

# WHISTLEBLOWER POLICY

## POLICY STATEMENT

Salesian College encourages all members of the College Community and wider

The College's Staff Code of Conduct and other policies have been developed to align with our values to ensure that we observe the highest standards of fair dealing, honesty and integrity in our activities as a school under the teachings of Don Bosco, and as a business.

## **SCOPE**

This policy applies to current and former directors and employees of the College who make a 'qualifying disclosure' to a person at the College authorised to receive such disclosures. It also applies to other people who engage with the College and have reasonable grounds to believe that misconduct has or will occur, where that disclosure is made in accordance with the relevant requirements. The scope of this policy includes the following:

- Eligible whistleblowers reporting qualified disclosures to eligible recipients (as defined in this policy) in reference to the College
- The College as a body corporate (including its volunteers, contractors, consultants and suppliers)
- Salesian residential community members
- College directors, board committees and working group members
- The Principal and staff
- College suppliers, contractors and consultants
- College volunteers
- Spouses, relatives or dependents of the people referred to above

It is recognised that there are forms of alleged employee conduct committed against, with, or in, the presence of a child, such as relevant sexual offences, sexual misconduct, physical violence, behaviour that causes significant emotional or psychological harm and significant neglect that constitute 'reportable allegations'. The required management of these forms of conduct is dealt with under the Reportable Conduct Scheme. Other obligations may also be relevant, such as the reporting of alleged criminal behaviour to police and mandatory reporting to the Department of Families, Fairness and Housing.

## **PRINCIPLES**

The College is committed to ensuring there is a culture of coming forward if a person has reasonable grounds for suspecting misconduct. This policy helps people connected with the College to identify instances of wrongdoing and provides guidance on how to raise a concern about suspected or actual misconduct in relation to the College.

Coming forward can be difficult so it is important that people to whom this policy applies feel supported to speak up when they see wrongdoing and that they are confident that the College has arrangements in place for handling disclosures with confidentiality. This includes having confidence that people authorised by the College to receive disclosures understand their obligations and will ensure they are handled appropriately.

## **DEFINITIONS**

**ACNC** means the Australian Charities and Not-for

**Detriment** means:

dismissal of an employee

injury of an employee in his or her employment

**Personal work-related grievance** means a grievance about any matter in relation to a person's employment, or former employment, having personal implications, and the information does not have significant implications, beyond the personal implications, for the College.

**Reasonable grounds** means more than suspicion and would usually require some factual

- deliberate, inaccurate reporting of student enrolment numbers in a government census
- inappropriate electronic material or use of computers to circulate inappropriate material
- suspicious behaviour involving school/services funds.

### **Inappropriate electronic material**

An employee brings to work a personal DVD containing image files of adults that are sexually explicit. They download the images to their work computer and then decide to circulate some of the images to colleagues. A colleague who receives the images uses the provisions of the Whistleblower Protection Policy to report the matter confidentially, as the actions are in breach of acceptable ICT Usage policies.

### **Suspicious behaviour involving school Funds**

An employee is relieving a colleague who is on annual leave and is asked by a parent why they have not received a receipt for the last cash payment they made to the school. The replacement employee advises that they will follow up the parent's inquiry. The replacement employee is suspicious that fraudulent misconduct may be occurring. They decide to report the matter confidentially and in line with the Whistleblower Protection Policy.

### **What misconduct is not disclosable?**

A report of misconduct solely about a personal work-related grievance such as bullying, harassment or discrimination is not generally covered by whistleblower protections. A personal work-related grievance includes:

- an interpersonal conflict with another employee
- a decision about your employment, transfer or promotion
- a decision about the terms and conditions of your employment
- a decision to suspend or terminate your employment or otherwise discipline you.

Disclosures that are not about 'disclosable matters' do not qualify for protection under the Corporations Act.

### **How do I make a disclosure?**

A disclosure can be made either verbally or in writing, noting that disclosures can be made confidentially, securely and outside business hours. They can also be made anonymously and still be protected under the Corporations Act.

### **Who can receive a disclosure?**

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maker at the College, who will make a final decision in relation to the recommended findings and actions to be taken, if any.

- The Whistleblower Protection Officer will inform the whistleblower of the outcome of the investigation.

### **Investigation report**

The investigation report will provide a summary of the facts of the disclosure and of the investigation. It will also provide recommendations as to findings of whether any allegation is substantiated or unsubstantiated and may also provide recommendations on actions, if any, that may be taken accordingly.

### **Decision-making**

The investigation report will be provided by the Whistleblower Protection Officer to the relevant decision-maker at the College, who will make a final decision in relation to the recommended findings and actions to be taken, if any. In circumstances where the investigation is conducted by a Whistleblower Investigation Officer, the investigation report will also be provided to the Whistleblower Protection Officer. The Whistleblower Protection Decision

## CONTACTS