Whistleblower Policy

Policy Aim:	This policy exists to encourage the reporting of corrupt, illegal or other undesirable conduct (Disclosable Matter) at Moreton Bay College and Moreton Bay Boys' College (the Colleges). It outlines how individuals can appropriately make disclosures about these matters, and how the Colleges protect those individuals from detrimental consequences.
Scope and Responsibilities:	The Colleges' Board, Officers, Workers, Contractors and Service Providers, Other Persons associated with the colleges, including students and parents. It includes and covers all subsidiaries of the Moreton Bay Colleges including but not limited to the Moreton Bay Colleges' Foundation Ltd.
Board Approval:	Board approved

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Definitions:

Whistleblower – Who qualifies for protection?

A Whistleblower who is eligible for protection is an individual such as an officer, employee, service provider or associate (or their relative) who is or has been in a relationship with the Colleges and who brings a Disclosable Matter to the attention of the college under this policy.

Disclosable Matter – What kind of disclosures can be made under the policy?

A disclosure is eligible for protection if it relates to actual or suspected conduct within the Colleges that includes but is not limited to:

- misconduct, or an improper state of affairs or circumstances in relation to the Colleges
- dishonest or fraudulent activity
- unlawful, corrupt or irregular use of College funds or property
- contravention of the *Corporations Act 2001*, or any law whether Commonwealth State or Local Authority relating to the operations of the Colleges or the Colleges' Foundation
- conduct which endangers health safety or the environment.
- unethical behaviour that would breach any of the Colleges' Codes of Conduct
- behaviour that is oppressive, discriminatory, or grossly negligent
- conduct that represents a danger to the public or the financial system.

Eligible Recipients – To whom should a disclosure be made?

Disclosures qualify for protection if they are made to eligible recipients. Those belong to the following categories of persons:

- CEO and Executive Principal
- an auditor, or a member of an audit team conducting an audit of the Colleges.

Disclosures made to a legal practitioner for obtaining legal advice or legal representation are also protected.

Under exceptional circumstances, the law makes provision for whistleblowing disclosures to professional journalists[4] and members of parliament. These are called "emergency disclosures" and "public interest disclosures", however, they require strict adherence to prescribed processes before being made to qualify for protection[5].

Detriment

Detriment, includes the following:

- dismissal of an employee
- injury of an employee in his or her employment
- alteration of an employee's position or duties to his or her disadvantage
- discrimination between an employee and other employees of the same employer
- harassment or intimidation of a person
- harm or injury to a person, including psychological harm.

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	• damage to a person's property • damage to a person's reputation • damage to a person's business or financial position • any other damage to a person
Related Documentation:	*Staff Code of Conduct* *Complaints Policy*
Legislation Applicable:	*Corporations Act 2001 (Cth)*
Policy	

The Colleges are committed to maintaining and promoting high standards of integrity, governance, and ethical behaviour within the organisation by people at all levels, including the Board of Governors, the CEO & Executive Principal and the Executive Leadership Team (ELT). The Colleges, therefore, encourage the reporting of Disclosable Matters through appropriate channels.

The Colleges are committed to complying with the applicable laws and practices included in the *Corporations Act 2001* and all other Commonwealth, State and Local Authority laws and regulations.

All employees and associates have a responsibility to help detect, prevent, and report instances of suspicious activity or wrongdoing, which may be Disclosable Matters.

The CEO & Executive Principal is appointed as a Whistleblower Protection Officer and will safeguard the interests of the Whistleblower in terms of this policy and any applicable legislation and standards.

The Business Manager is appointed as a Secondary Whistleblower Protection Officer and will safeguard the interests of the Whistleblower in terms of this policy and any applicable legislation and standards.

The Whistleblower Protection Officer(s) will be readily accessible by all staff and will have direct, unfettered access to independent financial, legal and operational advisers as required.

The Whistleblower Protection Officer can be contacted by the following means:

- *email: executiveprincipal@mbc.qld.edu.au*
- *phone: 07 3249 9327*
- *other: CEO & Executive Principal, PO Box 84, Wynnum Qld 4178*

The Secondary Whistleblower Protection Officer can be contacted by the following means:

- *email: farleyk@mbc.qld.edu.au*
- *phone: 07 3249 9327*
- *other: Business Manager, PO Box 84, Wynnum Qld 4178*

The responsibilities of the Whistleblower Protection Officer(s) and Whistleblower Investigations Officer will not reside in the same person. They should operate, and be seen to operate, independently of each other and should act in such a way that they discharge the two quite separate functions independently of each other.

Whistleblower Investigations Officer

The Whistleblower Protection Officer in receipt of a report about a Disclosable Matter will appoint an Investigations Officer (a member of the Executive Leadership Team, or an independent external investigator as appropriate in the circumstances) to investigate the substance of the complaint to determine whether there is evidence in support of the matters raised.

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Reporting

The Colleges are committed to providing a safe, reliable, and confidential way of reporting any Disclosable Matters.

A report under this Policy can be made if individuals falling into the category of Eligible Whistleblower have reasonable grounds to suspect that Disclosable Matters have taken place.

A report can be made to any of the following persons, noting it may depend on the matter and the person who is the subject of the matter:

- CEO and Executive Principal
- An Auditor, or a member of an audit team conducting an audit of the Colleges.

At any stage, if one of the persons listed above is the subject of the report, or if the Whistleblower has another reason to believe that that person is not likely to deal with the report properly, the report is submitted to the Board Chair and Deputy Chair of the Board.

