



MELBOURNE  
GRAMMAR SCHOOL  
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# Whistleblower Policy

## Purpose

Whistleblower Protection is a process in which members of the Melbourne Grammar community may confidentially raise serious concerns about conduct they suspect may be illegal, fraudulent, corrupt, damaging or improper, without fear of reprisal, dismissal or discriminatory treatment.

This Policy aims to establish a procedure to provide eligible whistleblowers with protection, to the extent possible under existing laws, allowing employees, contractors, volunteers and others to come forward confidentially and anonymously and ensuring that they are not victimised or subjected to any form of detrimental action.

## Definition

In accordance with section 1317AAA of the Corporations Act, an eligible whistleblower includes current and former employees, officers or directors, contractors, suppliers (including their employees) or associates of the School as well as relatives and dependents of those persons.

## Application

This Policy applies to all eligible whistleblowers of Melbourne Grammar School.

It should be noted that to qualify for the Whistleblower protections under the Corporations Act, eligible whistleblowers are required to follow the reporting procedure documented in this policy.

## What sort of concerns should be reported?

A report may be made by an individual acting in good faith, in relation to serious improper conduct which may include:

1. Dishonesty;
2. Unsafe Work Practices;
3. Child Abuse;
4. Abuse of Authority;
5. Breaches of relevant laws and regulations;
6. Illegal acts including theft, drug sale or use, violence or threatened violence and criminal damage against property;
7. Any other conduct which may cause loss to the School or be otherwise detrimental to the School.

Personal work related grievances fall outside of the scope of this Policy (Refer to Staff Complaint Policy).

This Policy does not displace any Mandatory Reporting or Commission for Children and Young People (CCYP) Reportable Conduct requirements. (Refer to Mandatory Reporting of Child Abuse and Child Safe Policy).

## Reporting Procedure

If an eligible whistleblower wishes to make a report in connection with serious improper conduct, they should contact the Director of Human Resources (HR) or the Deputy Headmaster. Should the report involve these persons, a report can be made directly to the Headmaster or Director of Finance and Administration (DFA) (or to the Chair of Council should the report involve the Headmaster).

All reports will be kept confidential and reports may be made anonymously.

All persons making a report are assured that in making a report they will not be personally disadvantaged by dismissal, demotion, any form of harassment, discrimination or current and future bias provided the report is not frivolous or vexatious. The person making the report will be kept informed of the progress of the investigation, where possible.



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Any person who, having made a report, believes that they have been personally disadvantaged has an automatic right of appeal to the Headmaster (or Chair of Council when relevant).

An eligible whistleblower also has the right to 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 action.

## Investigation Procedures

All reports of serious improper conduct will be investigated. The Headmaster and DFA (or Chair of Council when relevant) will determine an appropriate means by which to investigate the issue (which may include use of an external investigator) and assign an individual to oversee the investigation. For the protection of both the Whistleblower and the person/s against whom the allegations are made, all details will be kept highly confidential.

The investigation will include the following steps:

1. Full details of the allegations will be obtained;
2. The person/s against whom the allegations are made will be informed if deemed reasonably necessary for the purposes of investigation (subject to advice from relevant authorities and considerations relating to the anonymity of the Whistleblower);
3. External parties such as the Police or the CCYP will be notified as required by law;
4. Allegations will be investigated;
5. Any actions taken will be made in consultation with the School Council.

## Reports made by other members of the School Community

All reports made by members of the School Community will be taken seriously and investigated as appropriate. If the person who makes the report, however, is not an 'eligible whistleblower', that person will not qualify for protection under the Corporations Act. The School will, however, endeavor to provide the same protections herein to ensure that they are not victimised or subjected to any form of detrimental action.

## Abuse of Reporting Process

The Whistleblower must have reasonable grounds to suspect serious improper conduct. Abuse of the confidential reporting process will not be tolerated and may lead to further action against the Whistleblower, including disciplinary action, as deemed appropriate by the Headmaster.

## Monitoring

The School will monitor and review this Policy regularly to assess its effectiveness in encouraging the reporting of serious improper conduct, protection of persons making reports and investigation of reports.



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## Dissemination

This Policy will be made available to employees on the staff portal and to the broader School community on the School website.

## Related Policies

- Staff Complaint Policy
- Parental and Student Complaint Policy – Local Students
- Parental and Student Complaint Policy – Overseas Students
- Conflict of Interest
- Victorian Institute of Teaching (VIT) Codes of Conduct and Ethics
- Mandatory Reporting of Child Abuse
- Child Safe Policy
- Child Safe Code of Conduct
- Procedure to Responding to Allegations of Suspected Child Abuse

## Legislation

Corporations Act 2001  
Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018  
Taxation Administration Act 1953  
ASIC Regulatory Guide 270