



1. Preamble

Mt St Michael's College is a Mary Aikenhead Ministry in the tradition of the Sisters of Charity. We are called to develop in each member of our community a contemporary understanding and application of the charism of Mary Aikenhead and the spirituality of the Sisters of Charity, and the Mary Aikenhead Ministries' mission, vision and values of justice, love, compassion and hope.

In responding to this call Mt St Michael's College is a Christ-centred community established to educate, in partnership with parents, women of faith, integrity, individuality and compassion, confident of their own worth as women and wholly involved in the transformation of society.

2. Definitions

Eligible Whistleblower¹ – 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 Mt St Michael's College and who brings a Disclosable Matter to the attention of Mt St Michael's College under this policy.

Disclosable Matter² – What kind of disclosures can be made under this policy?

A disclosure is eligible for protection if it relates to actual or suspected conduct within Mt St Michael's College that is:

- misconduct, or an improper state of affairs or circumstances in relation to Mt St Michael's College;
- contravention of the *Corporations Act 2001*;
- conduct that represents a danger to the public or the financial system; or
- an offence against any other law of the Commonwealth that is punishable by imprisonment for 12 months or more.

Eligible Recipients³ – 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:

- a senior manager of Mt St Michael's College;
- the Whistleblower Investigations Officer of Mt St Michael's College;
- an auditor, or a member of an audit team conducting an audit of Mt St Michael's College.

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

Under exceptional circumstances, the law makes provisions for whistleblowing disclosures to professional journalists⁴ and members of parliament. These are called "emergency disclosures"

¹ Corporations Act 2001 (Cth), section 1317AAA

² Corporations Act 2001 (Cth), section 1317AA (5)(c)

³ Corporations Act 2001 (Cth), section 1317AAC

⁴ Corporations Act 2001 (Cth), section 1317AAD (3)

and “public interest disclosures”; however, they require strict adherence to prescribed processes before being made to qualify for protection⁵.

Detriment⁶

This policy seeks to prevent Whistleblowers from Detriment, which 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;
- 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.

3. Purpose

The Whistleblower Policy exists to encourage the reporting of corrupt, illegal, or other undesirable conduct at Mt St Michael’s College. It outlines how individuals can appropriately make disclosures about these matters, and how Mt St Michael’s College will protect those individuals from detrimental consequences.

4. Policy Statement

Mt St Michael’s College is committed to maintaining and promoting high standards of integrity, governance and ethical behaviour within the organisation by people at all levels, starting with the governing body, the Principal, and senior management. Mt St Michael’s College is, therefore, encouraging the reporting of wrongdoing through appropriate channels.

Mt St Michael’s College is committed to complying with the applicable laws and practices included in the Corporations Act 2001 and Australian Standard AS8004-2003 Whistleblower Protection Program for Entities.

All Mt St Michael’s College employees and associates have a responsibility to help detect, prevent, and report instances of suspicious activity or wrongdoing.

5. Whistleblower Investigations Officer

The Business Manager/Company Secretary for the time being of Mt St Michael’s College is appointed as a Whistleblower Investigations Officer and will investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or to refute the report.

As at the date of this policy, the Whistleblower Investigations Officer can be contacted by the following means:

- *email:* admin@msm.qld.edu.au
- *phone:* 3858 4205
- *in person:* Business Manager’s Office, 67 Elimatta Drive, Ashgrove QLD 4060
- *anonymously:* please see details below

⁵ Corporations Act 2001 (Cth), section 1317AAD

⁶ Corporations Act 2001 (Cth), section 1317ADA

6. Whistleblower Protection Officer

The Principal for the time being of Mt St Michael's College 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 Whistleblower Protection Officer will be readily accessible by all staff and will have direct, unfettered access to independent financial, legal and operational advisers as required.

As at the date of this policy, the Whistleblower Protection Officer can be contacted by the following means:

- *email:* principal@msm.qld.edu.au
- *in person:* Principal's office, 67 Elimatta Drive, Ashgrove QLD 4060
- *anonymously:* please see details below

The responsibilities of the Whistleblower Protection Officer 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.

7. Reporting

Mt St Michael's College is 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:

- Principal/Deputy Principal;
- Whistleblower Investigations Officer;
- Board Chair;
- other Eligible Recipients as defined above.

At any stage, a person in the list above can be skipped if that person is the subject of the report or if the Whistleblower has another reason to believe that the person is not likely to deal with the report properly. While reports can be made anonymously if preferred, this may affect the ability to investigate the matter properly and to communicate with the Whistleblower about the report.

8. Anonymous Reports

Anonymous reports can be mailed to Board Chair, PO Box 208, Ashgrove, 4060 or emailed to boardchair@msm.qld.edu.au.

9. 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 the circumstances.

The investigation will be thorough, objective, fair and independent of the Whistleblower and anyone who is the subject of the Disclosable Matter. The investigation will also have proper regard to the principles set out in the *Australian Standard AS8004-2003 on Whistleblower Protection Program for Entities*.

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.

10. Protections

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

At Mt St Michael's 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" above). 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.

Mt St Michael's College 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.

11. Awareness

Mt St Michael's College will ensure that all its officers and employees are aware of this policy in the following ways:

- Annually in compliance training at the start of each year;
- Publication of this policy on the College website;
- Initial broadcast via email to staff and newsletter for community members.

12. Document management and control

This policy will be reviewed every three years or as required by law.

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Version	Approval date	Approved by	Effective date	Policy Owner	Policy Contact
1.0	26 November 2019	Board	26 November 2019	Principal	Business Manager
2.0	24 November 2020	Board	24 November 2020	Principal	Business Manager