



WHISTLE-BLOWER POLICY

POLICY DETAILS AND DOCUMENT MANAGEMENT

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School	<input checked="" type="checkbox"/>	Executive Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	Administrators	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Access	<input type="checkbox"/>	All Staff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Open	<input checked="" type="checkbox"/>	Students	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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REVISION HISTORY

Published	Version	Approved By	File Name
01/12/2020	1.0	Board	Whistle-blower Policy

GENEALOGY

This Policy replaces:
This Policy was cancelled and superseded by:

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PREAMBLE

Emmanuel Christian Community School (ECCS) believes that employees are aligned to the Christian vision and values of the school. All Employees are accountable as good stewards, in good faith and on reasonable grounds can bring “reportable improper conduct” to the attention of Leadership.

All other general issues and grievances will be raised using the Complaints Procedure.

SCOPE

All members of Emmanuel Christian Community School staff and volunteers must comply with this policy.

The School is committed to safeguarding and promoting the safety, welfare and wellbeing of children and young people and expects all staff and volunteers to share this commitment

CONTEXT

Emmanuel Christian Community School may, from time to time, review and update this policy to take account of changes to the school’s operations and practices and to make sure it remains appropriate to the changing legal and school environment.

DEFINITIONS

WHISTLE-BLOWER

Any employee, contractor or student who reports “reportable improper conduct”

REPORTABLE IMPROPER CONDUCT

Is the conduct of any employee, contractor or consultant that constitutes actual or suspected wrongdoing.

Examples may include, but are not limited to:

- Corruption.
- Dishonesty, theft, fraud.
- A conflict, or potential conflict, of interest where your activities, financial interests, personal relationships, or loyalties jeopardise, or could jeopardise, your judgment or independence in relation to the School.
- Engaging in an unsafe work practice.
- Engaging in illegal, fraudulent, or unethical conduct or behaviour.
- Engaging in behaviour which is in breach of equal opportunity laws; and
- Engaging in conduct which may cause financial loss or reputational damage or be otherwise detrimental to the School’s interests.

CONTACT OFFICERS

- The Contact Officers are the Principal, Business Manager, or the ECCS Board Chair.
- Whistle-blower Protection – person responsible for ensuring support of Whistle-blower.
- Whistle-blower Contact – is a role who is responsible for ensuring appropriate investigation is undertaken with no adverse actions occurs

POLICY

1. PROCESS

REPORTING “reportable improper conduct”

1. All reports of Reportable Improper Conduct should be made to one of the Whistle-blower Contacts. The Contact Officers are the Principal, Business Manager, or the ECCS Board Chair.
2. If the matter concerns or is about a Contact Officer, then the report should be made to the either of the others named.
3. The officers will agree who will take the Protection and Contact roles when a report has been made.

INVESTIGATION

The Whistle-blower Contact will investigate the claim of Reportable Improper Conduct in a fair, discrete and timely manner.

An investigation into Reportable Improper Conduct may involve:

- making a written record
- interviewing person who made the report to ensure the full details of the allegations.
- making any other necessary enquiries to ensure the full details of the allegations.
- interviewing the person against whom the claim is made and giving them an opportunity to respond.
- seeking the assistance of external parties where appropriate.
- ensuring the Whistle-blower(s) informed of all progress and action taken; and delivering a finding
- taking the appropriate actions based on those findings.

The above steps are for guidance only and any report of reportable improper conduct will be dealt with in a manner appropriate to the circumstances of the case. The Whistle-blower Contact Officer will decide on the course of action that should be taken.

Individuals who are involved in or directly affected are:

- Deemed innocent until proven otherwise
- Informed of the substance of the report
- Given fair and reasonable opportunity to respond to the allegation or subsequent investigation
- If the matter is publicly disclosed, the School may also consider a request by any affected individual to issue a statement
- Where adverse conclusions are made at the final investigation/ report, the individual has a right to respond prior to any action being taken
- Given appropriate support if the disclosure is found to be false.

