



Document:	Developed:	Owner:	Review:	Date of last review:
<b>Whistleblower Policy and Procedure</b>	<b>May 2015</b>	<b>Board</b>	<b>Annually</b>	

**College Mission:**

We are an independent, K-12, co-educational school community of the Uniting Church in Australia, located in Baldivis, Western Australia.

Our **purpose** is to be an accessible and inclusive community in which student wellbeing and learning are the responsibilities of all members of our school community.

The values that guide our practices are: Personal mastery; Breadth and depth of learning; Respect: Integrity and Service.

## WHISTLEBLOWER POLICY AND PROCEDURE

Tranby College is committed to community standards, expectations and relevant legal and ethical guidelines in relation to professional behaviour. Tranby College does not tolerate unethical, unlawful or undesirable conduct and is committed to the protection of our integrity, values and staff welfare. Executive management encourage a culture of supporting and valuing the reporting of improper conduct, corruption and serious waste.

Tranby College recognises that the most common method of detecting improper conduct is by notification of the improper conduct by its own team members. Tranby College is committed to maintaining an environment in which all staff, volunteers, casual staff and contractors are able to report, without fear of retaliatory action, concerns about any serious instances of improper conduct that they believe may be occurring. If necessary reports can also be made anonymously through Tranby College's independent, impartial whistleblowing service.

This policy is concerned about reporting matters in the public interest and is not intended to replace other reporting structures such as those for dispute resolution, complaints/grievances, equal opportunity, discrimination, harassment or bullying except where the issue is of a serious nature where existing reporting systems have failed to process the issue or processed it in an inappropriate, unfair or biased manner.

Whistleblowing can be defined as: the deliberate, voluntary disclosure of individual or organisational improper conduct by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated improper conduct or wrongdoing within or by an organisation that is within its ability to control.

Improper conduct covered by the policy includes any conduct that is:

- dishonest, fraudulent or corrupt;
- illegal, such as theft, drug sale or use, violence, harassment, criminal damage to property or other breaches of state or federal legislation;
- wilful breach of Tranby College's Code of Conduct;
- unethical, such as dishonestly altering company records, engaging in questionable accounting practices;
- misusing information technology such as IT equipment, social media sites or data phones;
- potentially damaging to Tranby College or a Tranby College employee, such as unsafe work practices or substantial wasting of resources;



- may cause financial loss to Tranby College or damage its reputation or be otherwise detrimental to Tranby College's interests;
- involving any other kind of serious impropriety; or
- an intent or preparation to commit any of the above.

The provisions of this policy are not designed to question financial or business decisions taken by Tranby College, or to be used to reconsider any matters which have already been addressed under other policies and procedures

This policy applies to all personnel of Tranby College. All team members are required to be aware of this policy and procedure and its location and follow it where appropriate.

The Manager People and Development is responsible for the oversight of this policy and is hereafter described for the purpose of management of the policy and reports disclosures received, as the Disclosure Coordinator.

Any individual who detects or has reasonable grounds for suspecting improper conduct is encouraged to raise any concerns with their immediate manager through normal reporting channels (see table below).

It is expected that all team members will use the appropriate mechanism to raise their complaint. However Tranby College understands that circumstances may exist where the person does not feel comfortable in reporting to their immediate manager or believe their concerns have not been adequately addressed or not addressed impartially. In these cases the organisation has engaged the services of an experienced independent, impartial whistleblowing service (STOPline Pty Ltd) where disclosures can be made, anonymously if required.

Reports of improper conduct (disclosures), if not made to an immediate supervisor or manager can be made to the Disclosure Co-ordinator directly. If anonymity is desired, all disclosures should be made to the whistleblowing service.

### **Contacting STOPline**

STOPline have several methods of receiving a disclosure although a telephone call is preferred so that sufficient information can be obtained to enable the conduct of an appropriate investigation. STOPline do not have incoming or outgoing caller ID.

