



Brisbane Basketball Whistleblower Policy		Approval Date:	27th April 2020
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President:	Sign:	Name	
Vice-President:	Sign:	Name	

PURPOSE

To ensure that all matters reported and people involved are protected as required under of this policy and that complaints are dealt with properly

POLICY

Adopt Basketball Australia definitions and guidelines as attached.

14. Reporting Process

14.1 A Participant must promptly notify the Basketball Australia Integrity Unit, through the Independent Reporting Hotline, if they:

14.1.1 are interviewed as a suspect, charged, or arrested by police in respect of conduct that would amount to an allegation of Prohibited Conduct under this Framework;

14.1.2 are approached by another person to engage in conduct that is Prohibited Conduct;

14.1.3 know or reasonably suspect that another Participant or Club has engaged in conduct, or been approached to engage in conduct that is Prohibited Conduct;

14.1.4 have received, or are aware or reasonably suspect that another Participant or Club has received, actual or implied threats of any nature in relation to past or proposed conduct that is Prohibited Conduct; or

14.1.5 have received a report of Prohibited Conduct from another Participant.

14.2 Notification by a Participant under this Clause 14 can be made to the Independent Reporting Hotline via phone, email, online, mobile app or via post at the discretion of the Participant and may be made anonymously if there is a genuine concern of reprisal.

14.2.1 While anonymous reports may be made, they may have significant limitations that inhibit a proper and appropriate inquiry or investigation of the allegations. Therefore, Basketball Australia encourages reports to contain contact details and full details of persons involved where possible.

14.2.2 The Participant making the report also has the option of disclosing their identity to the Independent Reporting Hotline but remaining anonymous from Basketball Australia.

14.3 Reports made to the Independent Reporting Hotline will be passed onto Basketball Australia's nominated Disclosure Officer(s).

14.3.1 Where a Participant has made an anonymous report, the matter will be reported to the Disclosure Officer without any personal details.

14.4 Any report by a Participant under this Clause 14 will be dealt with confidentially by Basketball Australia unless disclosure is otherwise required or permitted by law, under this Framework, in agreements regulating betting, or if the allegation of the Prohibited Conduct is already in the public domain. However, the information reported by a Participant may be considered by the Basketball Australia Integrity Unit and provided to the Hearing Panel.

14.5 A Participant has a continuing obligation to report any new knowledge or suspicion regarding any conduct that may amount to Prohibited Conduct under this Framework, even if the Participant's prior knowledge or suspicion has already been reported.



National Framework for Ethical Behaviour and Integrity in Basketball – Appendix 7

Whistleblowing Policy

Date adopted by BA Board 3 April 2017

Date Effective 1 July 2017

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1. Introduction

- 1.1 Basketball Australia, Member Organisations and Authorised Providers are committed to operating legally (in accordance with applicable legislation and regulation), properly (in accordance with organisational policy and procedures), and ethically (in accordance with recognised ethical principles) and to maintaining the highest standards of ethical behaviour and integrity.
- 1.2 Directors, Employees, Volunteers and Participants are expected to support Basketball Australia's commitment to legal, proper and ethical operations by reporting any non-compliant conduct by other people.
- 1.3 Importantly, Basketball Australia strongly believes that Directors, Employees, Volunteers and Participants who report non-compliance should be supported through the process and not penalised in any way for having the courage to speak up against misconduct.
- 1.4 Basketball Australia also enables members of the public to report concerns of serious misconduct involving Directors, Employees, Volunteers, Participants and Clubs of Basketball Australia, Member Organisations and Authorised Providers.

2. Application of Policy

- 2.1 This policy is to be read with the provisions set out in the Framework and all definitions in the Framework apply to this policy.
- 2.2 This policy applies to all legitimate reports made under Clause 14 of the Framework.
- 2.3 This policy will generally not apply to matters reported in accordance with the procedures outlined in Basketball Australia's Member Protection Policy.

3. Who is bound by this Policy?

- 3.1 This policy applies to all Directors, Employees, Volunteers and Participants.
- 3.2 This policy also applies to members of the public who have reported allegations of serious misconduct in accordance with this policy.

4. Scope

- 4.1 The purpose of this policy is to encourage the reporting and investigation of Prohibited Conduct under the Framework.
- 4.2 This policy does not apply to general grievances or complaints.

5. Reporting Process

- 5.1 Reports should be lodged through the Independent Reporting Hotline pursuant to Clause 14 of the Framework.

- 5.2 Reports must be made in good faith and based on reasonable grounds.
- 5.3 Trivial, vexatious or malicious reports may be dismissed without further investigation.

6. Managing Reports

- 6.1 Reports relating to Prohibited Conduct will be managed confidentially in accordance with the investigation, hearing and sanctioning provisions of the Framework.

7. Investigations

- 7.1 Investigations into behaviour that may constitute Prohibited Conduct will be conducted in accordance with Clause 15 of the Framework.
- 7.2 An Independent Investigator maybe be appointed to conduct or assist with an investigation if necessary.
- 7.1 The whistleblower will be informed of the outcome of an investigation, subject to privacy and confidentiality considerations. Unless otherwise advised by Basketball Australia, the whistleblower must maintain confidentiality and not disclose details of the report to any person.

8. Protecting Whistleblowers

- 8.1 Basketball Australia will take all reasonable steps to protect the identity of a whistleblower who has reported Prohibited Conduct where he or she wishes for their identity to remain confidential.
- 8.2 Basketball Australia will also take all reasonable steps to ensure that a whistleblower does not suffer any personal, professional or financial disadvantage from its Directors, Employees or Volunteers as a result of making a report under the Framework.
- 8.3 Any Director, Employee or Volunteer who is found to have penalised or discriminated against a whistleblower in any way may be subjected to disciplinary measures.

9. False or Malicious Reporting

- 9.1 False or malicious reports are not protected under this policy and may result in disciplinary action.