



MENTONE GIRLS'
GRAMMAR

Whistleblowing policy

Effective

December 2019

1. Introduction

Mentone Girls' Grammar School 'the School' is committed to providing and maintaining so far as is practicable, a safe, compliant and ethical environment in which students, employees and the Mentone Girls' Grammar community both past and present can discuss and report issues perceived to be noncompliant, fraudulent, corrupt, unethical, inappropriate or suspicious.

The School does not tolerate fraud, corruption, inappropriate, criminal or unethical behaviour and encourages anyone who has observed or suspects misconduct or a wrongdoing to report these to the School. Without the initiative of Whistleblowers, a significant number of serious misconduct / wrongdoings would remain undetected and would continue causing harm and risk to the School and its community.

Mentone Girls' Grammar acknowledge that someone who approaches the School, often in difficult and stressful circumstances, to provide it with inside information about potential misconduct / wrongdoings may do so at some risk to themselves. The School gives serious and dedicated consideration to the disclosures raised and provides protections to those reporting these incidents.

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

This policy is available to all employees and the school community through m-Connect, the School website and CompliSpace. A copy can also be obtained from the School's Risk and Compliance Manager.

2. Aim & Scope

While various Acts and Regulations provide Whistleblower protections, our internal policy provides guidance on how the School will deal with reports / disclosures and investigations and protect Eligible Whistleblowers at Mentone Girls' Grammar and those associated with the School.

This policy should be read in conjunction with the following School documents:

- Complaints Handling Policy and Procedural guide
- Privacy Policy
- Conflict of Interest Policy
- Harassment and Bullying Policy
- Code of Conduct
- Child Protection Policy and Mandatory reporting obligations.

This Policy has been written with consideration of the following:

- Enhancing Whistleblower Protections Act 2019 (Cth)
- Corporations Act 2001 and its Amendments

- Whistleblowing Protection Act 2001 (Vic)
- AS 8004-2003 Whistleblower protection programs for entities

3. Key Definitions

3.1 Whistleblowing

Whistleblowing is the disclosure (reporting) by a person, usually an employee, to the public or to those in authority, of mismanagement, corruption, illegality, inappropriate conduct, or some other wrongdoing.

Disclosure / reporting of information is encouraged if the discloser has reasonable grounds to suspect that the information concerns misconduct, or an improper state of affairs or circumstances.

3.2 Eligible Whistleblower

In general, a Whistleblower is an insider within the School, who reports / discloses misconduct or dishonest or illegal activity that has occurred within that School. A Whistleblower includes both current and former students, parents, employees, officers, suppliers and contractors, as well as their spouses and dependants. A Whistleblower can also be known as a reporting entity or discloser.

3.3 Eligible Recipient

An Eligible Recipient includes senior managers (but not other employees) of the School, the School's auditors, actuaries or another person authorised by the School to act in this capacity.

The following senior managers are 'Eligible Recipients' at Mentone Girls' Grammar School and receive training on how to manage disclosures:

- School Principal
- Senior Vice Principal
- Head of Senior School
- Head of Junior School
- Whistleblowing Officer
- FGRM Chair

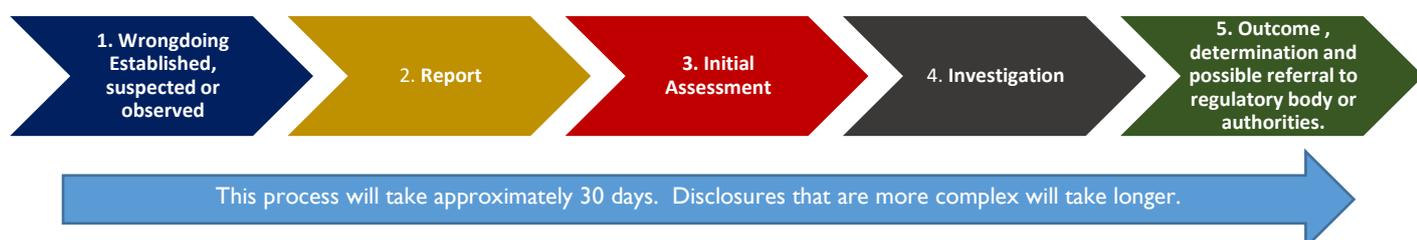
3.4 Protected Disclosure

These are reports made by Eligible Whistleblowers about unlawful or unethical conduct. This can be actual or suspected and must be accompanied by evidence that has led to this disclosure.

