



<u>Policy Approver:</u>	Board
<u>Policy Owner:</u>	Chief Executive Officer
<u>Policy Lead:</u>	Chief Legal Counsel

Speak up Policy

Our policy on whistleblowing.

1 Introduction

This policy sets out our commitment to a “Speak up” culture that allows people to safely raise concerns of actual or suspected wrongdoing without fear of reprisal. It also provides a guide for our personnel on what to do if there is actual or suspected non-compliance.

2 Scope of the Policy

This policy applies to:

- (a) all our personnel (being our directors, employees, interns, students on vocational placement, volunteers and independent contractors and consultants);
- (b) all our partner organisations and their personnel involved in our activities and work;
- (c) all funds and in-kind resources for our activities and work in Australia and overseas; and
- (d) any official visitors.

The application of this policy to our partner organisations and official visitors is described further below in clause 4.3.

3 Policy Statement

3.1 Principle

- (a) We are committed to a culture of speaking up about wrongdoing.
- (b) Any person with reasonable grounds to suspect illegal activity, unethical conduct, other wrongdoing or negative impacts of our activities and work is strongly encouraged to make a disclosure in accordance with this policy. This includes our personnel, partner organisations, community members with whom we work or who are impacted by our activities and work.
- (c) We understand that speaking up is not always easy. People who report reportable matters play an important role in promoting integrity, accountability and good governance. We are committed to supporting anyone who makes a report to do so without fear of intimidation, disadvantage or reprisal. Eligible whistleblowers are also subject to additional protections under Australian law.
- (d) This policy applies to disclosures made by a person on reasonable grounds:
 - (i) about a reportable matter (as defined below – Part 4.1(f)); and



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- (ii) to an eligible recipient (as defined below – Part 4.1(c)).
- (e) Compliance with this policy and the law are conditions of working or undertaking any form of business with or for us. Any breach of this policy is a serious matter that may compromise our status as a charity and/or our funding for our work. A breach of this policy may result in disciplinary action (including dismissal) and/or termination of a partnership or an agreement.

3.2 Work-related grievances

This policy does not apply to a personal work-related grievance of the discloser (being a grievance related to that person’s employment or former employment and that does not have other significant implications for our organisation or relate to victimisation or alleged victimisation in connection with a disclosure under this policy). Disclosure of a personal work-related grievance must be made under our Workplace Grievance Policy.

4 Policy in Practice

4.1 What we mean in this policy

In this policy,

- (a) By “**activities and work**” we include:
 - (i) our programs and projects; and
 - (ii) activities resourced by us.
- (b) By “**downstream partners**”, we mean our implementing partners’ respective contractors, agents and sub-contractors that are involved in our activities and work.
- (c) By “**eligible recipient**” we mean:
 - (i) a member of our Board or our Company Secretary;
 - (ii) a member of the governing body, or secretary, of any entity we control;
 - (iii) our Chief Executive Officer, Chief Operating Officer or Chief Legal Counsel;
 - (A) Chief Executive Officer (dogorman@wwf.org.au);
 - (B) Chief Operating Officer (rlokuge@wwf.org.au); or
 - (C) Chief Legal Counsel (akogekar@wwf.org.au).



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- (iv) the WWF Network Global Reporting channel and independent Whistleblowing mechanism - WhistleB:
<https://report.whistleb.com/en/wwf>
 - (v) our auditor or any member of an audit team conducting an audit of us or any entity we control;
 - (vi) the Australian Securities and Investments Commission (ASIC);
 - (vii) the Australian Prudential Regulation Authority (APRA); or
 - (viii) a legal practitioner for the purpose of getting advice about the operation of Part 9.4AAA ('Protection for Whistleblowers') of the *Corporations Act 2001* (Cth).
- (d) By “**eligible whistleblower**”, we mean:
- (i) any of our current or former personnel (being our directors, employees, interns, students on vocational placement, volunteers and independent contractors and consultants); and
 - (ii) the spouse, relatives and dependents of the above personnel.
- (e) By “**implementing partners**”, we mean a subset of partner organisations that deliver conservation and aid and development activities and work funded by, or through, us with a range of specific roles, responsibilities and obligations agreed to and monitored between us.
- (f) By “**official visitors**”, we mean anyone invited by us to participate directly in our activities or work or visit any of our offices or project sites. This includes but is not limited to donors, campaign ambassadors, grantee representatives and auditors.
- (g) By “**partner organisations**”, we mean:
- (i) any WWF offices or entities around the world;
 - (ii) third party contractors, sub-contractors and consultants;
 - (iii) personnel (being directors, employees, interns, students on vocational placement, volunteers and independent contractors and consultants) of the above,
- that are involved in our activities and work.
- (h) By “**reportable matter**” we mean:
- (i) any information that a person has reasonable grounds to suspect concerns misconduct or an improper state of affairs or circumstances in relation to us, our activities and work, or any entity we control or



