



Whistleblower Policy



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Section 1: The purpose of our Whistleblowing Policy

1.1 What Conduct should be Disclosed

It is important that our school outlines what behaviour we want to be disclosed under this policy. We want to hear from you if you witness or know about any behaviour that might be considered as:

- Fraudulent
- Illegal
- Corrupt
- Dishonest
- Unethical
- Violates the law or any legal code
- Creating an unsafe environment
- Breaches any of our policies
- Discrimination
- Harassment and/or bullying of any kind
- Any conduct which is detrimental to our educational institution and could cause financial or non-financial loss

Other Disclosures

Child / Student Welfare

our school has a robust process in place to disclose, report and investigate incidents of suspected child abuse. Refer to our **Child Protection Policy** and disclosing procedures, located on our website. Our Whistleblowing Policy does not supersede that process.

Work-related matters

Wherever possible, employees should raise concerns openly with their Head of Faculty, Deputy Principal or the Principal. Concerns may be raised verbally or in writing. Please refer to our '*Staff Grievance Policy and Procedure*'.

Solely Work-Related Grievances

Disclosures concerning solely personal work related grievances do not qualify for protection under the Corporations Act. A personal work-related grievance includes for example:

- an interpersonal conflict between the Discloser and another employee
- a decision that does not involve a breach of workplace laws
- a decision about the conditions of engagement, suspension or termination of the Discloser

Work-Related Grievances and other issues

Disclosure of a personal work-related grievance may still qualify for protection under the Corporations Act if:

- it also contains information concerning a Disclosable Matter
- the School has breached employment or other laws punishable by imprisonment of 12 months or more, engaged in conduct that represents a danger to the public, or relates to information suggesting misconduct beyond the Discloser's personal circumstances
- the Discloser suffers from, or is threatened with detriment for making a disclosure
- the Discloser seeks legal advice about the operation of the whistleblower protections under the Corporations Act

1.2 Who falls under this Policy

The following are considered an "eligible person" as a Discloser under our Whistleblowing policy:

- Employees (including The Principal, Deputy Principals and staff of our educational institution)



- Contractors, consultants, service providers, suppliers
- Former employees

If local legislation, regulation, or laws provide a higher level of protection than what is included in this policy, the local legislation will take precedence.

1.3 Our Goals

Our School Vision Statement

“To provide our students with unbelievable academic opportunities and life skills.”

1.4 Our Commitment

The goal of this policy is to provide very clear guidelines on how we approach and manage feedback. With our Whistleblowing Policy, we aim to ensure:

- People should have a place to disclose misconduct and when a disclosure is made, that they will be heard and acted on, and improvements made based on the results of the investigation
- We commit to protecting Discloser's identities. We will only disclose the identity of the Discloser, where the person has disclosed their identity to our school and consent to their identity being made known by our school.
- We will investigate the disclosure of the issues covered by this policy. At the end of the investigation, we will document the results and provide feedback when appropriate.

Section 2: Process for Making a Disclosure

2.1 What Options do Employees have for making a Disclosure

If an employee or eligible person would like to make a disclosure, they have different channels where they can do this.

- Whistleblowing/Anonymous disclosures can be made through our whistleblowing services WBS:
 - <https://www.whistleblowingservice.com.au/spot-academy/>
 - Use the Unique Key: SPOT2020
 - Use Client Reference Number: yrvug2020
 - Complete the form by entering the information requested
- Speak with a senior leader who is a qualified Protection Officer

2.2 You can remain Anonymous

Our school respects and protects your identity if you choose to make an anonymous disclosure. You can choose to remain anonymous while making a disclosure, interacting with a Protection Officer during an investigation of your disclosure, as well as after your case is closed.

At any given time you can identify yourself and/or waive your right to anonymity, but this is your choice and at no point do you need to do this, or will you be forced to provide your identity.

If you decide to disclose your identity, our school will work to protect your identity and will outline and document who in the organisation will know you submitted your disclosure. our school will also take all steps necessary (as outlined in this policy) to ensure you do not suffer any retaliation.

2.3 What is the Investigative Process?

Our school will make every endeavour possible to investigate your disclosure, but in some cases, there are limitations of what can be achieved if the Discloser decides to remain anonymous.

It is important for our school to be transparent with our employees and outline what is the process for us to investigate a disclosure submitted through our disclosure channels.

