



## **SCHOOL VISION**

To encourage children to strive to be their best self, now and in the future, for the betterment of all humanity and the planet.

### **We action our Vision through our School's Values**

- **COURAGE** to do the right thing.
- **CURIOSITY** to know and learn.
- **CHARACTER** to be one's best self.
- **RESPECT** to live wisely and compassionately with others and the planet.

Our School values of Courage, Curiosity, Character, and Respect have been developed through engagement with key stakeholder groups (students, parents, staff, alumni and our Council) and sit at the heart of our education community, guiding every aspect of our learning and decision making.

### **Purpose**

Growing good people in an intellectually rich, supportive and stimulating environment so that they are ready for life.

## **INTRODUCTION**

The Corporations Act 2001 (Corporations Act) provides a consolidated whistleblower protection regime for Australia's corporate sector. The regime requires public companies to have a whistleblower policy and make that policy available to their employees.

St Margaret's Berwick Grammar is committed to ensuring a respectful learning environment that is safe, positive and supportive for all students, staff and visitors to the School. Recognising the expectations of the School's community the School Council is committed to best practice in corporate governance, compliance and ethical behaviour.

## **PURPOSE**

The purpose of this policy is to:<sup>1</sup>

- deter wrongdoing and encourage disclosures of wrongdoing.
- ensure disclosures are dealt with appropriately and on a timely basis.

## **SCOPE**

This policy applies to.

- all staff.
- any person wishing to make a disclosure; and
- any person authorised to receive a disclosure.

This policy does not apply to:

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<sup>1</sup> See **Australian Securities and Investments Commission, *Regulatory Guide 270: Whistleblower Policies* (November 2019) RG 270.40.**

- complaints or allegations of staff misconduct.
- complaints or allegations made by students or parents.<sup>2</sup>
- personal work-related grievances (see definitions below).
- disclosures about reportable conduct.<sup>3</sup> and
- unlawful discrimination, harassment or bullying.<sup>4</sup>

## THE POLICY

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.

### 1. What is the process for making a disclosure?

**See Appendix A.**

All St Margaret's Berwick Grammar 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.

#### **Anonymous Disclosures**

An Eligible Whistleblower can choose to remain anonymous. However, an anonymous disclosure may make it difficult to investigate the matter.

- The school therefore encourages the Eligible Whistleblower to provide their name and contact information. If an Eligible Whistleblower wishes to remain anonymous, they should provide sufficient information to allow the matter to be properly investigated.
- The school encourages the Eligible Whistleblower to provide an anonymous email address through which additional questions can be asked and information provided. It will also allow the school to report on the progress of the investigation.
- Alternatively, the Eligible Whistleblower may adopt a pseudonym for the purpose of their disclosure.

### 2. What is the process for handling and investigating a disclosure

**See Appendix B**

St Margaret's Berwick Grammar is committed to investigating all whistleblower reports. The type of the investigation will be determined by the circumstances of the report. The investigation will follow the principles of procedural fairness.

### 3. Protection for Eligible Whistleblowers

The following protections apply not only to internal disclosures, but also to disclosures to legal practitioners, regulatory and other external bodies, and public interest and emergency

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<sup>2</sup> Those concerns will be addressed in accordance with 2025 Complaints and Grievances Policies – Community, Staff and Students

<sup>3</sup> Those concerns will be addressed in accordance with the 2025 Reportable Conduct Policy.

<sup>4</sup> Those concerns will be addressed in accordance with the 2024 Respectful Workplace Policy.

disclosures that are made in accordance with the Corporations Act.

To qualify for Protection under this policy, disclosures must:

- be made by an Eligible Whistleblower.
- be made to an Eligible Recipient; and
- concern a Disclosable Matter.

Eligible Whistleblowers who make a **Public Interest Disclosure** or an **Emergency Disclosure** may also qualify for Protection.

**Eligible Whistleblowers who make a disclosure to ASIC, APRA or a prescribed Commonwealth authority may also qualify for Protection.**

### ***Identity Protection***

St Margaret's Berwick Grammar will take all reasonable steps to protect the identity of the whistleblower. A person cannot disclose the identity of a discloser or information that is likely to lead to the identification of the discloser. Maintaining confidentiality is crucial in ensuring reprisals are not made against the whistleblower.