3.5 Frivolous and Vexatious Report/ disclosures

A frivolous claim or report is one that has no serious purpose or value. A vexatious report or complaint is one (or a series of many) that is specifically being pursued to simply harass, annoy, cause inconvenience or damage to their recipient and is usually without merit.

4. Whistleblowing Process



All Whistleblowing disclosures will be acknowledged in writing within 48 hours of receipt as long as they are not anonymous and we are able to contact the Whistleblower.

5. Reportable Wrongdoings / Conduct

A student, parent, employee or other person involved with the School should report the following conduct if observed or suspected:

- Dishonesty
- Unethical conduct
- Serious impropriety
- Repeated unsafe work practices
- Conduct endangering health, wellbeing and safety
- Child Abuse and unacceptable behaviour towards children
- Illegal acts including theft, drug sale or use, violence or threatened violence and all criminal activity
- Breaches of relevant laws, regulations, by-laws and standards;
- Conduct which may cause loss to the School or be otherwise detrimental to the School.
- Financial Crime and corruption
- Substantial mismanagement of resources
- Fraudulent activity
- Impeding internal or external audit processes
- Concealment of wrongdoings
- Environmental Risk
- Offer or receipt of a bribe
- Engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or is believed or suspected to have made or be planning to make a disclosure.

5.1 Personal Grievances

The Whistleblowing process excludes most disclosures of personal work-related grievances from protection; however, a disclosure of a work-related grievance will be protected and therefore considered under this policy if it relates to systemic issues, or involves detrimental conduct / threat to the Whistleblower.

Personal Grievances will be redirected through to the School's Complaints Handling Process and will involve the Human Resources Department and potentially the Principal and the Risk and Compliance Manager, who will then take responsibility for the investigation of the matter.

Personal grievances can be made through the Complaints form in CompliSpace via m-Connect.

6. Protections and support for Whistleblowers

Maintaining the confidentiality and anonymity of a Whistleblower is paramount. The School and any person involved in investigating a disclosure or dealing with a Whistleblower will do everything reasonably possible to ensure that the Whistleblower's identity will remain confidential and not disclosed unless required by law.

The Corporations Act s1317A(5)(a), requires the School to provide the following protections to a Whistleblower:

- Identity protection
- Protection from detrimental acts or omissions
- Compensation and remedies
- Civil, criminal and administrative liability protection

Where, because of the nature of the disclosure, or because of cooperation with law enforcement authorities, it is not possible to maintain a Whistleblower's confidentiality, the Whistleblower Officer will inform the Whistleblower as soon as possible and work with them to minimise the impact of the loss of confidentiality and anonymity and support them.

Where possible, the following options may be provided to the Whistleblower as support:

- a leave of absence
- temporary relocation to another role or area of the School while maintaining pay and seniority
- provision of counselling services through the Employee Assistance Program.

6.1 Anonymity

A Whistleblower is not required to disclose their identity to receive protection under this policy. However, due to the inability to directly communicate with anonymous Whistleblowers, it is not possible to maintain communication with them regarding the outcome of any investigation unless they have provided a pseudonym for communication purposes.

7. Reporting

The School will act on any report / disclosure only when the disclosure truly is whistleblowing as opposed to personal grievances.

This Policy does not prevent students, employees or the School's community from reporting wrongdoings to a regulator under an applicable law or prudential standard. However where possible, the School would appreciate the opportunity to investigate the matter and remedy this first.

