



# Whistleblower Policy

## Introduction

Haileybury is committed to ethical behaviour that is aligned with our values and complies with all relevant laws.

A whistleblower is a person who makes a disclosure, outside normal business channels, whether anonymously or not, with respect to serious misconduct such as corruption, fraud or some other illegal or undesirable activity.

We recognise that people who have a work, service or customer relationship with the School are often best placed to identify illegal or other undesirable conduct, however may not speak up, either because there is not a clear mechanism for them to do so, or as a result of fear of being victimised if they report the matter.

We are committed to providing a supportive environment for any person making a whistleblower disclosure and we will use our best endeavours to ensure that no individual making a whistleblower disclosure, is personally disadvantaged by having made a disclosure in good faith. This includes protection from dismissal or demotion, any form of reprisal including retaliation, harassment or victimisation.

The School has documented and implemented a detailed Whistleblower Program, that is available to the Council, Senior Executive and all staff (teaching and non-teaching) through our PolicyPlus site. Our Whistleblower Program sets out key roles and responsibilities and outlines processes with respect to ensuring transparency and accessibility for all key stakeholders including Council members, staff, parents, carers, volunteers, contractors, students and suppliers. It also sets out internal management reporting requirements and responsibilities with respect to the ongoing maintenance and review of the Whistleblower Program and this Whistleblower Policy.

All School staff members are required to undertake an internal training course with respect to the objectives and practical application of our Whistleblower Program.

## Purpose

The objectives of this Policy are to:

- Encourage the reporting of actual or suspected wrongdoing that cannot appropriately be reported through normal business channels
- Describe clearly the process for making a whistleblower disclosure and the types of matters that should be reported
- Describe clearly the process for investigating a whistleblower disclosure
- Outline how the School manages whistleblower disclosures in a way that will support and protect the whistleblower, as well as ensure fairness for a person named in the disclosure
- Give effect to the spirit of whistleblower legislation that prohibits regulated organisations from taking adverse action against a staff member, or a supplier of services or goods.



## Scope

Our Whistleblower Program, including this Policy, has been designed to be available to all current or former:

- Directors and officers of Haileybury
- Members of the Senior Executive
- Permanent, part-time and casual staff (teaching and non-teaching)
- Volunteers
- Contractors
- Suppliers
- Parents and carers
- Students
- Other key stakeholders.

## Type of Conduct to be Reported

Our Whistleblower Program is designed to capture actual or suspected wrongdoing, that a person providing the disclosure considers, cannot reasonably be managed through our existing internal reporting procedures.

Examples of wrongdoing that may be reportable include:

- Fraud, forgery, misappropriation, misuse, misdirection, misapplication, maladministration or waste of funds
- Gross mismanagement
- Grooming and/or child abuse
- Conflicts of interest, nepotism, favoritism
- Theft, embezzlement, tax evasion
- Corruption, dishonesty involving influence
- Coercion, harassment or discrimination by, or affecting, any of our staff, volunteers or contractors
- Assault, blackmail, taking or offering bribes
- Abuse of public trust
- Misleading or deceptive conduct of any kind, including conduct or representations that amount to improper or misleading accounting or financial reporting practices by or affecting the School
- Other criminally prosecutable offences
- Failure to report, or concealment of, an indictable offence



- Unreasonable danger to health or safety of others
- Failure to act in accordance with applicable professional and ethical standards
- Blatant disregard for organisational policies
- A significant threat to the environment
- Significant breach of the terms of any contract that binds the School
- Other serious acts such as refusing to carry out lawful and/or reasonable actions under a contract
- Other serious misconduct that may materially damage the School's reputation, or may otherwise be detrimental to the School
- Any other act that would otherwise be considered, by a reasonable person, to be serious improper conduct, or an improper state of affairs, or circumstances.

Wrongdoing would also include a deliberate attempt to conceal any of the actions described above.

A person making a whistleblower disclosure is expected to act in good faith and have reasonable grounds for believing that wrongdoing has occurred.

A whistleblower should not use the whistleblower service to report a personal work-related grievance, a third-party complaint or a child protection incident that could be effectively managed through our existing internal reporting procedures.

If a whistleblower disclosure is made through the whistleblower service that does not meet the threshold of reportable wrongdoing such as that listed above it may be referred by the Whistleblowing Officer to the appropriate department or staff member to manage (for example our HR Director or Child Protection Officer, as appropriate) and will be recorded as not being a disclosable matter. Protection of anonymity does not apply in the same strictness to disclosures that are not disclosable matters, however confidentiality will be maintained as appropriate.

