



# Whistleblower Policy

## PURPOSE

Ballarat Grammar is committed to maintaining the highest standard of conduct and ethical behaviour in all areas of practice. The School strives to promote an open and honest culture and encourages Board members, staff, parents, students and other individuals who have a relationship with the School to report any unethical behaviour or suspected or actual misconduct.

Ballarat Grammar will ensure that any individual who makes a report shall do so without disadvantage or fear of intimidation.

## SCOPE

This Whistleblower Policy applies to all current and former employees, contractors, volunteers, Board members, students, parents and other individuals who wish to make a protected disclosure regarding serious wrongdoing or misconduct.

This policy is designed to support the School's commitment to integrity, transparency, and accountability and provides a clear process for reporting concerns and ensures that disclosures are managed confidentially, fairly and in a timely manner, and that individuals making disclosures are protected from detrimental action or victimisation.

## POLICY STATEMENT

Ballarat Grammar is committed to ethical behaviour that is aligned with our values and complies with all relevant laws. We understand that people who work with, serve or are served by the School may often be the first to notice illegal or other inappropriate conduct, but may not raise their concerns, either because they do not have a clear way to do so, or because they are afraid of being mistreated if they report the matter. A whistleblower is a person who makes a disclosure, outside normal business channels, whether anonymously or not, with respect to serious misconduct such as corruption, fraud or some other illegal or undesirable activity.

We are committed to providing a supportive environment for any person making a whistleblower disclosure and we will use our best endeavours to ensure that no individual making a whistleblower disclosure, is personally disadvantaged by having made a disclosure in good faith. This includes protection from dismissal or demotion, any form of reprisal including retaliation, harassment or victimisation.

Ballarat Grammar encourages its staff, contractors, students and other stakeholders who are aware or believe that they have some knowledge about wrongdoing to have the confidence to speak up.

## DEFINITIONS

| Term                               | Definition                                                                                                                                                                                                                                                                                                                                                                                                |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Authorised Person or Entity</i> | A person or entity that is designated or recognised by the relevant legislation or the organisation's policies as a recipient of disclosures, and who has the authority and responsibility to handle, investigate, or escalate the disclosures. Authorised persons or entities may include internal officers, external service providers, regulators, law enforcement agencies, or members of parliament. |
| <i>Disclosure</i>                  | The act of reporting or revealing wrongdoing to an authorised person or entity, either internally or externally.                                                                                                                                                                                                                                                                                          |



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|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Journalist</i>         | Journalist means, for the purposes of a Public Interest Disclosure or an Emergency Disclosure, a person who works in a professional capacity as a journalist for a newspaper, magazine, radio or television broadcast or an electronic service (such as through the internet) that is operated on a commercial basis and is similar to a newspaper, magazine or radio or television broadcast.                                                                                                                                |
| <i>Legal Protection</i>   | The rights and remedies available to whistleblowers under the relevant legislation, which may include confidentiality, immunity, compensation, and civil or criminal liability for retaliation or victimisation.                                                                                                                                                                                                                                                                                                              |
| <i>Reasonable Grounds</i> | The standard of evidence required for a whistleblower to be eligible for legal protection under the relevant legislation. Reasonable grounds means that a reasonable person in the same position as the whistleblower would also suspect that the wrongdoing has occurred, is occurring, or will occur, based on the information or sources available to them. Reasonable grounds do not require proof or conclusive evidence of the wrongdoing, but they do require more than mere speculation, gossip, or personal dislike. |
| <i>Retaliation</i>        | Any adverse action or threat taken against a whistleblower or a potential whistleblower because of their disclosure or intention to disclose wrongdoing. Retaliation may include harassment, discrimination, bullying, intimidation, demotion, dismissal, or any other detriment to the whistleblower's employment, reputation, or wellbeing.                                                                                                                                                                                 |
| <i>Victimisation</i>      | Any conduct that causes or threatens to cause detriment to a person because they have made or may make a disclosure, or because they have supported or may support a whistleblower. Victimisation may include physical, psychological, or emotional harm, as well as damage to property, reputation, or relationships.                                                                                                                                                                                                        |
| <i>Whistleblower</i>      | A person who makes a disclosure about actual or suspected wrongdoing within or related to an organisation, and who may be eligible for legal protection under the relevant legislation.                                                                                                                                                                                                                                                                                                                                       |
| <i>Wrongdoing</i>         | Any conduct that is dishonest, illegal, unethical, corrupt, fraudulent, unsafe, or otherwise in breach of the organisation's policies, values, or standards. Wrongdoing may also include any conduct that constitutes retaliation or victimisation against a whistleblower or a potential whistleblower.                                                                                                                                                                                                                      |

