



WHISTLEBLOWERS POLICY

Version	1
Approved by Board on	18/11/2021
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PURPOSE

The purpose of this policy is to ensure a supportive workplace culture where misconduct within or by Cambodian Kids Foundation (CKF) can be raised without fear of being victimised or subject to retribution or retaliation.

SCOPE

This policy applies to all members and personnel of CKF, including board members, staff, volunteers and partners.

DEFINITIONS

Whistleblowing is defined as disclosure of an individual or organisational wrongdoing of actual or suspected misconduct in an organisation. Misconduct includes but is not limited to acts or behaviour that is or may:

- be fraudulent, corrupt or illegal.
- breach legal obligations.
- be unethical or dishonest including an abuse of power or wilfully breaching CKF's Policies.
- be damaging to CKF such as maladministration or gross mismanagement.
- cause serious harm to CKF staff, board members, volunteers and other personnel.



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- cause serious financial or non-financial loss or reputational harm to CKF.
- involve any other kind of serious impropriety including retaliatory action against a whistle-blower for having made a wrongdoing disclosure or
- be other unethical conduct.

PRINCIPLES

All CKF personnel have an obligation to report misconduct without fear of retaliation and reprisal. When an individual makes such a disclosure under this policy they are entitled to expect:

- CKF will respond in a timely and respectful manner;
- their identity will remain confidential at all times to the extent permitted by law or is practical in the circumstances;
- they will be protected from reprisal, harassment or victimisation for making the report; and
- CKF will take steps to protect them from detrimental treatment or dismissal if they report actual or suspected wrongful acts in good faith.

PROCEDURES

It is the responsibility of both the Australian CKF board and Cambodian leadership team to ensure that:

- all CKF volunteers, board members and staff are made aware of this policy and their responsibilities to report wrongdoing.
- all CKF staff are provided with a copy of this policy and made aware of their responsibilities to report wrongdoing.
- If misconduct is reported under this Policy, CKF will endeavour to protect the whistleblower's identity unless: the whistleblower consents to the disclosure, the disclosure is required or authorised by law, and/or the disclosure is necessary for further investigation.



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- A person considering making a whistleblower report is obliged to act in good faith and have reasonable grounds for believing the disclosure is reportable wrongdoing.
- CKF will treat all disclosures of wrongful acts seriously and protect staff who raise concerns in good faith. Deliberate false reports will not be tolerated and people found making a deliberate false claim may be subjected to disciplinary action, which may include dismissal.
- Even though a whistleblower may be implicated in the wrongdoing they must not be subjected to any actual or threatened retaliatory action or victimisation in reprisal for making a report under this policy. It is important to note that making a report may not protect the whistleblower from the consequences flowing from involvement in the wrongdoing itself. A person's liability for their own conduct is not affected by their reporting of that conduct under this policy. However, active cooperation in the investigation, an admission and remorse may be taken into account when considering disciplinary or other action.

PROCESS OF DISCLOSING MISCONDUCT

- A whistleblower should report instances or suspicions of misconduct to either the Principal (George Sok) or the Operations Manager (Socheat Touch) and, where this is not possible or appropriate, to Donna Cooper. Reports must be made in good-faith and be as thorough as possible.
- Both the Cambodian leadership team and Donna Cooper will ensure that the Board is informed of a whistleblower disclosure.
- If the report is lodged with either the Principal or Operations Manager, both will contact Donna Cooper with details of the disclosure. If the report is lodged with Donna Cooper or any other board member, they will contact the Principal and Cambodian team. Both parties will agree on the appointment of an appropriate delegate, known as the Whistleblower Protection Officer, to lead the investigation who is not implicated and independent of the report. Where necessary, the Whistleblower Protection Officer may be a qualified external investigator.



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- The Whistleblower Protection Focal Person:
 - is responsible for assuring that action taken in response to the investigation is appropriate to the circumstances and that retaliatory action will not be taken against the whistle-blower;
 - must notify and keep the Principal/Operations Manager or Donna Cooper regularly informed of the details and process of the investigation to be undertaken;
 - must keep the whistleblower informed of the progress and outcomes of the investigation subject to considerations of privacy of those against whom the allegations have been made;
 - May seek the expertise and involvement of internal or external experts or Police as required in the investigation;
 - will produce a report of the investigation and any recommendations as necessary to the Cambodian leadership or Board members.