



## 1. Rationale

The St Leonard's College Council is the governing body of the College. Recognising the expectations of the College's staff (all employees), students, regulators and the community, the Council is committed to best practice in corporate governance, compliance and ethical behaviour generally. One of the principal responsibilities of the Council includes monitoring compliance with regulatory, ethical and prudential requirements.

A key test of the corporate governance health in St Leonard's College is whether there are both formal and informal structures in place to enable communication to the appropriate destination. This policy is an important mechanism in being able to satisfy that key test.

## 2. Scope

This policy covers the procedures for dealing with reports made by a member of the St Leonard's College community of suspected improper conduct within St Leonard's College. It also addresses the protection of individuals making those reports.

## 3. Definitions

### 3.1. Whistleblowing

For the purpose of this policy, whistleblowing is defined as:

*"The deliberate, voluntary disclosure of individual or organisational malpractice by a person who has had access to data, events or information (whether privileged, confidential or otherwise) about an actual, suspected or anticipated wrongdoing within or by an organisation that is within its ability to control."*

### 3.2. Whistleblower

For the purpose of this policy, a whistleblower is defined as:

*"Any employee, director, related officer or contractor of St Leonard's College, who whether anonymously or not makes or attempts to make a disclosure as defined in 3.1."*

### 3.3. Improper Conduct

For the purpose of this policy, improper conduct is defined as conduct which is:

- Dishonest
- Fraudulent
- Corrupt
- Illegal (including theft, drug sale/use, violence or threatened violence, criminal damage against property)
- In breach of Commonwealth or Victorian legislation or local authority by-laws
- Unethical (representing a breach of the St Leonard's Staff Code of Conduct or generally)
- Other serious improper conduct which if proven would constitute reasonable grounds for dismissing or taking disciplinary action against an employee or otherwise terminating the services of the person or entity
- A substantial risk to health and safety

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- *Substantial mismanagement of St Leonard's resources*
- *Substantial risk to the environment*
- *Any other conduct which may cause financial or non-financial loss to the College or be otherwise detrimental to the interests of St Leonard's*

### 3.4. Protected Disclosure

For the purpose of this policy, protected disclosure is defined as:

*"Any good faith communication based on reasonable grounds that discloses or demonstrates an intention to disclose information that may evidence improper conduct."*

## 4. Implementation:

### 4.1. How to make a whistleblower report

All St Leonard's College staff are encouraged, and have a responsibility to, report any known or suspected incidences of improper conduct by making a protected disclosure in accordance with this policy. St Leonard's College staff should in the normal course first report such matters to their immediate manager. However, if a staff member has a concern with that, (for example the staff member reasonably believes that the manager is involved in the improper conduct or, for any other reason believes that it would not be deemed to be appropriate to inform their immediate manager), then the staff member should notify the Principal, the Chair or the Deputy Chair, of the College Council. Contact details for members of the College Council can be found in 4.1.1.

#### 4.1.1. Making an anonymous whistleblower report

St Leonard's College acknowledges and makes provision for the anonymous reporting of a whistleblower allegation. Options for staff in making an anonymous report are as follows;

- Sending the report via post to the Principal or The Chair, marked 'Private and Confidential';
- Making a report via our confidential disclosures email address:
  - The Principal: [ConfidentialDisclosures@stleonards.vic.edu.au](mailto:ConfidentialDisclosures@stleonards.vic.edu.au)
  - The Chair, College Council: [collegechair@stleonards.vic.edu.au](mailto:collegechair@stleonards.vic.edu.au) or
  - The Deputy Chair, College Council: [DeputyChairCouncil@stleonards.vic.edu.au](mailto:DeputyChairCouncil@stleonards.vic.edu.au)
- Calling main reception or any of the College's administrative offices on:
  - Main Reception: (03) 9909 9300 or
  - Junior School Administration: (03) 9909 9551
  - Middle School Administration (03) 9909 9541
  - Senior School Administration (03) 9909 9380

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#### 4.2. Protecting the Identity of the Whistleblower

St Leonard's College will take all reasonable steps to protect the identity of the whistleblower. Maintaining confidentiality is crucial in ensuring reprisals are not made against a whistleblower.

#### 4.3. Managing the Welfare of the Whistleblower

All St Leonard's College staff also have an important responsibility concerning the welfare of the whistleblower within the organisation. All St Leonard's College staff must refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a protected disclosure.

All St Leonard's College staff must take all reasonable steps to attempt to maintain the confidentiality of a person they know or suspect to have made a disclosure.

##### 4.3.1. Commitment to protecting whistleblowers

St Leonard's College is committed to the protection of genuine whistleblowers against action taken in reprisal for the making of protected disclosures. The College is prepared to take the necessary measures to protect the whistleblower while an investigation is in progress, when a member of staff may be particularly vulnerable. Measures that may be considered include moving a member of staff out of a particular section while the investigation is ongoing, granting leave, or working from home.

##### 4.3.2. Keeping the whistleblower informed

The Principal, the Chair or the Deputy Chair will ensure the whistleblower is kept informed of action taken in relation to their disclosure.

##### 4.3.3. Whistleblowers implicated in improper conduct

St Leonard's College acknowledges that the act of whistle blowing should not shield whistleblowers from the reasonable consequences flowing from any involvement in improper conduct. A person's liability for their own conduct is not affected by the person's disclosure of that conduct. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

#### 4.4. Investigating a Whistleblower Report

St Leonard's College is committed to investigating all whistleblower reports. The type of investigation will be determined by the circumstances of the report at the time. The investigation will follow the principles following procedure of fairness, including involving an impartial person or persons as appropriate to the investigation.

#### 4.5. Distinguishing from Internal Grievance

Whistleblowing differs from the lodgement of an internal grievance under our Internal Grievance Resolution procedure which, in general terms, deals with less serious complaints about day-to-day work related problems, concerns or behaviours. If you are in doubt as to which procedure to use, we recommend that you use the internal grievance procedures in our Grievance Policy.

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#### 5. Breaches of the Policy

St Leonard's College may take disciplinary action, that may include dismissal where:

- a staff member/whistleblower breaches this policy in making an allegation in bad faith;
- a staff member breaches this policy by victimising a person who made, or may have made a whistleblower report.

#### 6. Prepared by

Original policy prepared by Executive Secretary, College Council.

Policy revision 2018 updated in consultation with CompliSpace (our partner in School Governance), Chair, FRAC (Finance, Risk, Audit and Compliance Committee) and Chair, College Council.

#### 7. Endorsed by

College Council and approved by Chair

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Signature 

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Date 30.11.2018

#### 8. Reason for revision

Scheduled revision of policy.

*All policies at St Leonard's College are subject to a maximum three (3) year review cycle (unless otherwise stated) irrespective of any amendments made during this period.*

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