### General

- If an individual makes a vexatious report, they will be subject to the School's community guidelines and normal disciplinary procedures.
- Potentially criminal actions against a person or property including offences such as sexual offences, physical assault or significant property damage, should immediately be reported to the Police.
- Procedural fairness will be applied in dealing with any individuals who are the subject of a whistleblower's reports. Allegations will be documented, and individuals given an opportunity to respond fully to allegations.
- If the investigation of a report, that was made in good faith and investigated by internal personnel, is not to the whistleblower's satisfaction, then they have the right to report the matter to the Anglican Diocese of Ballarat's Director of Professional Standards.
- The School will monitor and review this policy regularly to assess its effectiveness and efficiency in encouraging the reporting of Reportable Conduct, protecting the individual making the report and the investigation of reports.
- The School will ensure the whole school community is educated in relation to this policy.

Ballarat Grammar encourages anyone who becomes aware of confirmed, suspected or potential cases of Reportable Conduct to make a report using the steps outlined within this policy.



### ELIGIBLE WHISTLEBLOWER

To qualify for protection as a whistleblower you must be an eligible Whistleblower. You can be an eligible whistleblower if you are, or have been, any of the following in relation to Ballarat Grammar:

- An officer or employee (for example, current and former employees who are permanent, part-time, fixed term or temporary interns, secondees, manager and directors)
- A supplier of services or goods (whether paid or unpaid), including their employees (for example, current and former contractors, consultants, service providers and business partners)
- An officer of a related body corporate
- A relative, dependent or spouse of any of the above individuals (for example, relatives, dependents or spouses of current and former employees, contractors, consultants, service providers, suppliers and business partners).

### REPORTABLE CONDUCT

This Whistleblower Policy is intended to capture actual or suspected misconduct that the discloser reasonably believes cannot be appropriately addressed through existing internal reporting channels.

Examples of wrongdoing that may be reportable include:

- Fraud, forgery, misappropriation, misuse, misdirection, misapplication, maladministration or waste of funds
- Gross mismanagement
- Grooming and/or child abuse
- Conflicts of interest, nepotism, favouritism
- Theft, embezzlement, tax evasion
- Corruption, dishonesty involving influence
- Coercion, harassment or discrimination by, or affecting, any of our staff, volunteers or contractors
- Assault, blackmail, taking or offering bribes
- Abuse of public trust
- Misleading or deceptive conduct of any kind, including conduct or representations that amount to improper or misleading accounting or financial reporting practices by or affecting the School
- Other criminally prosecutable offences
- Failure to report, or concealment of, an indictable offence
- Unreasonable danger to the health or safety of others
- Failure to act in accordance with applicable professional and ethical standards
- Blatant disregard for organisational policies
- A significant threat to the environment
- Significant breach of the terms of any contract that binds the School
- Other serious acts such as refusing to carry out lawful and/or reasonable actions under a contract
- Other serious misconduct that may materially damage the School's reputation or may otherwise be detrimental to the School
- Any other act that would otherwise be considered, by a reasonable person, to be serious improper conduct, or an improper state of affairs, or circumstances

Wrongdoing also includes any deliberate attempt to conceal conduct outlined in this Policy. Individuals making a whistleblower disclosure are expected to act in good faith and have reasonable grounds to believe that wrongdoing has occurred.



The whistleblower service must not be used to report personal work-related grievances, third-party complaints, or child protection matters that can be effectively managed through the School's existing internal reporting procedures.

Disclosures that relate solely to personal work-related grievances, where there is no element of detriment or threat of detriment to the discloser, do not qualify for protection under the Corporations Act 2001 (Cth).