The exception to this identity protection is if a person discloses the identity of the discloser to

- a. ASIC, APRA or a member of the Australian Federal Police
- b. To a legal practitioner for the purposes of obtaining legal advice or legal representation about the whistleblower provisions in the Corporations Act.
- c. To a person prescribed by the regulations or
- d. With the consent of the discloser.

### ***Exceptions to Identity Protection***

A person can disclose information contained in a disclosure with or without the discloser's consent if

- a. The information does not include the discloser's identity.
- b. The entity has taken all reasonable steps to reduce the risk that the discloser will be identified from the information and
- c. It is reasonably necessary for investigating the issues raised in the disclosure.

**It is illegal for a person to identify a discloser or disclose information that is likely to lead to the identification of the discloser outside the exceptions above.**

### ***Complaints about Breach of Confidentiality***

A discloser can lodge a complaint with the School about a breach of confidentiality. A discloser may also lodge a complaint with a regulator such as ASIC, APRA or the ATO for investigation.

### ***Detriment in Relation to Disclosure***

A person cannot engage in conduct that causes detriment to a discloser (or another person) in relation to a disclosure if

- a. That person believes or suspect that the discloser (or another person) made, may have made, proposes to make or could make a disclosure that qualifies for protection and
- b. The belief or suspicion is the reason, or part of the reason for the conduct.

In addition, a person cannot make a threat to cause detriment to a discloser (or another

person) in relation to a disclosure. A threat may be express or implied or conditional or unconditional. A discloser (or other person) does not have to actually fear that the threat will be carried out.<sup>5</sup>

### ***Compensation and Other Remedies***

The discloser can seek compensation and other remedies through the courts if

- a. They suffer loss, damage or injury because of a disclosure and
- b. The School failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.<sup>6</sup>

### ***Civil, Criminal and Administrative Liability Protection***

An eligible discloser is protected from the following in relation to their disclosure

- a. Civil liability – any legal action against the discloser for breach of an employment contract, duty of confidentiality or another contractual obligation.
- b. Criminal liability – attempted prosecution of the discloser for unlawfully releasing information or other use of the disclosure against the discloser in a prosecution (other than for making a false disclosure) and
- c. Administrative liability – example, disciplinary action for making the disclosure.

**Note: The protections above do not grant immunity for any misconduct a discloser had engaged in that is revealed in their disclosure.**

## **4. Support and Practical Protection for Whistleblowers**

St Margaret's Berwick Grammar 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. Measures that may be considered include moving a staff member out of a particular section while the investigation is ongoing, granting leave or working from home.

- All personal information or reference to the discloser will be redacted from the information contained in a disclosure.
- All paper and electronic documents and other materials relating to the disclosure will be stored securely.
- The discloser will be supported by management with strategies to help a discloser minimise stress time or performance impacts or other challenges resulting from the disclosure or its investigation.

## **5. Keeping the Whistleblower informed**

The Principal or the President of the School Council will keep the Whistleblower informed of action taken in relation to their disclosure.

## **6. Whistleblowers Implicated in Improper Conduct**

St Margaret's Berwick Grammar 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

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<sup>5</sup> See s1317AC Corporations Act.

<sup>6</sup> See s 1317AD Corporations Act. Disclosers should seek independent legal advice if pursuing a claim.

disclosure of that conduct. However, in some circumstances an admission may be a mitigating when considering disciplinary or other action.

## 7. Complaints and Grievances Policies

Whistleblowing differs from the lodging of internal grievances under the School's Complaints and Grievances policies. The Complaints and Grievances policies deal with less serious complaints about day-to-day work problems, concerns or behaviours. If the Whistleblower is in doubt about which procedure to use it is recommended that they use the School's Complaints and Grievances policies.

## DEFINITIONS

See table below.

Term	Definition
APRA	Australian Prudential Regulation Authority
ASIC	Australian Securities and Investments Commission
ATO	Australian Tax Office
detrimental conduct	<p>Detriment has a very broad meaning and includes.</p> <ul style="list-style-type: none"> <li>• dismissal of an employee.</li> <li>• injury of an employee in his or her employment.</li> <li>• alteration of an employee's position or duties to his or her disadvantage.</li> <li>• discrimination between an employee and other employees of the same employer.</li> <li>• harassment or intimidation of a person.</li> <li>• harm or injury to a person including psychological harm.</li> <li>• damage to a person's property.</li> <li>• damage to a person's reputation.</li> <li>• damage to a person's business or financial position.</li> <li>• any other damage to a person.</li> </ul> <p>Examples of actions that <b>are not</b> detrimental include.</p> <ul style="list-style-type: none"> <li>• Administrative action that is reasonable for the purpose of protecting a discloser from detriment (e.g. moving a discloser who has made a disclosure about their immediate work area to another office to prevent them from detriment) and</li> <li>• managing the discloser's unsatisfactory work performance if the action is in line with the School's performance management framework.</li> </ul>

