



HR014	Whistle-blower Policy
Purpose	This purpose of the Whistle-blower policy is to all John Calvin School staff, parents, students, volunteers, committee members and members of the School Association to report serious concerns about the School's operations through appropriate and confidential channels without risk of retaliation, victimisation, or harassment in any form. The policy is to ensure that all school operations are conducted in a Christian manner, upholding the integrity of all involved.
Authority	School Committee, ASIC, Legislation: Corporations Act 2001
Policy	Staff, parents, students, volunteers, and members of the School Association may report serious concerns about the school's operations through appropriate and confidential channels without risk of retaliation victimisation or harassment in any form.
Delegation	School Committee, Principal
Related Policies	Albany Free Reformed Church Education Association – School Constitution Child Protection (CP001) Bullying Prevention and Management (R001) Staff Code of Conduct (Prof006) Disputes and Complaints (G005) Privacy (G001) Student Code of Conduct (CP007) Grievance Framework
Date approved	August 2019, April 2022
Next Review Due	April 2025
Review Authority	School Committee.
Keywords	Concerns, Misconduct, Complaints, Child Protection
Authorised by:	School Committee
Chairman	
Date:	
Author/Reviewer	CB - April 2022



VERSION MANAGEMENT

Version	Date Published	Changes Made	Author of Changes
2	April 2022	Added Version Management table, reference to Grievance Framework, Following AISWA guidelines Feb 2020 - added items 2.3, 3.4, 4.3 & 5.3. Reword 5.2. make definitions consistent with ASIC terminology.	CB



HR014

Whistle-blower Policy Procedure

1. Application of Policy

- 1.1 This policy applies to those situations where corrupt conduct, conduct involving a substantial mismanagement of resources, or that which involves substantial risk to public health and safety or the environment.
- 1.2 Staff, students, volunteers, parents, and School Association members may wish to report or disclose activity they believe in good faith to be illegal, dishonest, unethical, fraudulent, or not in agreement with the Biblical/Christian norms.

2. Relationship with the Complaints & Disputes Policy, Child Protection Policy & Grievance Framework

- 2.1 This policy is designed to complement normal communication channels between students, staff, management, parents, volunteers, and association members. It should be read together with the Complaints and Disputes Policy (G005), which is designed to deal with concerns and complaints about conduct which do not rise to the level of illegality, dishonesty, fraud, or other serious misconduct. Disclosures or complaints that fall within the ambit of the Complaints & Disputes Policy must be dealt with in accordance with that policy.
- 2.2 This policy should also be read in conjunction with the Child Protection Policy (CP001), which sets out the specific requirements and processes for dealing with concerns relating to child protection, included as required by relevant legislation. Disclosures or complaints that fall within the ambit of the Child Protection Policy must be dealt with in accordance with that policy.
- 2.3 A disclosure solely about a personal work-related grievance is not covered by this policy. Staff are required to follow the Grievance Framework to raise an issue, concern or complaint that relates to the actions or behaviour of another employee, a part of the organisation, a policy, or a decision.

3. Definitions

- 3.1 **Disclosable Matter:** Is information where a discloser has reasonable grounds to suspect misconduct or practice within the school that is potentially illegal, corrupt, improper, dishonest, unsafe, unethical, contrary to Biblical norms or which amounts to significant mismanagement.
- 3.2 **Whistleblowing:** Is the means by which a person discloses concerns about such misconduct and is able to do so without fear of victimisation and with confidence that their concerns will be taken seriously and dealt with properly.
- 3.3 **Whistle-blower/Discloser:** Is defined as an employee, volunteer, parent, student, committee member, Association members who discloses misconduct taking place within the school.



HR014

Whistle-blower Policy Procedure

- 3.4 **Reasonable Grounds:** Reasonable grounds mean that the discloser has a suspicion that could reasonably be formed based on the facts and information available to them. If the disclosure is unfounded, in other words there are no reasonable grounds to suspect, the discloser is not protected by this policy or the Corporations Act.

4. Disclosing Process

- 4.1 A person who has knowledge of or information about misconduct in the school's operations should disclose the matter in writing to the Principal or School Committee chair.
- 4.2 If a serious allegation of misconduct relates to the Principal, a written complaint should be made to the Chairman of the School Committee.
- 4.3 The school encourages reporting of misconduct directly in either paper or electronic written form including contact details of Whistle-blower. Reports made anonymously may make it difficult to investigate the reported matter. Adequate information should be provided by the Whistle-blower to allow the matter to be properly investigated. In the event of an anonymous disclosure, it is at the Principal's or Chairman's discretion as to what action, if any, can and should be taken, depending on the nature and circumstances of the disclosure.

5. Whistle-blower Protections

Confidentiality

- 5.1 The school recognises that a person may want to raise concerns in confidence and will do its utmost to protect the identity of a person who raises a concern and who does not want their name to be disclosed. Reports of misconduct pursuant to this policy will be treated confidentially to the greatest extent possible.
- 5.2 Exceptions to confidentiality include disclosing a whistle-blowers identity to ASIC, federal police, a legal practitioner, certain state or federal authorities, or with the consent of the whistle-blower, or when reasonably necessary to investigate the matter.

Detriment

- 5.3 Whistle-blowers cannot be subject to any civil, criminal, or administrative liability (including disciplinary action) for making a disclosure. This protection does not prevent a whistle-blower being subject to criminal, civil or other liability for conduct that is revealed by the disclosure.



HR014

Whistle-blower Policy Procedure

6. Timescale for Initial Response

6.1 The Principal or Chair who is looking into allegations will aim to provide a response to the Whistle-blower within five working days, where appropriate and possible. They will aim to:

- Acknowledge that the concern has been received;
- Indicate how the school proposes to deal with the matter;
- Give an estimate on how long it will take to provide a final response;
- Advise whether any initial enquiries will take place;
- Inform the whistle-blower of support available to them whilst matter is looked into.
- The principal or chair may also determine that the concern may best be dealt with according to the Complaints & Disputes Policy, Child Protection Policy, or the Grievance framework; this will be indicated where and when appropriate, according to the aims and processes of those policies.

7. Ongoing Process

A whistle-blower reporting misconduct in the school's operations should not attempt to investigate the matter independently, as doing so may compromise the integrity of an official investigation and adversely impact both the whistle-blower, the school, and the situation in focus.

8. References

Further Information is available on the Australian Securities & Investments Commission (ASIC) website:

<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-protections-for-not-for-profit-organisations/>