



# **PROVINCE WIDE POLICY**

*Australian Province of the Society of Jesus*

## **Whistleblower**

Section

- Education and training – communicate and embed awareness of the key requirements, including the creation and maintenance of appropriate records.

#### 4. ACTIONS TO ACHIEVE IMPLEMENTATION OF THIS POLICY

Provincial shall be an “eligible recipient”. If the disclosure concerns conduct of the Provincial, the Superior General of the Society of Jesus shall be an eligible recipient and the appropriate Protected Disclosures Officer [Reports to be posted to Borgo S. Spirito 4, 00193, Roma Italy, in two envelopes,

Name	Description
Head of Ministry ality for a	the Income Tax Assessment Act 1953(Cth),including any person named in clause 4.4 of this Policy. Means the person who has day to day operational responsibility for a

# Appendix 1: Whistleblower Procedures

## PURPOSE

- You may have concerns about conduct within an incorporated Province Ministry which appears to you to be illegal, unethical or otherwise improper, but you may feel apprehensive about raising your concerns because of the fear of possible adverse repercussions to you. This might be the case, for example, if your concerns relate to conduct of your immediate superior.
- The aim of this Procedure is to help you feel confident about raising concerns internally, by offering a reporting and investigative mechanism th

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- Attachment A describes special protections for those who disclose information concerning misconduct or an improper state of affairs or circumstances in relation to the incorporated Province Ministry under the Corporations Act.
- Attachment B describes special protections for those making a disclosure regarding tax issues.

**WHO CAN I MAKE A REPORT TO?**

- The Province has several channels for making a report if you become aware of any issue or behaviour which you consider to be a Reportable matter. We request that reports are made to any one of our Protected Disclosure Officers listed below, who, with the Provincial, form the Disclosures Panel:

Protected Disclosure Officer	Contact details
<i>Province Director of Professional Standards</i>	Phone: 03 9810 7300 Email: <a href="mailto:professi8 616.4399-seTJEM24@eTJEM24j">professi8 616.4399-seTJEM24@eTJEM24j</a>

## PROTECTIONS AVAILABLE

- The Province is committed to ensuring confidentiality in respect of all matters raised under this Procedure, and that those who make a report are treated fairly and do not suffer detriment.
  - a) Protection against detrimental conduct
    - Detrimental treatment includes dismissal, demotion, harassment, discrimination, disciplinary action, bias, threats or other unfavorable treatment connected with making a report; and
    - If you are subjected to detrimental treatment because of making a report under this Procedure,

## ATTACHMENT A – SPECIAL PROTECTIONS UNDER THE CORPORATIONS ACT <sup>1</sup>

The Corporations Act gives special protection to disclosures about any misconduct or improper state of affairs relating to Province Ministries which are incorporated under that Act if the following conditions are satisfied:

1. the person making the disclosure is or has been:
  - a. an officer or employee of the Province or an incorporated Province Ministry;
  - b. an individual who supplies goods or services to an incorporated Province Ministry or an employee of a person who supplies goods or services to an incorporated Province Ministry;
  - c. an individual who is an associate of the incorporated Province Ministry; or
  - d. a relative, dependent or dependent of the spouse of any individual referred to at (a) to (c) above;
2. the report is made to:
  - a. a Protected Disclosure Officer;
  - b. an officer or senior manager of the incorporated Province Ministry;
  - c. an external auditor (or a member of that audit team) engaged by the Province or a Province Ministry;
  - d. ASIC;
  - e. APRA; or
  - f. a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of the



- 6. the person receiving the report commits an offence if they disclose the substance of the report or the discloser's identity, without the discloser's consent, to anyone except ASIC, APRA, the AFP or a lawyer for the purpose of obtaining legal advice or representation in relation to the report.

**CONFIDENTIALITY**

If a report is made, the identity of the discloser must be kept confidede1

## ATTACHMENT B – SPECIAL PROTECTIONS UNDER THE TAXATION ADMINISTRATION ACT

The Taxation Administration Act gives special protection to disclosures about a breach of any Australian tax law by an incorporated Province Ministry, or misconduct in relation to the tax affairs of such ministry if the following conditions are satisfied:

1. the discloser is or has been:
  - a. an officer or employee of the incorporated Province Ministry;
  - b. an individual who supplies goods or services to the incorporated Province Ministry (whether paid or unpaid) or an employee of a person who supplies goods or services (whether paid or unpaid) to the incorporated Province Ministry;
  - c. an individual who is an associate of the incorporated Province Ministry;
  - d. a spouse, child, dependent or dependent of the spouse of any individual referred to at (a) to (c) above;