Term	Definition
disclosable matter	Information about which an eligible whistle-blower has reasonable grounds to suspect concerns. <sup>7</sup> <ul style="list-style-type: none"> <li>• misconduct.</li> <li>• an improper state of affairs or circumstances.</li> <li>• illegal activity<sup>8</sup> or</li> <li>• conduct that represents a danger to the public or financial system.</li> </ul>
discloser	A person who discloses wrongdoing or an Eligible Whistleblower.
eligible recipient	A person who is authorised to receive a disclosure and includes any person who occupies any of the following roles in relation to the school <ul style="list-style-type: none"> <li>• a Council member.</li> <li>• a senior manager.</li> <li>• an auditor of the school or of a related company.</li> <li>• an actuary of the school or a related company; or</li> <li>• the Director of Business Operations / Council Secretary whom the Council has authorised to receive disclosures.</li> </ul>
eligible whistleblower <sup>9</sup>	A person who is or has been any of the following in relation to the school. <ul style="list-style-type: none"> <li>• a Council member.</li> <li>• an employee.</li> <li>• a person who supplies goods or services (paid or unpaid).</li> <li>• an employee of a person who supplies goods or services (paid or unpaid).</li> <li>• a person who is an associate of the school; or</li> <li>• a spouse, relative or dependant of any of the above.</li> </ul>
emergency disclosure	A disclosure made by an Eligible Whistleblower to a journalist or a member of Parliament where the following circumstances are met. <sup>10</sup> <ul style="list-style-type: none"> <li>• the information has been previously disclosed to ASIC, APRA or a prescribed Commonwealth authority; and</li> <li>• the Eligible Whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and</li> <li>• before making the disclosure, the Eligible Whistleblower gives written notice to the original recipient that includes sufficient information to</li> </ul>

<sup>7</sup> Ibid s 1317AA (4).

<sup>8</sup> Illegal activity means activity in breach of the Corporations Act 2001 (Cth) or an offence against any law of the Commonwealth that is punishable by 12 months imprisonment.

<sup>9</sup> Students and parents are not eligible whistleblowers.

<sup>10</sup> *Corporations Act 2001* (Cth) s 1317AAD; See also Australian Securities and Investments Commission, *Regulatory Guide 270: Whistleblower Policies* (November 2019) RG 270.76.

Term	Definition
	<p>identify the previous disclosure and states that they intend to make an emergency disclosure; and</p> <ul style="list-style-type: none"> <li>the disclosure of information is no greater than necessary to inform the recipient of the substantial and imminent danger.</li> </ul>
examples of a disclosable matter.	<p>A Disclosable Matter can include any conduct in relation to the operation of the school that involves.<sup>11</sup></p> <ul style="list-style-type: none"> <li>fraudulent activity (e.g. bribery, money laundering or misappropriation of funds).</li> <li>unlawful or corrupt use of school funds.</li> <li>improper accounting or financial reporting practices.</li> <li>negligence.</li> <li>breach of duty.</li> <li>dishonest or illegal activity (e.g. theft, dealing in or use of illicit drugs, violence and property damage).<sup>12</sup></li> <li>behaviour that is contrary to the Child Safe Standards; or</li> <li>engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure or who is planning to make a disclosure.</li> </ul>
exceptions to personal work-related grievances.	<p>A personal work-related grievance may still qualify for protection if.<sup>13</sup></p> <ul style="list-style-type: none"> <li>it is a mixed report (e.g. it includes or is accompanied by a personal work-related grievance)</li> <li>the School has breached employment or other laws punishable by 12 months or more imprisonment, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances.</li> <li>the discloser suffers from or is threatened with detriment for making a disclosure or</li> <li>the discloser seeks legal advice or representation about the protections.</li> </ul>
improper conduct	<p>Improper conduct is defined as conduct that is</p> <ul style="list-style-type: none"> <li>dishonest</li> <li>fraudulent</li> <li>corrupt</li> <li>illegal (including drug sale / use, violence or threatened violence, criminal damage against property)</li> <li>in breach of Commonwealth or Victorian legislation or local authority by laws</li> <li>unethical</li> <li>other serious improper conduct which if proven could constitute reasonable grounds for dismissing or taking disciplinary action against an employee as defined in the definition of Whistleblowing.</li> </ul>

