



## Whistleblower Policy

<b>Approved:</b> College Board	<b>Date approved:</b> 29 April 2021
<b>Responsible Officer:</b> Principal	<b>Policy Review:</b> Term 2 2023

### 1. Rationale:

Lyrebird College values people from inside companies and organisations who report potential misconduct or breaches of the law. We appreciate that these whistleblowers can find themselves in difficult and stressful circumstances, and may risk their careers or even their personal safety.

### 2. Scope:

This policy applies to all members of the College community, as well as members of the public who provide information to the College.

The purpose of this policy is to establish a procedure to provide whistleblowers with protection, allowing past and present staff, students, parents, and others to come forward confidentially and anonymously, to the extent possible under existing laws, and ensuring that they are not victimised or subjected to any form of detrimental action.

### 3. KEY ELEMENTS OF THIS POLICY

#### 3.1 What is a whistleblower and how is it different to a complaint?

In general, a whistleblower is a person, who reports misconduct or dishonest or illegal activity that has occurred with an organisation.

Concerns or complaints about the delivery of the College's services should be raised using the process contained in the College's ***Complaints and Grievances Resolution Policy***

Staff work-related complaints or grievances about employment conditions, unfair dismissal or industrial relations related concerns should be made using the process contained in individual employment contracts.

#### 3.2 What type of conduct is reportable?

A student, parent, staff member, Board member or other person involved with the College should report the following misconduct when observed by the reporting individual acting in goodfaith:

- a. Dishonesty;
- b. Unethical conduct;
- c. Serious improper conduct;
- d. Unsafe work practices;
- e. Child abuse not acted on;
- f. Illegal acts including theft, drug sale or use, violence or threatened violence and criminal

- damage against property;
- g. Breaches of relevant laws, regulations, by-laws;
- h. Any other conduct which may cause loss to the College or be otherwise detrimental to the College.

### **3.3 Reporting procedure**

A student, parent, staff member or other person involved with the College who wishes to make a report in connection with misconduct should contact the Principal (the College Whistleblower Protection Officer) on 9112 8344 or the College Board Chair if the report concerns the College Principal. A report can also be made in writing to the Whistleblower Protection Officer, Lyrebird College, PO Box 254 Coldstream 3770.

The College is committed to ensuring the Whistleblower Protection Officer is appropriately trained and qualified for this role and readily accessible.

All reports will be kept confidential and secure. All persons making a report are assured that in making a report they will not be personally disadvantaged by dismissal, demotion, any form of harassment, discrimination or current or future bias. The person making the report will be kept informed of the progress of the investigation.

Any person who, having made a report, believes that they have been personally disadvantaged has an automatic right of appeal to the College Board Chair whose decision will be complied with.

Under Part 9.4AAA of the Corporations Act 2001 (Corporations Act) some protections are available for whistleblowers who report misconduct about companies and company officers.

Please refer to ASIC website for the “Whistleblower rights and protections” information sheet (Info 368) and the “How ASIC handles whistleblower reports” information sheet (Info 239).

### **3.4 Investigation Procedures**

All reports of misconduct will be subject to thorough investigation by the **Whistleblower Protection Officer** or the **College Board Chair**.

Best practices will be followed by the Whistleblower Protection Officer who will be fair and independent of the person who made the report and the person who is the subject of the reportable conduct.

The investigation will include the following steps:

- a. Full details of the allegations obtained;
- b. Person against whom allegations are made is informed;
- c. Involvement of external parties such as the police considered by Principal or Chair as appropriate;
- d. Allegations fully investigated;
- e. Principal or Chair decide on action to be taken; and
- f. The person making the report will be kept informed of the progress of the investigation.

Where the Principal or the Chair decides that the allegations are of a very serious nature, external investigators will be engaged.

The identity or any information that could lead to the identity of a person who has made a report will not be released to any person who is not involved in the investigation/resolution of the matter.

### **3.5 Abuse of reporting process**

All reports made under the confidential reporting process must be made in good faith. Abuse of the confidential reporting process will not be tolerated and will be treated as a serious breach of the College's *Privacy Policy* and under the confidentiality requirements as detailed in individual employment contracts.

### **3.6 Monitoring and training**

The College will monitor and review this policy regularly to assess its effectiveness in encouraging the reporting of reportable conduct, protection of persons making reports, and investigation of reports.

Education and training about the procedures involved under this Whistleblower Policy will be provided to those involved in managing or investigating disclosures. The College's community will also be educated and kept informed in relation to the Policy and the protections and procedures contained therein.

### **3.7 References**

[Whistleblowing ASIC](#) - ASIC website

### **3.10 Evaluation**

This policy will be reviewed as part of a two year cycle.



Melissa Handbury

**Board Chair**