A personal work-related grievance may still qualify for protection if:

- It includes information about misconduct, or information about misconduct includes or is accompanied by a personal work-related grievance (mixed report)
- There is a breach of employment or other laws punishable by imprisonment of a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances.

### **SUPPORT AND PROTECTION**

Ballarat Grammar is committed to providing a supportive environment for any person making a whistleblower disclosure and we will use our best endeavours to ensure that no individual making a whistleblower disclosure and is personally disadvantaged by having made a disclosure in good faith. This includes protection from dismissal or demotion, any form of reprisal including retaliation, harassment or victimisation. A person cannot disclose the identity of a discloser or information that is likely to lead to the identification of the discloser (which they have obtained directly or indirectly because the disclosure made qualifies for protection).

The exception to this is if a person discloses the identity of the discloser:

- To ASIC, APRA or a member of the Australian Federal Police (within the meaning of the Australian Federal Police Act, 1979).
- To a legal partitioner (for the purposes of obtaining legal advice or legal representation about the whistleblower provisions in the Corporations Act).
- To a person or body prescribed by the regulations.
- With the consent of the discloser.

If the whistleblower's identity is known, the whistleblower has the option to receive support provided by the Anglican Diocese of Ballarat's Director of Professional Standards or their representative.

Anyone who retaliates against the whistleblower who reported an event in good faith will be subject to investigation underpinned by procedural fairness. This may result in discipline, including possible termination, as well as possible criminal and civil penalties under the *Federal Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*.

### **INTERNAL DISCIPLINARY ACTION**

To foster a culture that encourages whistleblower disclosures, it is our policy that where a whistleblower has acted in good faith, and the individual implicated has not engaged in serious misconduct or unlawful activity, the whistleblower will be granted immunity from internal disciplinary action that might otherwise arise from the matters disclosed.



## LEGAL PROTECTIONS FOR WHISTLEBLOWERS

If you are an eligible whistleblower as defined by the Corporations Act, you will receive certain protections in relation to your identity and victimisation for making a disclosure. In addition, you will be protected from any of the following in relation to your disclosure:

- Civil liability (e.g. Any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation)
- Criminal liability (e.g. attempted prosecution of you for unlawfully releasing information, or other use of the disclosure against you in a prosecution – other than for making a false disclosure)
- Administrative liability (e.g. Disciplinary action for making a disclosure).

## RESPONSIBILITIES

### Principal

The Principal is responsible for:

- Ensuring that the school maintains an appropriate response to whistleblowers to enable the reporting of misconduct without fear of victimisation or retribution.
- Ensuring the full access of the school, its staff and resources to the Whistleblowing Investigator as needed in the investigation of any eligible disclosure.
- Maintenance of the whistleblower facility directing complaints about the Principal, directly to the Board Chair.

### All Employees

All employees of the school are responsible for:

- Providing full access to the School, its staff and resources to the Whistleblowing Investigator as needed in the investigation of any eligible disclosure.
- Complying with any reasonable request made as part of a Whistleblowing investigation.
- Maintaining the confidentiality and anonymity of a whistleblower in any circumstances where the identity of the whistleblower has been revealed to them by any means.
- Ensuring that they do not knowingly engage in any activity or behaviour that involves retribution towards, or victimisation of, a whistleblower.

All concerns relating to child abuse will be handled in accordance with the legislative requirements underpinned by the State and Department of Education.

## REVIEW

Ballarat Grammar is committed to the continuous review and improvement of all its operations, including this policy. It is the responsibility of the Principal to regularly monitor and review the effectiveness of the Whistleblower Policy to ensure they are working in practice and revise the document when required and after any related significant incident.

## GOVERNANCE DOCUMENT RESPONSIBILITIES AND COMMUNICATIONS

All documentation within the Governance Framework will be communicated throughout the School including, but not limited to, internal communications such as Nexus posts, staff emails, staff inductions and documentation distribution.

Document Owners are responsible for identifying and managing information-related risks and issues for their assigned information entities and for escalating these to Approval Authorities accordingly. Owners of Governance Documents are accountable for their respective procedures, manuals and work instructions in alignment with their position descriptions.





