

# Whistleblower Protection

- All of Brighton Grammar School's policies are intended to be up to date and be consistent with all relevant laws.
- Employees are expected to comply with all applicable policies.
- Various parts of the policies require managers and staff to exercise discretion and the policies are not intended to be applied in a legalistic or prescriptive manner.
- These policies may be varied by Brighton Grammar School from time to time, at its absolute discretion.

Whistleblower Protection is a process in which employees of Brighton Grammar School may raise serious concerns about conduct they suspect may be illegal, fraudulent, corrupt, damaging or improper, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment. These disclosures can be made to the Chairman of Council, the Headmaster, and Chief Executive Officer and Director of Human Resources or anonymously via the BGS independent whistle-blower platform as outlined below.

This statement aims to:

- Encourage staff and other eligible people to report issues if they genuinely believe that someone (in the course of their employment) has contravened the Schools Code of Conduct, the terms of their employment contract or a matter of Law
- Explain the approach that the School will take to deal with matters that are reported to it in these terms and
- Assist in ensuring that serious misconduct, conduct which poses a risk to the reputation of the School or other parties or other types of unethical or inappropriate behaviour are identified and dealt with appropriately.

## Application

This Policy applies to all eligible people as listed below:

- All current employees (including directors, managers, secondees and CRTs)
- Contractors, consultants, service providers, suppliers, business partners
- Former employees

## What sort of concerns should be reported?

Brighton Grammar School would like to hear from individuals who witness or know about any behaviours that may include actual or suspected:

- Conduct or practices which are illegal or breach any Law (including drug sale/use, violence or threatened violence toward individuals or groups and criminal damage against property)
- Corrupt or misleading activities or conduct
- Theft, fraud or misappropriation
- Significant mismanagement or waste of funds or resources
- Abuse of authority

- Serious harm to public health, safety or environment or the health and safety of any employee of the School, contractor, parent or student
- Dishonesty
- Conduct which has the potential to damage the reputation of the School or individuals
- Unethical behaviour

**Please note:**

*The Grievance, Complaint and Dispute Resolution Policy applies to workplace grievances. As a guide, workplace related grievances and complaints (including, for example, a suspected breach of the Equal Opportunity, Discrimination, Harassment and Bullying Policy) and low level instances of suspected misconduct or wrongdoing should be reported or escalated in accordance with the Grievance, Complaint and Dispute Resolution Policy. It is appropriate to make a disclosure under this Policy when a staff member genuinely believes a serious breach of the School's Code of Conduct, policies or the Law has taken place or may take place*

*The Child Protection Policy applies to all concerns regarding the safety of a child and as such should be reported following procedures outlined in the Child Protection Policy not this policy.*

*This policy is independent of any mandatory reporting requirements. Refer to Mandatory Reporting Policy.*

The eligible person that raises the concern will be advised if their concerns are not suitable for investigation under this Policy and other options for addressing the concerns may be canvassed.

## Anonymity

Brighton Grammar School respects and protects eligible persons privacy and identity if you chose to make an anonymous report. Eligible persons have the right to remain anonymous during the reporting, interacting with case managers during the investigations as well as once investigations have been closed. At any given time an eligible person may identify themselves however Brighton Grammar School will not force this.

If eligible persons decide to disclose their identity Brighton Grammar School will work to protect the person and will take all reasonable steps to prevent retaliation.

## Complaints Procedure

If an eligible person becomes aware of any matter or conduct they consider may contravene the School's Code of Conduct, policies or the Law, it is expected that they will (without delay and in confidence) report the matter to:

- The Chairman of Council
- The Headmaster
- The Chief Operating or
- The Director of Human Resources I

Or anonymously via the Brighton Grammar Schools anonymous whistle-blower platform (supported by an independent provider).

