



Whistleblower Policy

<p>Authority</p>	<p>College President</p> <p>Last reviewed: 2025</p> <p>Date of next review: 2027 (or earlier if legislation changes)</p>
<p>Definitions</p>	<p>“Act” means the <i>Corporations Act 2001</i> (Cth).</p> <p>“Detriment” means any damage or negative treatment arising from reprisal against a Whistleblower for making a disclosure of Improper Conduct.</p> <p>“Improper Conduct is conduct that amounts to:</p> <ul style="list-style-type: none"> • misconduct; or • an improper state of affairs or circumstances, <p>for the purposes of the Act or in relation to the College's tax affairs.</p> <p>“Whistleblower” – is an individual who gains protection under the Act and this Policy for making a report of Improper Conduct based on reasonable grounds.</p>
<p>Who does the policy apply to?</p>	<p>This policy applies to students, parents, staff, volunteers, officers, suppliers and other people associated with the College who are protected under the Act.</p>
<p>Why and where do we have this policy?</p>	<p>The purpose of this policy is to encourage the reporting of Improper Conduct and to protect Whistleblowers from Detriment or victimisation.</p> <p>The College provides Whistleblowers with protection, allowing students, parents, staff and others to report Improper Conduct without fear of Detriment which includes but is not limited to:</p> <ul style="list-style-type: none"> • termination of employment/engagement or partnership; • discrimination, harassment or intimidation; and/or • harm or injury, including psychological harm. <p>This policy is available on Compass for all parents, staff, volunteers and other people associated with the College as well as on the College’s website.</p>
<p>Reporting Improper Conduct</p>	<p>A Whistleblower who suspects Improper Conduct under this Policy should make a report in accordance with this Policy.</p> <p>Improper Conduct includes any act or omission that:</p> <ul style="list-style-type: none"> • is dishonest, fraudulent or corrupt; • represents wilful circumvention of legal, regulatory or internal policy requirements; • is unethical; and/or • may cause financial loss to the College, damage its reputation or be otherwise detrimental to the College. <p>This Policy does not apply to trivial or vexatious matters. It also does not apply to disclosures that relate solely to personal work-related grievances, and that do not relate to the Detriment or threat of Detriment to a Whistleblower. This Policy is not intended to replace or displace other College policies and reporting procedures such</p>

	<p>as those relating to personal work-related grievances, equal opportunity, discrimination, harassment, bullying or student behaviour.</p> <p>Where it is shown that a person purporting to be a whistleblower has knowingly or recklessly made a false report of Improper Conduct, then that false report itself will be considered a serious matter and that person may be subject to action, for example, disciplinary action if they are an employee, which may include dismissal in serious cases or if they are a parent then the Parent Code of Conduct will apply</p>
<p>Report Procedure</p>	<p>All disclosures covered by this Policy will be taken seriously and handled sensitively and fairly. The College will attempt to ensure all disclosures are investigated as soon as reasonably practicable. Where appropriate, the Whistleblower will be kept informed as to the progress of the investigation.</p> <p>Disclosures should be made to one of the following:</p> <ul style="list-style-type: none"> • College Principal. Tel (03) 9822 7981 / email principal@bialik.vic.edu.au • Business Director. Tel (03) 9822 7981 / email businessdirector@bialik.vic.edu.au • HR Manager. Tel (03) 9822 7981 / email hr@bialik.vic.edu.au • College President. Tel (03) 9822 7981 / email president@bialik.vic.edu.au <p>If the Disclosure relates to the College's tax affairs, then eligible recipients may also include the Australian Taxation Office, registered tax or BAS agents, and College auditors.</p> <p>The College will investigate disclosures covered by this Policy in an objective, fair and appropriate manner, depending on the circumstances of each disclosure. The College reserves the right to use both internal and external resources to investigate a disclosure or any part of it.</p> <p>As a first step in the investigation process, the College will assess a disclosure to determine whether it falls within the scope of this Policy. If it does, the following steps will normally apply to the investigation. If it does not, the matter will not be investigated, and the discloser will be advised of that fact. In that latter case, the discloser may be directed to another appropriate person or section within the College such as the Senior Leadership Team or Human Resources.</p> <p>For disclosures assessed to be within the scope of this Policy, the College will advise the Whistleblower of the support available to the Whistleblower and emphasise to the Whistleblower the importance of confidentiality.</p> <p>The College will:</p> <ul style="list-style-type: none"> • ask the Whistleblower if the Whistleblower consents to the disclosure of their identity for the purposes of the investigation. • explain to the Whistleblower the steps the College has in place to reduce the risk that the Whistleblower will be identified as the result of the disclosure. <p>If the Whistleblower consents, the College will:</p> <ul style="list-style-type: none"> • keep a written record of that consent. <p>If the Whistleblower does not consent, the College will:</p> <ul style="list-style-type: none"> • also record that fact and advise the Whistleblower that the College will not disclose the identity of the Whistleblower but may disclose information which could lead to the identification of the Whistleblower if such disclosure is reasonably necessary for the purpose of investigating the matter to which the disclosure relates. The College will take all reasonable steps to reduce the risk that the Whistleblower will be identified as a result of the disclosure.