The policy provides the steps that a Protection Officer will go through, once a disclosure is received, through to when an investigation has been completed.



2.4 How 3rd Parties can Help

When a disclosure is submitted (anonymous or otherwise), and that disclosure goes to a firm with expertise in whistleblowing WBS (<https://www.whistleblowing.com.au>). Following the assessment of the disclosure by WBS, it will be assigned to a Protection Officer at the College, who will manage the investigation.

1. The Protection Officer is assigned to the disclosure to assess it and confirm its receipt.
2. The Protection Officer will do an initial assessment to confirm it is a valid disclosure covered by this Policy.
 - a. If the disclosure is not covered by the policy, the investigation will not proceed, and the discloser will be advised.
 - b. If the disclosure is covered by the policy, the Protection Officer will then inform the Principal of the disclosure and:
 - i. the recommendation to investigate the disclosure
 - ii. the proposed investigation process, including the resources required, the people to be involved and external support
 - iii. the nominated Investigation Officer
 - iv. update the Discloser as required
3. Once the Investigation Officer has started the investigation of the disclosure, they will advise the Discloser via our whistleblowing service, WBS and keep the Principal and the Protection Officer informed as per our policy guidelines.
4. Once the Investigation Officer has finalised their investigation of the disclosure, the Principal and the Protection Officer will be updated and the report and relevant material provided to the Principal to enable the relevant action to be take place.
5. The Discloser will be advised of the outcome of the investigation.
6. Our school will use WBS to investigate specific cases where we do not have the necessary skills needed in-house. WBS may also used for an investigation where our school prefers a 3rd party to undertake the investigation due to the nature of the disclosure or the issues involved.

2.5 Who is Alerted to a Disclosure

Certain senior staff might be alerted to the existence of a disclosure as part of the disclosing process or if the staff are to be involved in the investigation in some manner.

2.6 What is the Process of Updating the Discloser

The Discloser will be kept informed as provided for in this policy.

2.7 What if the Discloser is not Satisfied with the Result

It is important that our school undertakes an effective investigation to understand the opportunities for improvement. While the initial disclosure is important, the decision and actions of our school need to be based on actual information and documents obtained during the investigation.

Any update provided to the Discloser should where possible indicate the basis for the decision. At this stage the Discloser should also be informed of the options available to them.

Section 3: How Disclosers Are Protected

3.1 Anonymity after Submitting a Disclosure:

Any information that could *potentially* identify an anonymous Discloser will be held in the strictest confidence and will not be shared, unless our school is compelled by law.



Section 2.2 discussed how an eligible person can remain anonymous during the process of submitting a disclosure. After submitting a disclosure, the following policies around anonymity are in place to protect a Discloser's identity.

The Discloser has the right to remain anonymous and does not need to identify themselves at any time during the investigation process.

At no time will our school force the Discloser to reveal their identity.

3.2 Potential Retaliation:

A Discloser might be concerned that staff, management, or the organisation might retaliate against them. In this case, our school will protect the Discloser from:

- being terminated or having their employment ceased
- performance management
- harassment on the job or workplace bullying
- warnings or disciplinary actions
- discrimination
- any other action that can be perceived as retaliation for making a disclosure

3.3 Already Retaliated Against

If you consider that someone is aware that you intended to make a disclosure and has instigated what is described as retaliatory action under this policy, then the Disclosure should include this information in the disclosure. In this instance the Policy will apply to both the issues disclosed and the retaliatory actions.

3.4 How our school deals with Retaliation

Our school does not tolerate any attempt to retaliate against a Discloser who proposes to or who has made a disclosure. Any employee or associated person that is found retaliating will face disciplinary action.

3.5 Separation of Issues

While our school will protect the Discloser from any retaliation, it is also important that the Disclosure is still effective in their job. Under our school may still raise any performance or contract issues with the Discloser about these issues. Our school will keep the issues separate from and not influenced by that person's disclosures.

3.6 Protection and Immunity for Others

Other parties that might have to be a witness or are who are involved in the investigation will also be protected from retaliation in the same manner as the Discloser.

3.7 Legislative/Regulation Protection and Assistance

If in any jurisdictions or locales, where our school operates has whistleblowing protection laws that provide a higher level of protection than what is included in this policy, the local legislation will take precedence. This extends to include any disclosures permissible those under those whistleblowing laws.