

System: School Management	Audience: Staff, Contractors, Consultants
Primary Responsibility:	Heads of School, Business Manager, Headmaster, School Board
Approved by:	School Board
Updated Document:	25/5/2014, 6/11/2018,01/01/2020
Effective: 26/10/2023	Review Date: 2025
Manual Reference:	3.6.1



1.1 PURPOSE AND SCOPE

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- Disclosures about reportable conduct will be addressed in accordance with the school's Child Protection Policy and Procedure.
- Disclosures regarding a grievance between staff members about work matters, including work relationships and decisions made by other staff members which impact on their work, may be addressed in accordance with the school's (Staff) Grievance Procedure.
- Unlawful discrimination, harassment or bullying complaints may be addressed in accordance with the school's Anti Bullying and Anti Discrimination policies and procedures.

A _____ is when an _____ makes a disclosure to an _____, and the eligible whistleblower has _____ that the information concerns a _____.

3.1 ELIGIBLE WHISTLEBLOWERS

An eligible whistleblower is an individual who is or has been any of the following, in relation to the school:

- a Board member;
- an employee;
- a person who supplies goods or services (paid or unpaid);
- an employee of a person who supplies goods or services (paid or unpaid);
- an individual who is an associate of the School (as defined in the Corporations Act); and
- a relative or dependent (or dependents of a spouse) o95.32 841 0 11 0 0 1 81.984 567.58 Tm1 g1 G()JTJETQq0.000008871



4.3 PERSONAL WORK-RELATED GRIEVANCES

Generally, disclosures that concern personal work-related grievances do not qualify for protection.

A disclosure will concern a personal work-related grievance of the discloser if the information:

- concerns a grievance about any matter in relation to the discloser's employment, or former employment, having or tending to have implications for the discloser personally; and
- does not have significant implications for the school that do not relate the discloser; and
- does not concern conduct that is:
 - an alleged contravention of the Corporations Act and specified financial services laws; or
 - an offence against another law of the Commonwealth, which is punishable by imprisonment for a term of 12 months or more.

5.1 ELIGIBLE RECIPIENTS

An eligible recipient is an individual who occupies any of the following roles, in relation to the school or a related company:

- a Board member or a member of the Executive – Headmaster, Deputy Headmaster, Head of Junior School, Head of Middle School, Head of Senior College, Business Manager;
 - an auditor, or member of an audit team of the school ooa
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6.1 RECEIVING A DISCLOSURE

Upon receiving a disclosure, the recipient (generally the Headmaster or Chair of the Board) will assess the disclosure to determine whether it qualifies for protection under the [redacted] and is to be managed in accordance with this policy (qualifying disclosure) or the disclosure concerns matters that should be managed in accordance with related policies (see section 1.2).

6.2 INVESTIGATING A QUALIFYING DISCLOSURE

The School will acknowledge receipt of a disclosure within a reasonable period, assuming the 'eligible whistleblower' can be contacted (including through anonymous channels). The School will assess disclosures to determine whether:

- they fall within the Whistleblower Protection Scheme; and
- an investigation is required – and if so, how that investigation should be carried out.

Generally, if an investigation is required, the School will determine:

- the nature and scope of the investigation;
- who should lead the investigation – including whether an external investigation is appropriate;
- the nature of any technical, financial or legal advice that may be required to support the investigation; and
- the anticipated timeframe for the investigation. Each investigation will be different which will impact the applicable timeframe. However, the School's intent is to complete an investigation as soon as practicable.


Where practicable, the School will keep the eligible whistleblower informed of the steps taken or to be taken (or if no action is to be taken, the reason for this), and provide appropriate updates, including about the completion of any investigation. However, the extent of the information provided, or whether it will be provided at all, will be subject to applicable confidentiality considerations, legal obligations and any other factors the School considers relevant in the particular situation.

The School may not be able to undertake an investigation, or provide information about the process etc. -7(at)-4(BT/F3 9.96 Tf1 0

6.3 FAIR TREATMENT OF EMPLOYEES MENTIONED IN DISCLOSURES

The School will take steps to ensure the fair treatment of employees who are mentioned in a disclosure that qualifies for protection:

- disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
 - when an investigation needs to be undertaken, the process will be objective and fair;
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Eligible whistleblowers making a qualifying disclosure are protected by the requirement that their identity, and information that may lead to their identification, should be kept confidential, subject to relevant exceptions as set out in section 7 above.

The School will protect an eligible whistleblower's identity by appropriately redacting documents and referring to the whistleblower in gender-neutral terms. It will also secure all documents and communicate them in a way that will maintain confidentiality.

Eligible whistleblowers making a qualifying disclosure cannot be subject to any civil, criminal or administrative liability (including disciplinary action) for making the disclosure. No contractual or other remedy or right may be enforced or exercised against the person on the basis of the disclosure.

Whistleblowers who make some types of qualifying disclosures (generally external to the school) are also provided immunities to ensure that information they disclose is not admissible in evidence against them in criminal proceedings or in proceedings for the imposition of a penalty, other than proceedings in respect of the falsity of the information.

These immunities do not prevent an eligible whistleblower being subject to criminal, civil or other liability for conduct that is revealed by the whistleblower, only that the information the person has disclosed is not admissible in certain proceedings against them.

Eligible whistleblowers are also protected from victimisation - suffering any detriment by reason of the qualifying disclosure. It is unlawful for a person to engage in conduct against another person that causes, or will cause detriment, where the person believes or suspects that the other person or a third person made, may have made, proposes to make or could make a qualifying disclosure.

Threats of detriment are also unlawful.

The School may also consider a range of other matters to protect an eligible whistleblower from the risk of suffering detriment and to ensure fair treatment of individuals mentioned in a disclosure. Steps it will take to help achieve this may include:

1. assessing whether anyone may have a motive to cause detriment—information could be gathered from an eligible whistleblower about:
 - the risk of their identity becoming known;
 - who they fear might cause detriment to them;
 - whether there are any existing conflicts or problems in the workplace; and
 - whether there have already been threats to cause detriment.
 2. analysing and evaluating the likelihood of each risk and evaluating the severity of the consequences;
 3. developing and implementing strategies to prevent or contain the risks—for anonymous disclosures, and assessing whether the discloser's identity can be readily identified or may become apparent during an investigation;
 4. monitoring and reassessing the risk of detriment where required—the risk of detriment may increase or change as an investigation progresses, and even after an investigation is finalised;
 5. taking steps to ensure that:
 - disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
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Schools and individuals may face significant civil and criminal penalties for failing to comply with confidentiality and detrimental conduct provisions.



If you have any queries about this policy, you should contact Human Resources for advice.