	<p>As a general guide and subject to the particular circumstances applying to the disclosure, the steps in the investigation process are normally expected to include the following:</p> <ul style="list-style-type: none"> • interview the Whistleblower to obtain relevant information; • interview any alleged wrongdoer to obtain a response to the disclosure in so far as it relates to the alleged wrongdoer; • interview any relevant witnesses regarding relevant matters arising from the disclosure; • review any documents or other material relevant to the disclosure; • if necessary, conduct further interview/s with the Whistleblower to obtain further information or a response to material arising from the investigation; and • if necessary, conduct further interview/s with any alleged wrongdoer regarding further material arising from the investigation. <p>Interviews need not be conducted face-to-face. All relevant material including interviews and documents obtained during the investigation will be considered and a report prepared.</p> <p>The report will make findings of fact and determine whether a disclosure has been substantiated or not substantiated, in whole or part. The report may also include recommendations arising from any factual findings.</p> <p>An investigation into a protected disclosure will follow a fair process including:</p> <ul style="list-style-type: none"> • informing the alleged wrongdoer of the substance of a disclosure, as far as it applies to them; • giving the alleged wrongdoer a reasonable opportunity to respond to any matter referred to above, before the investigation is finalised; • informing the alleged wrongdoer of any adverse finding directly affecting them arising out of the investigation; and • giving the alleged wrongdoer a reasonable opportunity to respond to any such adverse finding before the report is finalised. <p>Any potential disciplinary action against a wrongdoer arising out of or as a result of an adverse finding in an investigation report under this Policy will be dealt with consistently with the relevant policies and Enterprise Agreement as appropriate.</p> <p>At the conclusion of any investigation conducted in accordance with this Policy, the investigator will report their findings to the College Principal or College President (or to another member of the Board in the case of a matter regarding the College Principal and College President) who will consider any steps available to the College to rectify the effects of any Improper Conduct, or measures that may be implemented to safeguard against the same or similar Improper Conduct occurring in the future, and any other remedial or disciplinary action.</p> <p>Once an investigation is completed and the matter (including any subsequent disciplinary action) has been concluded, the College will take steps to notify the Whistleblower that the matter has been finalised.</p>
<p>Confidentiality</p>	<p>Where a Whistleblower reports an instance of alleged Improper Conduct under this Policy, his or her identity will not be disclosed unless it is:</p> <ul style="list-style-type: none"> • consented to by the person making the report; • required by law;

	<ul style="list-style-type: none"> • necessary to prevent or lessen a serious threat to another person’s health or safety; • disclosed to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to any legal process including the operation of whistleblowing legislation; • made to any government authority or agency or any regulator to which the College reports; or • made to the police. <p>Where the College makes disclosures of information not including the identity of the Whistleblower, which are reasonably necessary for the purpose of investigating the alleged Improper Conduct to which the Whistleblower's report relates, the College will take all reasonable steps to reduce the risk that the identity of the Whistleblower will be identified.</p> <p>The College will also ensure that any records relating to a report of Improper Conduct are stored securely and are able to be accessed only by authorised personnel on a strictly "need to know" basis.</p> <p>The following unauthorised disclosures will be regarded as a disciplinary matter and Improper Conduct within the meaning prescribed by this Policy, and will be dealt with in accordance with the College's Workplace Behaviour and Resolution Policy:</p> <ul style="list-style-type: none"> • unauthorised disclosure of the identity of the Whistleblower who has made a report of unacceptable conduct, or • unauthorised disclosure of information from which the identity of the Whistleblower could likely be inferred.
<p>Protection from Detriment</p>	<p>The College will not tolerate any action done in Detriment to a Whistleblower, in reprisal for making a report of Improper Conduct, or to that person's colleagues, relatives or against any other person named in the report or any person investigating the matter. This includes a threat to subject a Whistleblower to any Detriment.</p> <p>Any such reprisal action or victimisation may constitute Improper Conduct under this Policy, and/or serious misconduct in employment, and, if so, may be dealt with in accordance with the College's Workplace Behaviour and Resolution Policy.</p> <p>However, this Policy will not protect Whistleblowers from any consequences if they are also involved in or connected to the Improper Conduct that is being reported or they act other than with reasonable grounds for doing so.</p> <p>If a Whistleblower experiences any Detriment in reprisal for reporting the Improper Conduct, this should be reported to the College Principal or College President.</p>
<p>Related Documents</p>	<p>Whistleblowers Protection Act 2001</p> <p>Corporations Act 2001</p> <p>Taxation Administration Act 1953</p> <p>Mandatory Report and Child Protection Policies</p> <p>Staff With Children Policy</p> <p>Workplace Behaviour and Resolution Procedure</p> <p>College Enterprise Agreement</p>