Disclosures can be made via the following:

- By way of an online self-report via <https://brightongrammar.grapevineonline.com.au/>
- By way of a telephone call to the [Grapevine Hotline 1300 933 977](tel:1300933977)
- By way of hard copy mail to secured mail box number [PO Box 119, Carlton South, VIC, 3053](mailto:PO.Box.119@brightongrammar.vic.edu.au)

If the Headmaster is not the person notified, the Headmaster should be advised as a matter of urgency (unless the issue relates to the Headmaster's own conduct). The Headmaster will advise the Chairman of Council and will thereafter keep the Chairman fully informed of all relevant matters which evolve. The Chairman will take responsibility for notifying Members of Council as appropriate.

The Headmaster will determine an appropriate means by which to investigate the issue and assign an individual (usually either the Chief Operating Officer or the Director of Human Resources) to investigate the allegations and assess the merit of the issue and make recommendations on a course of action.

All matters reported will be subject to a thorough investigation with the objective of locating evidence that either substantiates or refutes the allegation(s) made by the Whistleblower, subject to the Safeguards contained in this Policy.

If the report concerns the actions of another employee, that person will be informed of the complaint (in writing) by the Headmaster where it is considered appropriate to do so, subject to considerations relating to the anonymity of the Whistleblower and the impact of providing this advice to the employee upon the gathering of relevant information in regard to the allegations.

Each step will be reviewed by the Headmaster and shared with the Chairman of Council as appropriate.

Where the issues raised are serious, the Headmaster may exercise the discretion to suspend the individual(s) on full pay or assign alternate duties whilst enquires into the issues are taking place.

A report will be prepared by the investigator. The report will provide a summary of the facts of the investigation and responses taken and recommendations made, including, if applicable, referral to the Police, other disciplinary action, recovery action, and changes to internal controls or procedures in order to prevent recurrences of the incident.

The Headmaster will consult with the Chairman of Council where appropriate to determine the most appropriate course of action to address the conduct or performance as applicable. Any matters which are found to be contrary to Law or fall within mandated areas for reporting to Authorities shall be reported to the respective group in a timely manner if it is appropriate to do so.

Detailed document control and electronic communications management shall be maintained and all relevant documents shall be retained by the Headmaster in a central file.

Information which would be confidential to the process will only be shared with individuals as determined by the Headmaster and outcomes will be communicated to other staff, students or the parent community only to the extent necessary in order to restore normal operations within the School where they have been disrupted or suspended.

### **What happens to the Whistleblower?**

The Whistleblower will be informed by the Headmaster or case manager once any investigation into his or her report has been commenced, during regular intervals during the investigation (to be determined by the Headmaster or case manager) and once the investigation has concluded.

The identity of the Whistleblower and the contents of the report will be kept confidential and no details of their participation in the process will be included in their personnel file or performance review. The report will not be disclosed to anyone except those that are actively involved in investigating the matters raised in the report.

The Whistleblower will not be discriminated against or disadvantaged in their employment with Brighton Grammar School as a consequence of reporting a matter, in good faith, in accordance with this process, nor will they be subjected to their actions in making a report.

Reasonable steps and external and internal support networks will be put in place to ensure that adequate and appropriate protection is provided for those who, in good faith, make a report. This protection applies whether the matter is found to have merit or not, regardless of whether it is reported to an external authority.

### **Safeguards**

It should be noted however that the process of Whistleblowing will be treated with great seriousness by the School. It is not a means by which to exact vengeance, mischief or to air a grievance.

Whistleblowing is designed to provide a safe means to report real or perceived malpractice. A report may damage the career prospects and reputation of people who are the subject of serious allegations and may cause genuine distress to those who are the subject of an investigation.

Therefore if a report is found not to have been made in good faith, the Whistleblower may be subject to disciplinary action in accordance with the School's Disciplinary Policy.



## Related Policies

- Disciplinary
- Code of Conduct
- Ethics and Disclosure

## References

ASIC <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/how-asic-handles-whistleblower-reports/>

This Policy is a controlled document. Any printing of this document is uncontrolled. Please refer to the school portal for the latest version of this policy

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