The School encourages reporting as early as possible. It is not expected that a Whistleblower will be an expert on the law and the School discourages anyone conducting their own investigation. It is also important that any suspects are not made aware of detection, suspicion or reporting of their behaviour in order to ensure that evidence is not tampered with.

7.1 Who to report to

Disclosures can be made to Eligible Recipients as noted in Section 3.3 or anonymously through the Whistleblowing link on the School's Website or through CompliSpace in m-Connect. We strongly encourage Whistleblowers to first report any wrongdoing / misconduct to the Whistleblowing Officer if possible and then an Eligible Recipient. However, if a Whistleblower is not comfortable to make a report to the School, reports can be made to:

- a regulatory body such as the VRQA or Department of Education,
- police,
- legal practitioners
- parliamentarian

7.2 How to make a report

All disclosures can be made to the Whistleblowing Officer or an 'Eligible Recipient' verbally or in writing. The School has a Whistleblowing Reporting Form in CompliSpace via m-Connect and can be found with the Incident reporting forms.

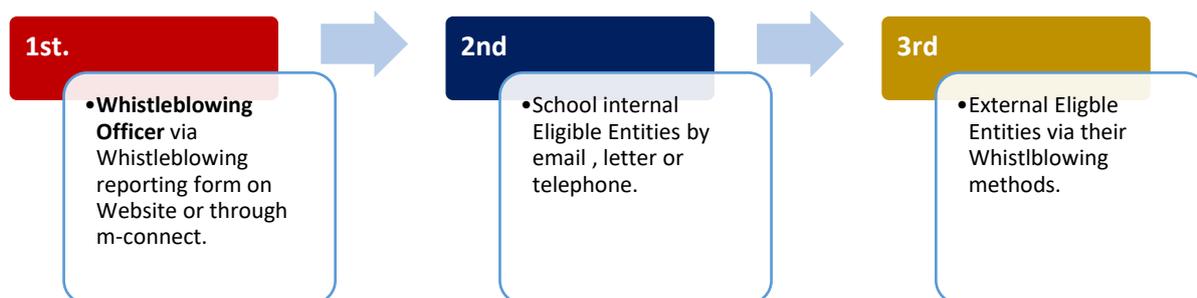
This form can be submitted anonymously and is also located on the School's public website:

<https://www.mentonegirls.vic.edu.au/contact-us>

Where there is doubt about whether a disclosure falls within this Policy, you may discuss it informally and confidentially with the Risk and Compliance Manager first.

All Whistleblowing reports will be kept confidential and secure unless we are legally bound to provide details to authorities. All persons making a report are assured that in making a report they will not be personally disadvantaged by dismissal, demotion, subject to harassment, discrimination or current or future bias. The person making the report will be kept informed of the progress of the investigation. This timeframe will be negotiated with the Whistleblowing investigator.

Preferred reporting hierarchy



7.3 Reasonable grounds for reporting

The Whistleblower must have genuine and reasonable grounds to suspect misconduct or a wrongdoing to be able to make a report and benefit from the Whistleblower protections.

8. Confidentiality

All parties involved in the reporting and investigation of Whistleblowing allegations are bound to confidentiality during and after the investigation. Maintaining the confidentiality of a Whistleblower is paramount.

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 allegation unless required by law.

Abuse of the confidential reporting process will not be tolerated and will be treated as a serious breach of the School's Code of Conduct with vigorous investigation into the breach source.

8.1 Legal disclosure

Where, because of the nature of the reported disclosure, or because of cooperation with law enforcement authorities, it is not possible to maintain a Whistleblower's confidentiality, the Whistleblowing Officer will inform the Whistleblower as soon as possible and work with them to minimise the impact of the loss of confidentiality.

8.2 Penalties for Breaches

Failure to comply with the confidentiality and detrimental conduct provisions are criminal offences, punishable by imprisonment and / or fines. That is why the School will ensure confidentiality of the disclosure and those involved unless a legal obligation requires us to report this matter to authorities.