Where a report has been made under this policy, the person receiving the report must notify the CEO & Executive Principal, the Board Chair, the Board Vice- Chair and the Chair of the Board Risk and Governance Committee unless one of those people is implicated in the report. In such a case the notification should be made to the persons mentioned excluding the person implicated.

Anonymous reporting

While reports may be made anonymously if preferred, this may affect the ability to investigate the matter properly and to communicate with the Whistleblower about the report.

Whilst the whistleblower is encouraged to share their identity as it will make it easier when addressing concerns, it is not a requirement. The investigation and assessment of concerns will occur in the same way, however there may be some practical limitations which may affect a satisfactory resolution.

The Colleges are committed to fairness and equity and every effort will be made to reach a satisfactory resolution regardless of the reporting mechanism chosen by the whistleblower.

Reasonable basis for report or disclosure

When making a disclosure or report, the whistleblower is expected to have reasonable grounds to believe the information they are reporting is true and accurate. There will be no penalty or ramifications if, upon investigation, the information is determined to be false or incorrect. However, if it is determined that a report or disclosure was made vexatiously or maliciously or the whistleblower knew the information was untrue and misleading then this may result in disciplinary or legal action. Any person who receives a report or disclosure from a whistleblower must notify the Whistleblower Officer within one business day and provide particulars and maintain confidentiality.

Protection from Detriment

The Colleges will take all reasonable steps to protect a Whistleblower from Detriment.

Confidentiality

All information received via any reporting mechanism will be treated confidentially and sensitively. If a disclosure is made, the identity of the whistleblower (or any information which may identify them) will not be shared unless:

- consent is given from the whistleblower; or
- the disclosure is required or authorised by law.

When a disclosure or report is investigated, it may be necessary to reveal certain information to other College personnel or external parties. If this is required, all reasonable steps will be taken to protect the identity of the whistleblower and all reasonable steps will be taken to ensure the

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identity and information remains secure. Unauthorised disclosure of information that could prejudice confidentiality and/or the identity of the whistleblower will be regarded seriously and may result in disciplinary action.

Investigation

Investigation processes will vary depending on the precise nature of the conduct being investigated. The purpose of the investigation is to determine whether or not concerns are substantiated, with a view to rectifying any wrongdoing uncovered to the extent that this is practicable in all circumstances.

The investigation will be thorough, objective, fair and independent of the Whistleblower and anyone who is the subject of the Disclosable Matter.

The Whistleblower will receive feedback regarding the investigation arising from their report, subject to considerations of the privacy of anyone who is the subject of the Disclosable Matter and standard confidentiality requirements.

Protections

The Australian Securities & Investment Commission (ASIC) provides general information about protections available to whistleblowers.

At Moreton Bay College and Moreton Bay Boys' College, a Whistleblower will not be disadvantaged by having made a report. This includes not being disadvantaged by way of dismissal, demotion, any form of harassment, discrimination or current or future bias (see definition of "Detriment" below). This protection extends to the Whistleblower's colleagues and relatives.

If reprisals are taken or are claimed to have been taken against a Whistleblower, the Whistleblower Protection Officer will investigate the matter and recommend appropriate action be taken. The Whistleblower has a right to make requests through the Whistleblower Protection Officer for positive actions of protection to be taken.

The Colleges will keep the reporting confidential and secure within the law. It will not disclose the identity of a Whistleblower, nor disclose information that is likely to lead to the identification of the Whistleblower, unless required under law.

Support for Persons implicated

The Colleges will take all reasonable steps to treat fairly any person against whom a report is made and recognise they must also be supported during the investigation. The person will be assumed innocent, and no action will be taken against anyone who is implicated until an investigation has determined whether any allegations against them are substantiated.

Employees may be temporarily stood down on full pay (at the discretion of the CEO & Executive Principal) whilst an investigation is in process, or may be temporarily transferred to another office, department, or workplace if appropriate in the circumstances. Any such stand-down or temporary transfer/placement may only continue for the investigation. If the investigation determines that the allegations are not substantiated, the person shall be reinstated to full duties.

Any disclosure that implicates them must be kept confidential, even if the whistleblower has consented to the disclosure of their identity. Information will only be disclosed to people who need to know for the investigation's proper performance. Anyone implicated in a disclosure has a right to be informed of the allegations against them and must be given an opportunity to respond to those allegations and provide additional information, if relevant, in an investigation.

Support available for persons implicated in a report under this Policy includes:

- access to an approved Employee Assistance Program (EAP).

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- support from the Executive Leadership Team and/or the Colleges' Leadership Team

DOCUMENT CONTROL INFORMATION

Document Status

The current status of this document is shown below.

Policy	MBC-MBBC Whistleblower Policy	
Version	V2	
Issue Date	November 2024	
Revision Date	1 June 2026	
Owner	CEO & Executive Principal	
Confidentiality		

Document History

The history of changes made to this document is shown below. The most recent changes are listed first.

Version	Date	Summary of Changes
1.0	December 2019	
2.0	November 2024	Reporting officer: CEO and Executive Principal. With the exception being if the CEO and Executive Principal being the subject of the report; report submitted to the Chair of the Board and the Deputy Chair of the Board Support can be provided by the ELT and/or the CLT

Approval

This document has been approved for publishing by:

Reviewed by	ELT and Board of Governors
Authorised by	Board of Governors

Distribution

Controlled paper copies of this document are distributed as follows:

No.	Issued To