Term	Definition
personal information	<b>Personal Information</b> has the same meaning in the <i>Privacy Act 1988</i> (Cth).
personal work-related grievances	Examples of personal work-related grievances include <ul style="list-style-type: none"> <li>• interpersonal conflicts between employees.</li> <li>• decisions relating to the engagement, transfer or promotion of an employee.</li> <li>• workplace bullying disputes.</li> </ul>
protected disclosure	Any good faith communication based on reasonable grounds that discloses or demonstrates an intention to disclose information that may evidence improper conduct.
protection	<p>Protection means that the identity of the Eligible Whistleblower (and information that could identify them) is kept confidential, unless the Eligible Whistleblower consents to their identity being disclosed.</p> <p><b>Exceptions</b></p> <p>The school may be required to disclose the identity of the Eligible Whistleblower to ASIC, APRA, the VRQA, the Department of Education and Training, the Australian Federal Police, or a legal practitioner in order to obtain advice about the whistleblower protections.</p> <p>It is also permissible to disclose information which could lead to the identification of the Discloser if the disclosure is reasonably necessary for the purpose of investigating the matter, if all reasonable steps are taken to reduce the risk that the Discloser will be identified as a result of the information being disclosed.</p> <p>It is illegal for a person to reveal the identity of an Eligible Whistleblower, or information likely to lead to the identification of an Eligible Whistleblower, outside of these circumstances.</p>

<sup>11</sup> **Note:** If a disclosure is not about a Disclosable Matter, the person making the disclosure will not qualify for Protection under this policy. A discloser may be qualified for protection even if their disclosure turns out to be incorrect.

<sup>12</sup> Illegal activity means activity in breach of the Corporations Act 2001 (Cth) or an offence against any law of the Commonwealth that is punishable by 12 months imprisonment.

<sup>13</sup> Australian Securities and Investments Commission, *Regulatory Guide 270: Whistleblower Policies* (November 2019) RG 270.63.



Term	Definition
public interest disclosure	<p><b>Public Interest Disclosure:</b> A disclosure made by an Eligible Whistleblower to a journalist or member of Parliament where the following circumstances are met:<sup>14</sup></p> <ul style="list-style-type: none"> <li>a. the information has been previously disclosed to ASIC, APRA or a prescribed Commonwealth authority; and</li> <li>b. at least 90 days has passed since the first disclosure was made; and</li> <li>c. the Eligible Whistleblower does not have reasonable grounds to believe action is being, or has been, taken to address the information in the disclosure; and</li> <li>d. the Eligible Whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest; and</li> <li>e. before making the disclosure, the Eligible Whistleblower gives written notice to the original recipient that includes sufficient information to identify the previous disclosure and states that they intend to make a public interest disclosure; and</li> <li>f. the extent of information disclosed is no greater than necessary to inform the recipient of the Disclosable Matter.</li> </ul>
reasonable grounds	<p>An eligible whistleblower will have reasonable grounds if the suspicion is</p> <ul style="list-style-type: none"> <li>• founded on facts and information available to the whistleblower having regard to all the circumstances when considered objectively.</li> <li>• A suspicion that other people in a similar position might reasonably draw and</li> <li>• Not fanciful, illogical or irrational.<sup>15</sup></li> </ul> <p>An eligible whistleblower does not need to prove the suspicion or provide evidence.</p> <p>If a disclosure is made without ‘reasonable grounds’ the person making the disclosure will not qualify for protection under this policy.</p>
Whistleblower	Any employee, director, related officer or contractor of St Margaret’s Berwick Grammar who whether anonymously or not makes or attempts to make a disclosure

<sup>14</sup> Ibid s 1317AAD; See also Australian Securities and Investments Commission, *Regulatory Guide 270: Whistleblower Policies* (November 2019) RG 270.75.

<sup>15</sup> *George v Rockett* (1990) 170 CLR 104.

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 or confidential or otherwise) about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control.

## ROLES AND RESPONSIBILITIES

### The governing Council is responsible for:

- determining this policy and reviewing it on a biennial basis.
- responding to a disclosure when authorised to do so; and
- monitoring the number, nature and outcome of disclosures, whilst maintaining confidentiality.