INVESTIGATION OF THE DISCLOSURE

The Whistle-blower contact will carefully assess and use the information provided in the disclosure to decide the best action to take, including whether an investigation is required and, if so, determine the appropriate investigation process, including:

- the nature and scope of the investigation
- decide if the investigation should be external to the organisation
- the nature of any technical, financial, or legal advice that may be required
- a timeframe for the investigation (having regard to the level of risk)

HOW WILL THE INVESTIGATION BE CONDUCTED?

The investigation must be conducted in a constructive, impartial, and lawful way according to the principles of natural justice and procedural fairness.

The Investigator will:

- gather information, material and documentation concerning the disclosure as quickly as possible. (This may involve taking steps to protect or preserve documents, materials, and equipment.)
- take a statement or record of interview and or tape formal interviews with witnesses as required (Where the Whistle-blower wishes to remain anonymous and does not wish to make a statement they will not be asked to do so.)
- ensure the fair treatment of those who are the subject of a disclosure by advising them about the particulars of the disclosure and providing them with enough time to prepare their response
- ensure the security of information
- take all reasonable steps to protect the identity of the Whistle-blower
- complete the investigation and provide a report of findings as soon as is reasonably practical but not more than 10 business days.

INVESTIGATOR'S REPORT

At the conclusion of the investigation, the investigator will provide a written report to the Principal including:

- All relevant facts
- whether the disclosure is proven, not proven or inconclusive
- recommendation(s), when requested to do so, as to any action that may be taken

The School will use the report to determine what action (if any) to be taken including any disciplinary action.

The findings will be communicated to the relevant parties involved to the extent that it is legally permissible and appropriate to do so.

If the discloser is not satisfied with the outcome, a request can be made to reopen the investigation. The School is not obliged to reopen an investigation and conduct a review if it finds that the investigation was conducted properly, new information is either not available or would not change the findings of the investigation.

2. CONFIDENTIALITY

The Whistle-blower's identity (or any information that could be traced back to the individual) is not released to any person not involved in the investigation without consent or where it is not required by law.

Information provided is dealt with confidentially and released on a "needs to know basis" or as required by law.

There is no requirement for a Whistle-blower to identify themselves in order make a report or to qualify for protection under this policy.

This does not prevent information that has been provided from being disclosed to the person(s) who have allegedly participated in Reportable Improper Conduct.

The School will seek to ensure that the Whistle-blower is kept informed of the progress of the investigation and any action taken.

Whistle-blowers are required to maintain the confidentiality of the process or outcome of an investigation and not disclose any information to any other persons.

Unauthorised disclosure of the identity of the Whistle-blower or information that is likely to lead to the identification of the Whistle-blower will be regarded as a disciplinary matter and will be dealt in accordance with the School's disciplinary procedures.

3. VICTIMISATION

The School will seek to ensure that the Whistle-blower is not personally disadvantaged in any way for making a Reportable Improper Conduct report.

If the Whistle-blower is directly involved in the Reportable Improper Conduct and decides to report this conduct. This may be taken into consideration in deciding any disciplinary action which may need to be taken.

The Whistle-blower Protection officer will coordinate support and protection for anyone who has or is in the process of making a disclosure. Assistance may also be available through the Employee Assistance Program.

4. IN GOOD FAITH

All reports of Reportable Improper Conduct must be made in good faith.

If it is found that the Whistle-blower is not acting in good faith or to have falsely reported, protection under this procedure will not be available and individual(s) may be subject to disciplinary action in accordance with the School procedures.

5. BOARD REPORTING

The Principal will prepare a report for the Board at least once a year on the effectiveness of this policy.

The report (subject to privacy and confidentiality) will include:

- a brief description of the disclosure
- the action taken in response to the disclosure
- the outcome
- the timeframe in resolving/ finalising the disclosure

In addition, the Principal will monitor and review this policy and associated processes.

6. FURTHER INFORMATION

For more detailed information on your and ECCS' obligations, refer to the following policies and documents:

- Corporations Act 2001
- Australian Securities and Investment Commission Act 2001
- ASX Corporate Governance Principals (Principal 7 Recognise and Manage Risk)
- Fair Work Act 2009