## Whistleblower Support and Protection

Haileybury is committed to providing a supportive environment for any person making a whistleblower disclosure and we will use our best endeavors to ensure that no individual making a whistleblower disclosure, is personally disadvantaged by having made a disclosure in good faith. This includes protection from dismissal or demotion, any form of reprisal including retaliation, harassment or victimisation.

Further details of support and protections provided are set out below.

### Anonymity and Confidentiality

Haileybury will, as far as reasonably possible, provide to whistleblowers the ability to make a report anonymously and will take all reasonable steps to reduce the risk that the discloser will be identified as a result of the investigation.



## External Whistleblower Service

The School engages Stopline as our independent whistleblowing hotline service. One of the primary purposes of retaining Stopline is to allow whistleblowers to disclose their identity to Stopline only and to keep their identity confidential from the School.

If a whistleblower provides their identity to Stopline it can assist in any subsequent investigation, and also will allow Stopline to follow up to seek any clarification or provide feedback.

If the whistleblower's identity is disclosed to Stopline, they will at the first opportunity discuss with the whistleblower the issues of anonymity and confidentiality and the degree of risk that their identity may become known during an investigation.

Information received from a whistleblower will be held in the strictest confidence and will only be disclosed to a person not connected with the investigation if:

- the whistleblower has been consulted and consents in writing to the disclosure; or
- Stopline is compelled by law to do so.

Stopline will advise the whistleblower if matters change in a way that affects their ability to protect the whistleblower's identity and will give the whistleblower as much warning as reasonably possible if it appears likely that their identity will become known.

## Supportive Environment

We are committed to providing a supportive environment for any person making a whistleblower disclosure. In particular, a whistleblower can expect that:

- Any request for anonymity is respected and if their identity is revealed it will, as far as possible, remain confidential and only be disclosed on an "as needed basis"
- The details of their disclosure will remain confidential to the extent that is practical in the circumstances and will only be released on an "as needed basis" during the investigation phase, or as required by law
- They will be protected from retaliation, harassment or victimization
- Should retaliation occur, it will be treated as serious misconduct and the perpetrator of the retaliation will be subject to disciplinary action.

Where a whistleblower has provided their identity to Stopline, but not to the School, it is the role of Stopline to ensure they are supported throughout the investigation process.

Where a whistleblower has provided their identity directly to the School, it is the role of the Whistleblowing Officer to ensure they are supported throughout the investigation process.

Stopline and/or Whistleblowing Officer will also advise the whistleblower of professional support services, such as confidential professional counselling services, that may be available to them.

## Protection from Retaliation, Harassment or Victimisation

Our commitment to ensuring the highest standards of ethical conduct within the School includes creating and maintaining a "speak-up culture", where all staff members are encouraged to identify issues in the workplace and participate in resolving them. This includes "speaking up"



through our existing internal reporting procedures including our Staff Employment Manual, Complaints Handling Program, and Child Protection Program.

We do not tolerate reprisals or adverse action being taken against whistleblowers for reporting actual or suspected wrongdoing, including when suspicions are not substantiated following a thorough investigation.

We take steps to promote awareness to all staff of their responsibilities to treat their colleagues and stakeholders with respect, and never to engage in behaviour that is discriminatory or that characterises bullying or harassment. These responsibilities encompass acknowledging that reporting actual or suspected wrongdoing is integral to an ethical culture, and nobody who reports actual or suspected wrongdoing should experience detriment as a result.

If a whistleblower provides their identity when they make a whistleblower disclosure, the Whistleblowing Officer will proactively monitor the workplace for signs of retaliation, harassment or victimisation and intervene when necessary.

A whistleblower who experiences retaliation, harassment or victimisation should immediately report it to the Whistleblowing Officer. Any such conduct will be treated as serious misconduct and the perpetrator of the retaliation will be subject to disciplinary action.

### Immunity from Internal Disciplinary Action

To promote a culture that encourages whistleblower disclosures it is our policy that where a whistleblower has acted in good faith, and the individual involved has not engaged in serious misconduct or illegal activity, the whistleblower will be provided with immunity from internal disciplinary proceedings that may have otherwise arisen from the matters that are the subject of the whistleblower disclosure.

### Investigating a Whistleblower Disclosure

All reports, other than those that are not disclosable matters, will be investigated by a Whistleblowing Investigator.

Whistleblowing Investigators are appointed by the Whistleblowing Officer on a case-by-case basis depending on the particular circumstances of the whistleblower disclosure and must be independent of the whistleblower, or any person being the subject of the reported conduct.