### The Principal is responsible for:

- overseeing a school culture where concerns and complaints are addressed appropriately and handled respectfully and fairly.
- ensuring that this policy is communicated to all staff and the school community.
- establishing processes to manage and investigate disclosures made under this policy.
- retaining a confidential register of disclosures made under this policy for purpose of reporting to the Council and
- providing training for staff and retaining a record of that training.<sup>16</sup>

### Eligible Recipients are responsible for:

- understanding the school's whistleblower policies and procedures.
- undertaking training; and
- receiving and responding to a disclosure made under this policy.

### Staff are responsible for:

- understanding the school's whistleblower policies and procedures; and
- undertaking training.

## RELEVANT LEGISLATION

Associations Incorporation Reform Act 2021 (Vic)

Corporations Act 2001 (Cth)

## COMMUNICATION

This policy will be published on the St Margaret's Berwick Grammar website. It will be made available to Council members and all staff on Nexus.

The School will

- hold staff meetings or smaller meetings to discuss the details of this policy.

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<sup>16</sup> It is recommended that schools provide training to every employee.

- Post the policy on Nexus.
- Post information about this policy on staff noticeboards
- Set out the policy in the employee handbook
- Incorporate the policy in employee induction information packs and training for new starters.

## **RELATED POLICIES**

This policy should be read in conjunction with other School policies and procedures.

Child Safety Policies

Complaints and Grievance Policies – Community, Staff and Students (under development)

Reportable Conduct Policy (under development)

Student Safety Concerns – Reporting Obligations (under development)

## **RESOURCES**

ASIC Regulatory Guide 270 Whistleblower Policy © Australian Securities and Investment Commission November 2019.

**Guide for Schools Developing a Whistleblower Policy** © Independent Schools Victoria

**Whistleblower Model Policy** © Independent Schools Victoria 2021

## **CONTACT INFORMATION**

For further information in relation to this policy contact the Risk and Compliance Manager on [compliance@smbg.vic.edu.au](mailto:compliance@smbg.vic.edu.au) or the Director of Business Operations [businessmanager@smbg.vic.edu.au](mailto:businessmanager@smbg.vic.edu.au)

## **REVIEW**

Document Owner	Risk and Compliance Manager
Approved by Principal	November 2024
Published – Nexus	March 2025
Next Review	November 2027



## APPENDIX A

### Process for making a disclosure

St Margaret's Berwick Grammar staff should in the normal course first report known or suspected incidences of **improper conduct** to their immediate manager by making a **protected disclosure**.

However, if a staff member has a concern that the manager is involved in the improper conduct or for any other reason that it would not be appropriate to inform their immediate manager then the staff member should notify the Principal, the Council President, or the Deputy Council President of the School Council.

**An eligible whistle-blower should follow the following steps:**

#### 1. Make an informal complaint

An Eligible Whistleblower should first seek to make a complaint informally.

This can be done verbally or in writing to the:

- Principal via email [principal@smbg.vic.edu.au](mailto:principal@smbg.vic.edu.au) or
- Council President via email [presidentofschoolcouncil@smbg.vic.edu.au](mailto:presidentofschoolcouncil@smbg.vic.edu.au).

#### 2. Seek advice

An Eligible Whistleblower may wish to seek advice from:

- someone trusted (e.g. a senior manager or board member within the school); or
- an independent legal practitioner.

#### 3. Make a written disclosure

An Eligible Whistleblower can make a formal disclosure to any Eligible Recipient.

- The school encourages disclosures to be made in writing to the Principal via email [principal@smbg.vic.edu.au](mailto:principal@smbg.vic.edu.au)
- If it is not appropriate for the disclosure to be made to the Principal, the Eligible Whistleblower can make the disclosure in writing to the Council President via email [presidentofschoolcouncil@smbg.vic.edu.au](mailto:presidentofschoolcouncil@smbg.vic.edu.au).

#### Tips for Eligible Whistleblowers making a disclosure

- Clearly state the information and facts on which you have based your concern.
- Only disclose the names and contact details of other people connected to the disclosure to the extent necessary for the Eligible Recipient to understand the nature of the concern.
- Provide your name and contact details. Alternatively, you can report anonymously.

**Note:** Where a disclosure is made to an Eligible Recipient who is not the Principal, then subject to the confidentiality protections set out below, it will generally be passed onto the Principal.