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partner with. This includes but is not limited to fraud, corruption, terrorism financing, child exploitation and other safeguarding issues; or

- (ii) a reportable matter also includes information about conduct that:
 - (A) constitutes an offence against, or a contravention of the *Corporations Act 2001* (Cth), or an instrument made under it, and any other relevant legislation that provides for whistleblower protection, or associated regulations;
 - (B) any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
 - (C) represents a danger to the public or the financial system.

4.2 Responsibilities

- (a) **Policy Approver:** accountable for approving this policy, including approving after formal reviews.
- (b) **Policy Owner:**
 - (i) accountable to the Policy Approver for overseeing the implementation and overall compliance with this policy;
 - (ii) ensures this policy is regularly reviewed (at least every two years or earlier if warranted); and
 - (iii) delegates the implementation, training, maintenance and monitoring of this policy to the Policy Lead.
- (c) **Executive team:** responsible for role modelling behaviour consistent with this policy.
- (d) **Policy Lead:**
 - (i) responsible for the implementation, maintenance and monitoring of the policy at an organisational level, including through appropriate procedures, training and reporting;
 - (ii) supports the Policy Owner to review this policy; and
 - (iii) manages risk and compliance issues related to this policy.
- (e) **All of our personnel:** must be familiar with, comply with and implement this policy, and manage speak up risks and cooperate with investigations if required.



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- (f) Detailed responsibilities can be found in our Policy Lifecycle Stages, Roles and Responsibilities (see Annexure A to the Policy Governance Framework).

4.3 Partner Organisations

- (a) We will:
- (i) provide a copy of this policy to each of our partner organisations and official visitors;
 - (i) in relation to our implementing partners:
 - (A) require that our implementing partners and their personnel comply with the requirements under this policy and cooperate with speak up investigations if required, and pass the relevant requirements to downstream partners that implement our work; or
 - (B) alternatively, assess their equivalent policy in accordance with relevant processes or guidelines to satisfy ourselves that it is commensurate with this policy; and
 - (ii) in relation to all other partner organisations and official visitors:
 - (A) require them to acknowledge the receipt of this policy, read and comprehend the policy, and understand that the activities resourced/supported by us must be implemented in accordance with this policy;
 - (B) notify us of any incident or credible allegation related to the activities that may constitute a violation of this policy or prevent its implementation, and the immediate steps taken in response;
 - (C) require them to adopt specific mitigation measures to address relevant risks raised by the activities; and
 - (D) at our discretion and depending on the circumstances, require them to comply with the policy as if they were implementing partners.
- (b) Where a partner organisation has its own speak up reporting procedures, it must quickly and securely pass any reports it receives related to our activities and work to our Chief Executive Officer, Chief Operating Officer or Chief Legal Counsel, who in turn must arrange to notify the WWF Network as required.



