

WHISTLEBLOWER PROTECTION POLICY

1.0 INTRODUCTION

Melbourne Girls Grammar (“MGGS”, “the School”) is committed to a culture of good corporate governance and compliance and maintaining a high standard of integrity to promote school community confidence. The School upholds this commitment through its whistleblowing program by providing a mechanism to support the reporting of serious misconduct, corruption, danger and illegal practices within the School.

The School recognises that people who have a work, service or client relationship with MGGS are often the first to realise there may be something seriously wrong. They may, however, choose not to speak up due to fear of victimisation. The purpose of this policy is to set the framework to provide the protection for these individuals (both past and present) to come forward and report wrongdoing confidentially and anonymously.

2.0 OBJECTIVES

The objectives of this Whistleblower Protection Policy are to:

- provide any person (“Whistleblower”) making an allegation of Improper Conduct with a clear framework within which to make that allegation as a Protected Disclosure;
- ensure any reports of Improper Conduct are dealt with appropriately;
- provide Whistleblowers with a clear understanding of how allegations will be handled;
- protect Whistleblowers from victimisation and retaliation;
- support Whistleblowers throughout the reporting process; and
- afford natural justice and procedural fairness to anyone who is the subject of an allegation of Improper Conduct.

3.0 SCOPE

This policy covers the procedures for dealing with reports made by a member of the School community of suspected improper conduct within the School. It also addresses the protection of individuals making those reports.

4.0 DEFINITIONS

Term	Definition
Whistleblowing	The deliberate, voluntary disclosure of individual or organisational malpractice by a person who has had access to data, events or information (whether privileged, confidential or otherwise) about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control.
Whistleblower	Any school council member, committee member, employee or contractor of the School, who whether anonymously or not makes or attempts to make a protected disclosure.

Protected Disclosure	A report of Improper Conduct made in accordance with this Policy. Nothing in this Policy is intended to abrogate or diminish any additional or alternative protections which may be available at law.
Improper Conduct	As defined in Section 5.1.

5.0 REPORTING

5.1 Improper Conduct

For the purpose of this policy, improper conduct is defined as conduct which is:

- dishonest;
- fraudulent;
- corrupt;
- illegal (including theft, drug sale/use, violence or threatened violence, criminal damage against property);
- in breach of Commonwealth or Victorian legislation or local authority by-laws;
- unethical (representing a breach of the School's Staff Code of Conduct);
- conduct which by its nature is serious and improper and which if proven would constitute reasonable grounds for dismissing or taking disciplinary action against an employee or otherwise terminating the services of the person or entity;
- a substantial risk to health and safety;
- substantial mismanagement of School resources;
- substantial risk to the environment; and/or
- any other conduct which may cause financial or non-financial loss to the School or to be otherwise detrimental to the interests of MGGS.

5.2 How To Make A Whistleblower Report

All MGGS staff are encouraged, and have a responsibility to, report any known or suspected incidences of improper conduct by making a protected disclosure in accordance with this policy. MGGS staff should in the normal course first report such matters to their immediate manager. If a staff member has a concern with that course of action (for example the staff member reasonably believes that the manager is involved in the improper conduct or, for any other reason believes that it would not be deemed to be appropriate to inform their immediate manager), then the employee should lodge a Whistleblower report.

The School engages an Independent Whistleblower Service (IWS), operated by Stopline Pty Ltd ("Stopline"), which should be used to make a Whistleblower report. The IWS acts as the intermediary, providing the means for Whistleblowers to retain anonymity, whilst enabling the School to obtain further information if required. All reports received by the IWS are reported to the Risk & Compliance Manager and Human Resources unless there is a concern they have a conflict; in those situations the reports are communicated to the Chair of the Audit & Risk Management Committee in accordance with this policy. The IWS also enables the Whistleblower to receive updates from the School.

The IWS enables reports to be made anonymously and confidentially. Whilst the School would prefer Whistleblowers disclose their identity in order to facilitate any investigation, Whistleblowers are not required to identify themselves and will not be

named in any report to the School unless they have consented to their identity being disclosed.

The IWS, Stopline, can be contacted on 1300 30 45 50 between the hours of 8:00am to 6:00pm AEST from Monday to Friday (excluding Public Holidays) or via email at mggs@stopline.com.au. A report can also be lodged by their online portal – <https://mggs.stoplinereport.com>.

If the report relates to the Principal and/or Chair, the IWS will refer the report directly to the Chair of the Audit & Risk Management Committee who shall then be responsible for determining how the matter should be investigated. In other situations, the Risk & Compliance Manager and Human Resources will liaise with the Principal to determine the approach to investigations.

5.3 Contents of a Whistleblower Report

A Whistleblower report must, at a minimum, include the:

- date the Whistleblower made the report;
- date and substance of the Improper Conduct;
- identity and level of seniority of the alleged wrongdoer or wrongdoers;
- level of risk associated with the alleged wrongdoing; and
- motivation for making a Whistleblower report.

