



Whistleblower Policy

1. Statement of Context

- 1.1 Yarra Valley Grammar (**the School**) has a commitment to fostering a culture of legal, ethical and moral behaviour, and exemplary corporate citizenship.
- 1.2 It expects its Directors, Executive Management, Teachers, School Officers, Contractors and Volunteers to maintain the highest levels of probity in their dealings on behalf of the School.
- 1.3 It will not tolerate unethical, unlawful or undesirable conduct

2. Purpose

The purpose of this Policy is to:

- 2.1 encourage a person to report improper conduct in good faith if they genuinely suspect or are aware of such conduct;
- 2.2 ensure that any Reportable Conduct is identified and dealt with appropriately;
- 2.3 provide a mechanism to report misconduct or dishonest or illegal activity that has occurred or is suspected within the organization;
- 2.4 enable the School to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower and provide for secure storage of the information; and
- 2.5 help to ensure that the School maintain the highest standards of ethical behaviour and integrity.

3. Scope

- 3.1 This Policy applies to all employees, directors, officers, contractors, volunteers, students and agents. This Policy does not apply to grievances that do not meet the below definition of Reportable Conduct, and can be better dealt with under the Grievance and Dispute Resolution Procedure.
- 3.2 In contemplating the use of this Policy, a person should consider whether the matter of concern may be more appropriately raised under another policy or procedure.

4. Who is a Whistleblower?

- 4.1 A Whistleblower is person within an organisation, who, whether anonymously or not, attempts to report, or reports misconduct or dishonest or illegal activity that has occurred within that same organisation, and wishes to avail themselves of protection against reprisal for having made the report.
- 4.2 A Whistleblower could be a current or former officer, director, company secretary or employee of the School, a current contractor or contractor employee who has a

current contract to supply goods or services to the School, or a volunteer of the School.

5. What is Reportable Conduct?

- 5.1 “Reportable Conduct” means any breaches of general law, organisational policy, or generally recognised principles of ethics. For example, it may include:
- (a) dishonest, corrupt or illegal conduct or activities;
 - (b) serious misconduct or serious violations of the Code of Conduct;
 - (c) misconduct, or improper state of affairs or circumstances relating to the School;
 - (d) fraud, theft or misappropriation;
 - (e) maladministration or questionable accounting;
 - (f) unlawful harassment or discrimination;
 - (g) serious and substantial waste of public resources;
 - (h) practices endangering the health or safety of the staff, volunteers, or the general public; and
 - (i) practices endangering the environment.
- 5.2 Whistleblowing is not about airing a grievance, child safety concern or occupational health and safety concern. Issues such as these will be dealt with in other policies.

6. Policy

- 6.1 The School will not tolerate any Reportable Conduct by its Workers, nor condone victimisation of anyone who intends to report, or has reported, such conduct. All reasonable steps will be taken to protect people who make such disclosures about Reportable Conduct from any detrimental action for making the disclosure.
- 6.2 All individuals who have seen or suspect Reportable Conduct are encouraged to report it as soon as possible.
- 6.3 A Whistleblower Protection Officer or another authorized person will be appointed by the Board to provide support and mentorship to a Whistleblower and will include the Corporate Services Manager and the Risk, Compliance and HR Officer.

7. Procedure

- 7.1 There are two ways to report Reportable Conduct; Reporting Internally and Reporting Externally.

Reporting internally

- 7.2 Where an individual has reasonable grounds to suspect that a Worker has engaged in Reportable Conduct, the person should first aim to resolve the matter

internally by reporting their concern to one of the following, as appropriate to the situation:

- 7.3 Recognised Reporting Agents include:
- (a) the School's Whistleblower Protection Officer;
 - (b) a Board Director;
 - (c) a Company Secretary;
 - (d) a member of the School's Executive team;
 - (e) any other person authorised by the Board to receive Whistleblower disclosures; or
 - (f) to ASIC.
- 7.4 Any internal report should (where possible) be in writing and should contain, as appropriate, details of:
- (a) the nature of the alleged breach;
 - (b) the person or persons responsible for the breach;
 - (c) the facts on which the individual believes that a breach has occurred, and has been committed by the person named;
 - (d) the nature and whereabouts of any further evidence that would substantiate the complainant's allegations, if known.
- 7.5 Evidence to support such concerns of Reportable Conduct should be provided at the earliest possible opportunity. The absence of such evidence will be taken into account in considering whether to conduct an investigation. However, absence of such evidence is not an absolute bar to the activation of the School's investigative procedures. The existence of such a concern is sufficient to trigger reporting responsibilities.