Whistleblowing Investigators will have reasonable access to independent specialist advice if required and will as far as reasonably possible, follow best practice in investigations including ensuring that all reports of actual or suspected wrongdoing will be investigated in a way that adheres to the principles of objectivity, procedural fairness, confidentiality and natural justice. This includes providing fair treatment to people who have been mentioned in a report of actual or suspected wrongdoing, by informing of the substance of statements that have been made about them and giving them a reasonable opportunity to respond.

### Provision of Feedback

If the whistleblower's identity is known to the Whistleblowing Investigator then, where possible the School will provide feedback to the whistleblower during the course of the investigation and will ensure that the whistleblower will be informed of the outcome of an investigation and in particular:



- If the whistleblower's concern was substantiated, the action that has been taken or will be taken to address the issues
- If the whistleblower's concern was not substantiated, then that no further action will be taken unless further information becomes available.

## How to Make a Whistleblower Disclosure

To provide effective protection of whistleblowers, including allowing continuous discussion with anonymous whistleblowers, Haileybury has chosen to use the external, secure, online service Stopline.

Stopline is an independent service provider with staff who are specifically trained to deal with the types of sensitive issues that are reported through whistleblower systems.

A whistleblower disclosure to Stopline may be provided on an anonymous basis or on the basis that the whistleblower's identity is disclosed to Stopline only and kept confidential from the School. The provision of your identity to Stopline can assist in any subsequent investigation and allow Stopline to follow up with to seek any clarification or feedback.

You can raise your concerns or submit a whistleblower disclosure directly to Stopline through any of the following methods:

**Online:** <https://haileybury.stoplinereport.com>

**Telephone:** 1300 30 45 50

**Email:** [haileybury@stopline.com.au](mailto:haileybury@stopline.com.au)

**Mail:** Haileybury c/o Stopline, Locked Bag 8, Hawthorn VIC 3122

**Mobile App (iPhone/Android):** 'Stop247' – Available on the App Store and Google Play

**Fax:** +61 3 9882 4480

A whistleblower should not use the whistleblower service to report a personal work-related grievance, a third-party complaint or a child protection incident that could be effectively managed through our normal internal processes.

If a whistleblower disclosure is made through the whistleblower service that does not meet the threshold of reportable wrongdoing such as that listed above in section four of this Policy it may be referred by the Whistleblowing Officer to the appropriate department or staff member to manage (for example our HR Manager or Child Protection Officer, as appropriate) and will be recorded as not being a disclosable matter. Protection of anonymity does not apply in the same strictness to disclosures that are not disclosable matters, however confidentiality will be maintained as appropriate.



## Responsibilities

### CEO | Principal

The CEO | Principal is responsible for:

- Ensuring that the School maintains an appropriate Whistleblower program to enable the reporting of misconduct without fear of victimisation or retribution
- Ensuring that a Whistleblowing Officer is allocated to manage whistleblowing disclosures and monitor the effective implementation of the Whistleblower program
- Enabling full access to the School, its staff and resources to the Whistleblowing Investigator as needed in the investigation of any eligible disclosure.

### Whistleblowing Officer

The Whistleblowing Officer is responsible for:

- Advising the CEO | Principal, COO and Senior Executive team on the effective implementation of the Whistleblower program
- Monitoring the effective implementation of the Whistleblower program
- Providing support to Whistleblowers, ensuring that the Whistleblower confidentiality and anonymity is maintained as far as reasonably practicable
- Ensuring that all eligible Whistleblower disclosures are investigated.

### Whistleblowing Investigator

The Whistleblowing Investigator, as appointed by the Whistleblowing Officer, is responsible for:

- Investigating eligible Whistleblower disclosures impartially and to the fullest extent
- Protecting the confidentiality and anonymity of the whistleblower as far as reasonably practicable in the investigation of a disclosure.

### All Employees

All employees of the School are responsible for:

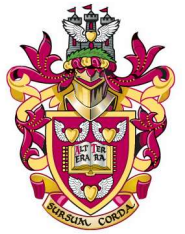
- Reporting misconduct or a wrongful state of a affairs where they have reasonable belief it has occurred
- Complying with any reasonable request made as part of a Whistleblowing investigation
- Maintaining the confidentiality and anonymity of a whistleblower in any circumstances where the identify of the whistleblower has been revealed to them by any means
- Ensuring that they do not knowingly engage in any activity or behaviour which involves retribution towards, or victimisation of, a whistleblower.

## Governing Legislation

Corporations Act 2001

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## Related Documents

Complaints Procedures 15/0051

Staff Employment Manual

Occupational Health and Safety Policy 16/0001

Child Protection & Safety Policy 16/0062

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