Telephone

Toll Free – 1300 30 45 50

Locked Bag Mail:

Tranby College

C/- The STOPline

Locked Bag 8

Hawthorn VIC 3122

Facsimile

Tranby College

C/- The STOPline



(03) 9882 4480

Email

Tranbycollege@stopline.com.au

## **Confidentiality/Privacy**

If a person makes a report of alleged or suspected improper conduct under this policy Tranby College will endeavour to protect that person's identity from disclosure. Identifying information will be restricted to a need to know basis. Tranby College will not disclose the person's identity unless:

- the person making the report consents to the disclosure;
- the disclosure is required or authorised by law;
- in some circumstances the disclosure is necessary to further the investigation.
- in each circumstance the matter has been discussed with the person making the disclosure before any identifying information is provided.

Reports made under this policy will be treated confidentially. However, when a report is investigated it may be necessary to discuss the allegations with people such as other Tranby College personnel, external persons involved in the investigation process and, in appropriate circumstances, law enforcement agencies.

At some point in time it will be necessary to disclose the allegation and the substance of a report to the person who is the subject of the report to ensure compliance with the principles of natural justice and procedural fairness.

Although confidentiality is maintained, in some circumstances the source of the reported issue may be obvious to a person who is the subject of a report.

Tranby College will also take reasonable precautions to store any records relating to a report of improper conduct securely and to permit access by authorised persons only.

Unauthorised disclosure of any information relating to a report will be regarded seriously and may result in disciplinary action, which may include dismissal.

Disclosures to STOPline will be handled by a trained interviewer, anonymity and confidentiality will be maintained and all reports prepared by STOPline will be forwarded to the Disclosure Coordinator.

Where a person makes a disclosure in good faith and on reasonable grounds, Tranby College will act in the person's best interest to protect any person from any reprisal, victimisation, adverse reaction or intimidation and ensure they will not be disadvantaged in their employment with Tranby College.

However, making a report will not necessarily shield the person making the disclosure from the consequences flowing from their involvement in the improper conduct itself. A person's liability for their own conduct is not affected by their reporting of that conduct under this policy.



However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

### **Vexatious / Malicious Disclosures**

Where it is shown that a person purporting to be a whistleblower has knowingly made a false report of improper conduct, and it is evident that the reporter knows, or should have known the report has no substance, then that conduct itself will be considered a serious matter and that person may be subject to disciplinary action which may include dismissal.

### **Investigation**

All reports of alleged or suspected improper conduct made under this policy will be properly assessed and if appropriate, will be independently investigated in a timely manner with the objective of locating evidence that either substantiates or refutes the claims made by the whistleblower.

The Disclosure Coordinator or responsible Manager will delegate matters to be investigated to an appropriately experienced internal or external investigator.

The person appointed to investigate the report will be required to follow normal Tranby College procedures for handling a complaint or disciplinary issue. This would generally involve:

- undertaking a fair, independent and discreet investigation into the substance of the report to determine whether there is evidence to support the matters raised;
- respecting individual confidentiality;
- collecting all available data and verifying the reported information;
- in order to observe the rules of procedural fairness, interviewing any relevant person to understand their perspective;
- proceeding with due care and appropriate timeliness;
- consulting or informing employee representative bodies as required; and
- preparation of a written report detailing the outcome of the investigation including conclusions reached and recommendations made.

Where the person making the disclosure has identified themselves, the investigator would be likely to begin by interviewing that person. However, their identity would not be made known to other parties without specific consent or in the circumstances previously identified.

STOPline provides a secure code and password for anonymous disclosures. Persons making such disclosures can use their password to provide further and better particulars to assist the investigation or check on the current status.

Due to the varied nature of improper conduct disclosures, which may involve internal and/or external investigators and/or the police, it is not possible to lay down precise timelines for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

Where the person making the disclosure has identified themselves, the investigating officer should, as soon as practicable, advise the complainant of his/her role and contact details. The complainant will be advised of the result of the investigation and if the investigation is prolonged,



the investigating officer should keep the complainant informed as to the progress of the investigation and as to when it is likely to be concluded.

At the end of the investigation, the investigating officer will report their findings to the Disclosure Coordinator who will determine the appropriate response. This response will include rectifying any unacceptable conduct, implementing any necessary organisational change and taking any corrective action required to prevent any future occurrences of the same or similar conduct. Where necessary the report and any advice of action taken will be provided to the Board.

Where issues of discipline arise the response will also be in line with Tranby College's procedures for disciplinary matters. Where allegations of unacceptable conduct made against another person cannot be substantiated, that person will be advised accordingly and will be entitled to continue in their role as if the allegations had not been made