Reporting Externally

- 7.6 In the event that a worker is uncomfortable raising the Reportable Conduct internally with one of the Reporting Agents, they may report the Reportable Conduct to the School's external independent Whistleblower;
- 7.7 Reporting externally can be done by contacting Integrity Line at Worklogic at www.integrityline.com.au to report a concern to an entity outside the School.

Anonymity, confidentiality and privacy

Disclosures may be made anonymously. The School will treat all disclosures in the strictest confidence. Workers must keep information pertaining to Reportable Conduct strictly confidential in line with this Policy.

- 7.8 The identity of a reporter will not be disclosed unless:

- (a) the person consents to the disclosure;
- (b) the disclosure is required by law;
- (c) the disclosure is authorised under the *Corporations Act 2001* (Cth); and/or
- (d) it is necessary to prevent a serious threat to a person's health or safety.

7.9 Notwithstanding the above, the School encourages individuals to put their name to allegations whenever possible – as concerns with no attributable source can be much less powerful.

7.10 All records relating to a report of Reportable Conduct will be stored securely and access will be limited to authorised staff.

Protection from victimisation

7.11 The person making the disclosure will not suffer any sanctions (or threats of sanctions) from the School for making a report provided that their actions are:

- (a) taken in good faith and that they have reasonable grounds to suspect wrongdoing; and
- (b) consistent with the School's policies and procedures.

7.12 If the School discovers that sanctions are taken (or threatened to be taken) against the whistleblower by a Worker, this will constitute a breach of this Policy and disciplinary action may be taken (including up to cessation of their engagement).

7.13 For the purpose of this section, "sanctions" means:

- (a) alteration of their position or duties to their disadvantage;
- (b) discrimination;
- (c) harassment or intimidation;
- (d) harm or injury, including psychological harm;
- (e) damage to their property;
- (f) damage to their reputation; and/or
- (g) damage to their business or financial position; any other damage to them.

Investigation

7.14 On receiving a report of a breach, the person receiving the report under will carefully assess the information provided to decide the best action to take, including whether external authorities need to be notified and whether an investigation into the Reportable Conduct is required.

7.15 Where an investigation is considered appropriate:

- (a) Terms of reference for the investigation should be drawn up to clarify the key issues to be investigated;
- (b) An investigation plan should be developed to ensure all relevant questions are addressed, the scale of the investigation is in proportion to the seriousness of the allegation(s) and sufficient resources are allocated;
- (c) Strict security should be maintained during the investigative process to the extent reasonably possible;
- (d) All information obtained should be properly secured to prevent unauthorised access;
- (e) All relevant witnesses should be interviewed and documents examined;
- (f) Contemporaneous notes of all discussions, phone calls and interviews should be made;
- (g) All parties involved in the investigation (including the whistleblower and the respondent) will be treated fairly and provided with procedural fairness.

7.16 A Worker who is the subject of a protected disclosure investigation will be:

- (a) informed as to the substance of any allegations including, in a findings report arising out of an investigation;
- (b) given a reasonable opportunity to respond to the allegations.

Findings

7.17 A confidential report will be prepared when an investigation is complete.

7.18 Where possible and appropriate, the whistleblower will be informed of the outcome of any investigation into their concerns.

8. Consequences if Reportable Conduct is proven

8.1 If the Reportable Conduct is proven, the School will decide what action to take, which may include:

- (a) disciplinary action up to dismissal or termination of a Worker's engagement; and
- (b) a report to an external authority (including the police).

8.2 The disciplinary action will depend on the severity, nature and circumstances of the Reportable Conduct.

9. Consequences of making a false report or disclosure

9.1 Anyone who knowingly makes a false report/disclosure of Reportable Conduct, or who otherwise fails to act in good faith in respect of the report may be subject to disciplinary action, including dismissal.

9.2 The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.

10. Access

10.1 This Policy will be distributed to all Workers via the Staff Portal.

11. Monitoring and review

11.1 The School will review this Policy every two years.

11.2 The Board will be responsible for ensuring that this Policy is reviewed and updated.