#### 4. Information about making an anonymous disclosure

St Margaret's Berwick Grammar acknowledges and makes provision for the anonymous reporting of a whistle-blower allegation. Options for staff in making an anonymous report are as follows:

- Sending the report by post to the Principal or the President marked 'Private and Confidential'.
  - Making a report via confidential email addresses to:
    - The Principal via email [principal@smbg.vic.edu.au](mailto:principal@smbg.vic.edu.au) or
    - The Council President via email [presidentofschoolcouncil@smbg.vic.edu.au](mailto:presidentofschoolcouncil@smbg.vic.edu.au).
  - Calling the main reception or any of the School's administrative offices on (03) 9703 8111.
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## **APPENDIX B**

### **Process for handling and investigating a disclosure**

#### **1. Acknowledge receipt of the disclosure**

- The school will acknowledge receipt of the disclosure within a reasonable period.

#### **2. Assess the disclosure**

- The school will assess the disclosure to determine whether:
  - it qualifies for Protection under this Policy; or
  - it concerns a matter which should be managed in accordance with the school's related policies.
- The school will then assess whether an investigation is required, and if so, how that investigation should be carried out.
- If an investigation is required, the school will determine:
  - the nature and scope of the investigation.
  - who should lead the investigation (including whether an external investigation is appropriate).
  - the nature of any technical, financial or legal advice that may be required to support the investigation; and
  - the anticipated timeframe for the investigation.

#### **3. Undertake an investigation [if appropriate]**

- The school will endeavour to complete the investigation as soon as practicable.
- The school will appoint an investigator, which may be internal or external to the school, depending on the nature of the allegation.
- The investigator may undertake some or all of the following tasks:
  - seek further information and evidence from the Eligible Whistleblower either in writing or in person.
  - seek information and evidence from other sources as appropriate, (e.g. conducting interviews or reviewing documentation).
  - seek advice from external professionals.
  - refer the matter to regulators or other authorities if necessary.
  - draft a report to summarise their findings; or
  - make recommendations for action.

#### **4. Report on the outcome of the investigation**

- The investigator will prepare a report on the outcome of the investigation which will be provided to the Principal and the Council, unless they are the subject of the allegations. The method for documenting and reporting the findings will depend on the nature of the disclosure. There may be circumstances where it may not be appropriate to provide details of the outcome to the Eligible Whistleblower.

- The investigator will make recommendations to the Council as to whether and how the findings should be communicated back to the Eligible Whistleblower, to the school community, and/or to the authorities (if appropriate).
- The investigator will also make recommendations to the Council as to the archiving of the report, bearing in mind the need for confidentiality.
- If the disclosure is made to regulators or other authorities, their investigation process will normally take precedence to that of the school.

#### **5. Keep the Eligible Whistleblower informed about the investigation**

- Where practicable, the school will keep the Eligible Whistleblower informed of the steps taken or to be taken (or if no action is to be taken, the reason for this).
- Where practicable, whistleblowers will receive updates:
  - when the investigation process has begun.
  - while the investigation is in progress; and
  - after the investigation has been finalised.

**Note:** The frequency and timeframe of any updates may vary depending on the nature of the disclosure. The school will also have regard to confidentiality considerations when providing updates.

#### **6. Ensure the fair treatment of employees mentioned in the disclosure**

- The school will take reasonable steps to ensure the fair treatment of employees who are mentioned in a disclosure that qualifies for Protection. This includes:
  - disclosures will be handled confidentially.
  - each disclosure will be assessed and may be the subject of an investigation.
  - the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported.
  - when an investigation needs to be undertaken, the process will be objective, fair and independent.
  - employees about whom disclosures are made will generally be given an opportunity to respond to the relevant allegations made in the qualifying disclosure; and
  - employees about whom disclosures are made may contact the entity's support services.
- The school's employee assistance program (EAP) services will be available to employees affected by the disclosure, should they require that support.

#### **7. Reviewing the outcome of an investigation**

- If an Eligible Whistleblower is not satisfied with the outcome of an investigation, then the Eligible Whistleblower may request that the school review the investigation into the disclosure.
- The request must be made in writing to the Principal or the Council President.
- The school is not obliged to reopen an investigation and can conclude a review if it finds that the investigation was conducted properly in accordance with this policy, or new information is either not available or would not change the findings of the investigation.