Disclosures may be made anonymously, and this anonymity will as far as possible be preserved by Kyeema.