



## PURPOSE

The School is committed to a culture of integrity and accountability and systems that support transparency in decision-making, good governance and ethical and legal behaviour.

The purpose of this Policy is to provide a supportive environment where misconduct occurring within the School can be disclosed without fear of retribution or disadvantage, and such disclosures investigated and appropriately acted upon by the School.

This policy rests within the framework of other School policies, and does not supersede them but works together with them.

## APPLICATION

This policy applies to Council members, employees, volunteers, contractors and consultants of the School. It also applies to a person or organisation with a relationship to the School who reports Misconduct under this policy.

## DEFINITIONS

In this Policy:

**Misconduct** includes behaviour by a council member, employee, volunteer, contractor or consultants of the School which:

- (a) Is fraudulent or corrupt
- (b) Is illegal
- (c) Is unethical, such as acting dishonestly, altering company records, wilfully making false entries in official records or engaging in questionable accounting practices
- (d) Is a breach of the School's Code of Conduct or other workplace policies
- (e) Constitutes unsafe work practice or wilful disregard for the health or safety of others in the workplace
- (f) May cause serious financial or non-financial loss to the School or damage its reputation
- (g) Constitutes gross mismanagement or serious breaches of workplace procedures or
- (h) Involves any other kind of seriously improper conduct.

**Respondent** means a person who is the subject of a disclosure of Misconduct under this policy.

**School** means Arden Anglican School.

**School Executive** means Principal, Heads of Schools and Business Manager only in the context of this Policy.

**Whistle-blowing** means the disclosure of actual or suspected Misconduct in accordance with this policy.

**Whistle-blower** means a person who reports actual or suspected Misconduct in accordance with this policy.

## PRINCIPLES

1. The School will not tolerate conduct or practices which constitute Misconduct.
2. This Policy applies if the provisions of the Grievance Policy have been exhausted or are deemed not to apply.
3. The School regards members of the School community who disclose Misconduct in good faith as making a positive contribution to the health of the School community. As such, it is the responsibility of persons who are aware or become aware of Misconduct in the School to make a disclosure under this Policy.
4. The School will ensure that all members of the School community are regularly reminded of this Policy, of the importance of disclosing any Misconduct of which they are aware, and of the protections available to persons making such disclosures by this Policy.

## REPORTING DISCLOSURES

5. A Whistle-blower may make an allegation under this Policy to the Principal, a Head of School or the Business Manager, in the first instance.
6. In normal circumstances, the person (other than the Principal) to whom the allegation is made must advise the Principal as soon as possible. The Principal is responsible for dealing with allegations made under this Policy, or delegating this task to person or persons whom he/she deems appropriate.
7. When the Principal receives, or is advised of, an allegation under this Policy, he/she must advise the Chair of Council in a timely fashion, and ensure that the Chair of Council is kept apprised of the progress and outcome of the subsequent investigation.
8. Should an allegation relate to the Principal, it must be advised to the Chair of Council as soon as possible. In this circumstance, the Chair of Council will be responsible for dealing with the allegation, or delegating this task to person or persons whom he/she deems appropriate.
9. Should an allegation relate to the Chair of Council, the Principal must advise the Bishop of the Northern Region of the Diocese and ensure that the Bishop is kept apprised of the progress and outcome of the subsequent investigation.

## INVESTIGATION

10. If report of Misconduct is made under this Policy, the School will conduct, or cause to be conducted, a thorough, fair and objective investigation in a timely fashion that is commensurate with the nature of the matters reported. Allegations about the commission of criminal conduct will be reported to the Police or other appropriate authority for investigation.
11. The outcome of any investigation will be made known in a timely fashion to the Whistle-blower and the Respondent to the extent this is lawful and practical in the circumstances.
12. Allegations which are upheld may result in disciplinary action against the Respondent.

## PROTECTION OF WHISTLE-BLOWERS

13. The School will take all reasonable steps to protect anyone making a disclosure under this Policy in good faith.
14. No Whistle-blower should be victimised or personally disadvantaged for making a proper report about suspected Misconduct under this Policy.
15. Should circumstances require, the School will provide reasonable support to Whistle-blowers who are deemed to have suffered through making a disclosure in good faith under this Policy. Such support may include, but is not be limited to, provision of counselling, rearrangement of duties or internal arrangements, or additional paid leave.
16. If a Whistle-blower is implicated in the Misconduct, they may face disciplinary action for any wrongdoing on their part. Any admissions made by the Whistle-blower or cooperation in investigation of the Misconduct will be taken into account.
17. A report of Misconduct under this Policy must not be:
  - (a) trivial or vexatious in nature
  - (b) made without reasonable grounds for believing the substance of the allegation to be true or
  - (c) made maliciously or in bad faith.
18. A person who makes such a report under this Policy may themselves be subject to disciplinary action.

## CONFIDENTIALITY

19. Generally the identity of a Whistle-blower will be kept confidential unless:
  - (a) disclosure is necessary to further an investigation and the Whistle-blower consents to the disclosure, or
  - (b) the disclosure is required or authorised by law or by this policy.
20. It may be necessary to reveal particulars of the allegations as part of the investigation process. This may include other staff members of the School, external persons involved in the investigation and law enforcement agencies.
21. Generally, in the interests of procedural fairness, a Respondent will be informed of the substance of the allegation. However, the School will not notify the Respondent if this may prejudice investigation of the allegations, or the police or another authority requires or has requested that the School not disclose the allegations to the Respondent. In so far as it is possible to do so, the identity of the Whistle-blower will not be disclosed to the Respondent. In some circumstances the source of a report of Misconduct may be obvious from the nature of the matters that have been reported.

Except to the extent this policy otherwise requires and to the extent it is lawful or practical to do so, the School will take reasonable steps to keep the identity of a Respondent confidential, during the investigation and following the investigation (but only if the allegation or its substance is not upheld).