5.4 Whistleblower Obligations

When reporting, a Whistleblower must:

- act honestly with genuine or reasonable belief that the information in the allegation is true or likely to be true;
- make the disclosure in accordance with this Policy; and
- be impartial by not having personally engaged in serious misconduct or illegal conduct in relation to the Improper Conduct.

Anyone who knowingly makes a false report of Improper Conduct, or who otherwise fails to act honestly with reasonable belief in respect of the report made may be subject to disciplinary action, including dismissal in accordance with the relevant industrial instrument.

The disciplinary action will depend on the severity, nature and circumstances of the false report.

6.0 PROTECTION

6.1 Identity

The School will take all reasonable steps to protect the identity of the Whistleblower. Maintaining confidentiality is crucial in ensuring reprisals are not made against a Whistleblower.

Any staff member who breaches confidentiality is subjected to disciplinary proceedings by the School and may be liable for penalties and fines as well as up to six months imprisonment.

6.2 Welfare

All MGGS staff have an important responsibility concerning the welfare of the Whistleblower within the organisation. All MGGS staff must refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a Protected Disclosure.

All MGGS staff must take all reasonable steps to attempt to maintain the confidentiality of a person they know or suspect to have made a disclosure.

6.2.1 *Commitment to Protecting Whistleblowers*

The School is committed to the protection of genuine Whistleblowers against action taken in reprisal for the making of protected disclosures. The School is prepared to take the necessary measures to protect the Whistleblower while an investigation is in progress, when a member of staff may be particularly vulnerable. Measures that may be considered include moving a member of staff out of a department while the investigation is ongoing, granting leave, or working from home.

6.2.2 *Keeping the Whistleblower Informed*

The Principal or Chair of the Audit & Risk Management Committee via the IWS will ensure the Whistleblower is kept informed of action taken in relation to their disclosure.

6.2.3 *Whistleblowers Implicated in Improper Conduct*

The School acknowledges that the act of whistle blowing should not shield whistleblowers from the reasonable consequences flowing from any involvement in improper conduct. A person's liability for their own conduct is not affected by the person's disclosure of that conduct. In some circumstances, however, an admission may be a mitigating factor when considering disciplinary or other action.

6.2.4 *Prohibited Victimisation and Detrimental Conduct*

It is an offense under the *Corporations Act 2001* to victimise, harass, discriminate against or cause detriment to any person who makes a disclosure under this policy. Any staff member found to be in breach is subjected to disciplinary proceedings by the School and may be liable for penalties and fines as well as up to two years imprisonment. The School may also be vicariously liable as an organisation if it does not take reasonable precautions and exercise due diligence to avoid the detrimental conduct.

7.0 INVESTIGATION

7.1 Approach

The School is committed to investigating all Whistleblower reports. The type of investigation will be determined by the circumstances of the report made. The investigation will follow the principles of procedural fairness, including involving an impartial person or persons as appropriate to the investigation.

Only the Principal or Chair of the Audit & Risk Management Committee are able to investigate Whistleblower reports but may seek assistance from other members of staff where appropriate.

7.2 Internal Grievances

Whistleblowing differs from the lodgement of internal grievances under our Staff Complaints Resolutions Policy which, in general terms, deals with less serious complaints about day-to-day work-related problems, concerns or behaviours. If in doubt as to which procedure to follow, the recommendation is to follow the internal grievance procedures outlined in the *Staff Complaints Resolution Policy*.

7.3 External Agencies

The School may be required to refer an allegation of Improper Conduct to Victoria Police or other agency (e.g. Victorian Registration and Qualifications Authority, Australian Charities & Not-for-profits Commission and Department of Education & Training). In such circumstances the School may not be able to keep a Whistleblower informed on the progress of the investigation.

7.3 Communicating Findings from Investigations

The Principal or Chair of the Audit & Risk Management Committee will communicate their findings to the Audit & Risk Management Committee and recommend a course of action (if any) that the School should take in response to the findings.

Ideally, and where appropriate, the findings shall also be communicated to the Whistleblower, and, irrespective the outcome of an investigation being completed must be communicated to the Whistleblower.

8.0 RECORD KEEPING

The Executive Director, Business Services & Company Secretary is responsible for:

- establishing and maintaining the engagement with the IWS;
- generating and distributing the IWS details to the Principal and Chair of the Audit & Risk Management Committee;
- communicating this Policy and the IWS details to the School and all MGGS staff;
- responding to queries from staff about the appropriate application of this policy;
- maintaining records of reports, investigations and outcomes of all Whistleblower activity; and
- ensuring maintenance and adherence to this Policy.

9.0 RELATED POLICIES

Related policies are:

- *Staff Complaints Resolution Policy*;
- Victorian Institute of Teaching *Profession Code of Conduct*.

10.0 IMPLEMENTATION

The Whistleblower Protection Policy is available to staff on eVI and reviewed every two years.