Breaches of confidentiality will be treated as a serious breach of the School's Code of Conduct and Privacy Policy and will lead to disciplinary action including possible instant dismissal.

9. Investigation

All protected disclosures will be subject to thorough investigation by the Whistleblowing Officer. If the Whistleblowing Officer is unable to conduct the investigation impartially or effectively, or their involvement in the investigation may create a perception of bias, the School Principal in consultation with the FGRM Chair will appoint an independent Investigative Officer.

The investigator who will be fair and independent of the person who made the report and the person who is the subject of the reportable conduct will follow best practices.

The investigator may seek further information from the Whistleblower or other persons in the course of the investigation but must remember at all times the importance of protecting the identity of the Whistleblower.

The exact nature and outcome of an investigation will depend on the nature of the disclosure and may involve liaison with external organisations such as the police or regulators. Where a disclosure has been found to be without merit, this will be explained to the Whistleblower in writing.

8.1 Investigation Process



10. Whistleblowing Officer

The School is committed to ensuring the Whistleblowing Officer is appropriately qualified for this role and readily accessible.

Contact Details:

Mr Brian Trumble

Business Manager, Mentone Girls' Grammar School

Ext: 207

Ph: 03 9581 1207

Mob: 0438 554 424

Email: Whistleblowing@mentonegirls.vic.edu.au

If the disclosure involves the Whistleblowing Officer, disclosures will need to be made to the School Principal instead.

11. Victimisation and Recrimination

Whistleblowers will not suffer victimisation or recrimination as a result of making a disclosure/ report.

Victimisation and recrimination by anyone in the Mentone Girls' Grammar community towards a Whistleblower will not be tolerated.

Some examples include:

- loss of job
- physical or psychological abuse, harassment or threats
- demotion of role, pay or entitlements
- current or future bias and discrimination within the School
- loss or risk of loss of contracts or business with the School
- Expulsion of children from the school
- Malicious and vexatious rumours
- Covert and cyber bullying

Any form of criticism, threats, blaming, violence or retaliation towards a Whistleblower for making a disclosure is strictly prohibited and is a cause for disciplinary action, including instant dismissal.

11.1 Victimisation

Victimisation is when someone 'subjects or threatens to subject the other person to any detriment' overtly or covertly.

12. Training

All training will be recorded on the School Training register

12.1 Eligible Recipients

Education and training about the management procedures involved under this Whistleblower Policy will be provided to the Whistleblowing Officer and those Senior Managers involved in managing or investigating

disclosures. Further skills training may also be provided to assist those investigating the disclosure to ensure the best outcome possible.

12.2 School Community

The School community, particularly students and parents will be educated and kept informed in relation to this policy and the protections and procedures contained therein. A copy of this policy will be kept on m-Connect in the parent's and student's portal.

12.3 Employees, Council and Contractors

New employees to the School will receive training on this policy during their induction. Contractors will have the Whistleblowing mechanism advised to them. Staff and the School Council will receive training on this policy biennially.

12.4 Refresher Training

Refresher training on the Whistleblowing and Complaints handling processes will be undertaken biennially or when new regulations are introduced.

13. Policy Document Management

DOCUMENT HISTORY & AUTHORISATION			
Original Effective date	1 January 2020	Original author	Helen Georgiou Risk and Compliance Manager
Document update review		Update by	
Review date		Review by	SMT School Council
Approval date	18.12.2019	Approved by	School Council and SMT
Version control	VI December 2019		
Type of Policy	New Policy		
MAINTANENCE			
Policy location	Complispace & M-connect		
Circulation	Staff Students Parents General Public		
Awareness & Release Campaign	January 2020	Date of Release	18.12.2019
Revision Frequency	Every 2 years		
Next Review date	November 2021		
Monitoring	The School will monitor and review this policy biennially or when there is a legislative change, to assess its effectiveness in encouraging the reporting of reportable conduct, protection of persons making reports, and investigation procedures of disclosures.		
Regulatory Obligations			
Enhancing Whistleblower Protections Act 2019			