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4.4 Protections and Support

- (a) We are committed to support people to safely raise concerns of actual or suspected wrongdoing without fear of reprisal and are committed to providing natural justice and fair treatment to any person who makes a disclosure under this policy.
- (b) If you make a disclosure under this policy in good faith, we guarantee the following:
 - (i) we will not subject you to detriment on that basis;
 - (ii) we will investigate your disclosure promptly and fairly;
 - (iii) we will consider any requests you make regarding your disclosure in good faith;
 - (iv) we will respond in a timely and professional manner;
 - (v) we will take reasonable steps to protect your identity and we will not disclose your identity without your consent, unless to a government agency or lawful authority;
 - (vi) we will provide you with a contact person in connection with your disclosure, and we will keep you reasonably informed of the general progress of our investigation;
 - (vii) we will provide you with opportunities to raise further concerns about the way your concern has been handled and the outcome of the investigation; and
 - (viii) we will provide you with referrals to counselling services if needed.
- (c) We seek to extend protection wherever possible to witnesses and any other parties involved, including those accused of misconduct who all have a right to non-retaliation and a fair investigation.
- (d) We will not tolerate any form of retaliation against any person who makes a disclosure of a reportable matter under this policy in good faith. However, reckless or deliberate reporting of false information is forbidden and may result in disciplinary action.
- (e) Any of our personnel who engage in retaliation, whether toward a victim or a person who discloses a reportable matter, may be subject to disciplinary action (including termination of employment or of a contract). Any person who believes that he or she has been subject to retaliation should immediately report it to the Policy Lead.



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4.5 Escalations and Investigations

- (a) Where the disclosure or reports:
 - (i) could lead to harm to vulnerable individuals (including children);
 - (ii) relate to substantial fraud, corruption or terrorism financing risk; or
 - (iii) could seriously damage WWF's values or reputation,

we will notify the WWF Network via the Global Reporting Channel as soon as possible and within 24 hours. Information to be reported must include, at a minimum, the issue (e.g., potential fraud), date of the event (if applicable), impact (or possible impact) on WWF and/or people or assets, and contact person.
- (b) All disclosure or reports under this policy will be investigated:
 - (i) promptly in a manner intended to protect confidentiality as much as practicable,
 - (ii) consistent with a full and fair investigation; and
 - (iii) in accordance with any procedures determined from time to time by the Policy Lead.
- (c) The person conducting the investigation will notify the person who made the disclosure or report the outcome of the investigation.
- (d) If wrongdoing is confirmed, we will hold individuals (or organisations) to account and address underlying problems in operations to mitigate/eliminate risks and prevent reoccurrence.
- (e) Where the complaint is reportable under regulatory requirements, we will report the matter to regulators and authorities in accordance with local laws as applicable.
- (f) Where the complaint is reportable under an agreement with a donor agreement, we will report the matter to the donor(s) in accordance with the terms and conditions of the agreement.
- (g) With regard to complaints related to actions by non-WWF actors (e.g., partners or their personnel), we hold the right to drive corrective actions, and to re-evaluate partnerships. This may include but is not limited to immediate suspension of funding or termination of contractual relationships.



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4.6 Record Keeping

We will ensure that accurate and complete records of reports, our reviews, any referrals and any investigations are securely retained for a minimum of 7 years after receipt of the report.

5 Availability of this policy

We will ensure that this policy is available to download on our website and intranet.

6 Relevant laws

- *Australian Charities and Not-for-profits Commission Act 2012 (Cth) and Australian Charities and Not-for-profits Commission Regulations 2013 (Cth), in particular:*
 - ACNC Governance Standards 1 and 3 (s 45.5 and 45.15 of the above Regulations)
 - ACNC External Conduct Standards 1 and 3 (s 50.20 and 50.30 of the above Regulations).
- *Corporations Act 2001 (Cth), Part 9.4AAA*
- *Public Interest Disclosure Act 2013 (Cth) (and State/Territory equivalents)*
- *Taxation Administration Act 1953 (Cth), Part IVD*

7 Related policies

- (a) Code of Ethical Conduct
- (b) Complaints Handling Policy
- (c) Conflicts of Interest Policy
- (d) Fraud, Corruption and Counter-Terrorism Policy
- (e) Privacy Policy
- (f) Related Party Transactions Policy
- (g) Safeguarding Policy
- (h) Workplace Behaviours Policy
- (i) Workplace Grievance Policy



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8 Revision History

Action:	Date of Board meeting:
Approval and adoption of policy by the Policy Approver	31 October 2023
Revision	[insert]