

4.9.1.A WHISTLEBLOWER PROCEDURE

RATIONALE

This Whistleblower Procedure enables Workers to raise concerns regarding situations where they believe that the Association or anybody connected with the Association has acted in a way that constitutes serious wrongdoing, including unethical, illegal, corrupt or other inappropriate conduct, as set out in the Whistleblower Policy.

1. RESPONSIBILITIES

- 1.1 **The Whistleblower Program Team (WP Team)**, comprised of the Principal, Chair of the Board and Whistleblower Protection Officer, is responsible for:
 - a) Assisting the Whistleblower Protection Officer in the assessment and oversight of whistleblower reports
 - b) Providing advice and support to reporters
 - c) Maintaining a secure and restricted record of all reports made under this Policy and Procedure
 - d) Arranging role-specific training as and when required.

- 1.2 The **Administration Manager** is responsible for ensuring that:
 - a) He or she functions in ordinary circumstances as the **Whistleblower Protection Officer**
 - b) Workers are made aware of their rights and responsibilities in relation to whistleblowing at induction
 - c) Workers are regularly encouraged to speak up about concerns of Reportable Conduct.

- 1.3 **Whistleblower Protection Officer** is responsible for:
 - a) Receiving whistleblower reports and protecting the interests of reporters
 - b) Determining whether the report falls within the scope of the Policy
 - c) Determining whether and how a report should be investigated
 - d) Appointing a Whistleblowing Investigator where an investigation is deemed appropriate
 - e) Ensuring investigations are conducted in accordance with this Policy
 - f) Ensuring any reports involving a Director or the Principal are reported to the Chair of the Board.
 - g) Updating reporters on progress and details of outcomes to the fullest extent possible
 - h) Maintaining to the fullest extent possible confidentiality of the identity of and reports received by reporters
 - i) Immediately reporting concerns in relation to any detrimental conduct to the Principal or Chair of the Board (provided that the concerns do not relate to them)
 - j) Determining the appropriate courses of action to remediate or act on the investigation
 - k) Reporting matters to relevant authorities
 - l) Making recommendations to prevent future instances of reportable misconduct
 - m) Completing any training mandated by the Whistleblower Program Team
 - n) Seeking to ensure the integrity of the Whistleblower Program is maintained.

- 1.4 **Whistleblower Investigators (appointed as required)** are responsible for:
- a) Investigating reports in accordance with the Whistleblower Policy and Procedure
 - b) Maintaining to the fullest extent possible confidentiality of the identity of and reports received by reporters
 - c) Gathering evidence and taking steps to protect or preserve evidence
 - d) Making findings based on a fair and objective assessment of the evidence gathered during the investigation, and formalising this in a report
 - e) Keeping comprehensive records about the investigation
 - f) Making recommendations to the Whistleblowing Protection Officer about how to implement the strategy in relation to how reported misconduct can be stopped, prevented and/or mitigated in future
 - g) Reporting back to the Whistleblower Protection Officer on the progress of their investigation 7 days after the report and every 14 days thereafter
 - h) Complying with the directions of the Whistleblower Protection Officer in relation to any further follow up, and reporting action and requirements, including the implementation of any recommendations.
- 1.5 **Workers** are responsible for reporting misconduct or dishonest or illegal activity that has occurred or is suspected within the Association as quickly as possible, whether anonymously or otherwise.

2. PROCEDURE

2.1 How do I make a report?

- 2.1.1 Whistleblowing protections will only apply to reports of Reportable Conduct made in accordance with the Whistleblower Policy.
- 2.1.2 Where you have reasonable grounds to suspect that an individual has engaged in Reportable Conduct, you should report the matter to any person authorised by the Association to receive Whistleblower disclosures. Authorised people are:
- a) Principal
 - b) Whistleblower Protection Officer
 - c) Board Director
 - d) Assistant Principal or Administration Manager
 - e) Personnel from Whistleblowing Services (WBS)
- 2.1.3 If you are not comfortable or able to report Reportable Conduct internally, you may report it to ASIC or via the online WBS Portal www.whistleblowingservice.com.au arranged under Christian Education National (CEN).

2.2 How are reports investigated?

- 2.2.1 After receiving your report the Association will:
- a) assess the report of Reportable Conduct;
 - b) consider whether there are any conflicts of interest prior to investigating;
 - c) determine whether external authorities need to be notified;

- d) determine whether and how to investigate; and
 - e) appoint a Whistleblower Investigator if appropriate.
- 2.2.2 If an investigation is deemed necessary, it will be conducted fairly, objectively and in a timely manner. The investigation process will vary depending on the nature of the Reportable Conduct and the amount of information provided.
- 2.2.3 Any individuals who are accused of misconduct in a report (a Respondent) will have an opportunity to respond to allegations before any adverse findings are made and before any disciplinary action (if appropriate) is taken.
- 2.2.4 The Association may need to speak with a Whistleblower as part of an investigation. If the identity of the Whistleblower is known or not, the Association will endeavour to keep them informed about the status of an investigation. Where the identity of the Whistleblower is anonymous because they have used the service of whistleblowingservices.com.au, this portal will be used to communicate with them.
- 2.2.5 If there is insufficient information to warrant further investigation, or the initial investigation immediately identifies there is no case to answer, the individual who reported the Reportable Conduct will be notified at the earliest possible opportunity.
- 2.3 Outcome of an investigation**
- 2.3.1 At the conclusion of the investigation, a report will be prepared outlining:
- a) a finding of all relevant facts;
 - b) a determination as to whether the allegation(s) have been substantiated or otherwise;
 - c) the action that will be taken, which may include disciplinary action and dismissal.
- 2.3.2 The disciplinary action will be dependent on the severity, nature and circumstances of the Reportable Conduct.
- 2.3.3 Where possible and appropriate, having regard to the Association's privacy and confidentiality obligations, the Whistleblower will be informed of the outcome of any investigation into their concerns.

Procedure Approved

By: Administration Manager

On: January 2020

Procedure to be reviewed

By: Executive

In: November 2022