## Office Use Only

| Document Control / History           |                                                                                                                                          |
|--------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Document Code                        | CGS-015 Whistleblower Policy                                                                                                             |
| Approval Authority                   | Principal                                                                                                                                |
| Document Owner / Responsible Officer | Principal                                                                                                                                |
| Original Approval Date               | January 2022                                                                                                                             |
| Current Version Date                 | June 2026                                                                                                                                |
| Review Cycle                         | Biennial (2)                                                                                                                             |
| Scheduled Review Date                | June 2028                                                                                                                                |
| History                              | September 2025 - Amended as part of the School's external policy review<br>June 2026 – Strengthened to align to BGS reporting structures |

| Supporting Documents                                                                                                                                                            |
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| <ul style="list-style-type: none"> <li>CGS-001 - Corporate Governance &amp; Sovereign Risk Policy</li> <li>CGS-005 - Complaints &amp; Compliments Handling Procedure</li> </ul> |

| Student Lifecycle / Pillars / Values / IDEALS / IB PYP Attributes                                                                                 |                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                    |                                                                                                                                                            |                                                                                                                                                                         |                                                                                                                                                                                                                                                 |
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| Student Lifecycle                                                                                                                                 | Student Lifecycle Subsection                                                                                                                                                                                                                                                                       | Pillars                                                                                                                                                                                                                                                                                            | Values                                                                                                                                                     | IDEALS                                                                                                                                                                  | IB PYP Attributes                                                                                                                                                                                                                               |
| <ul style="list-style-type: none"> <li>Student Recruitment</li> <li>Delivery of Education Programs</li> <li>Graduation &amp; Community</li> </ul> | <ul style="list-style-type: none"> <li>Marketing &amp; Advertising</li> <li>Enrolments &amp; Offers</li> <li>Finance</li> <li>Teaching &amp; Learning</li> <li>Assessment</li> <li>Experiences</li> <li>Careers / Work Experience</li> <li>Graduation</li> <li>Old Grammarians / Alumni</li> </ul> | <ul style="list-style-type: none"> <li>Governance &amp; Leadership</li> <li>Legislative &amp; Regulatory Compliance</li> <li>Complaints &amp; Compliments</li> <li>People &amp; Culture</li> <li>Finance</li> <li>Community Engagement / Foundation</li> <li>Property &amp; Maintenance</li> </ul> | <ul style="list-style-type: none"> <li>Integrity</li> <li>Aspiration</li> <li>Courage</li> <li>Compassion</li> <li>Responsibility</li> <li>Hope</li> </ul> | <ul style="list-style-type: none"> <li>Internationalism</li> <li>Democracy</li> <li>Environmentalism</li> <li>Adventure</li> <li>Leadership</li> <li>Service</li> </ul> | <ul style="list-style-type: none"> <li>Inquirers</li> <li>Knowledgeable</li> <li>Thinkers</li> <li>Communicators</li> <li>Principled</li> <li>Open Minded</li> <li>Caring</li> <li>Risk Takers</li> <li>Balanced</li> <li>Reflective</li> </ul> |

| Legislative Context                                                                                                                                                                                                                                                                                                                                                                                 |
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| <ul style="list-style-type: none"> <li>Federal Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 <a href="#">Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 - Federal Register of Legislation</a></li> <li>Privacy Act 1988 (Cth) <a href="#">Federal Register of Legislation - Privacy Act 1988</a></li> <li>Australian Privacy Principles</li> </ul> |

| Regulatory Context                                                                                                                                                                                                      |                                                                                                                                                                                                                         |                                                                                                              |                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| VRQA                                                                                                                                                                                                                    | CRICOS / National Code / ESOS Act                                                                                                                                                                                       | ACECQA / Department of Education                                                                             | International Baccalaureate                                                                                                                                            | Other                                                                                                                                                                                                                                                                                                                                                                                   |
| <ul style="list-style-type: none"> <li>Education &amp; Training Reform Act 2006 (Vic) – s4.3.1</li> <li>VRQA Minimum Standards for School Registration – Schedule 4</li> <li>Child Safe Standards (Victoria)</li> </ul> | <ul style="list-style-type: none"> <li>National Code of Practice for Providers of Education &amp; Training to Overseas Students 2018</li> <li>9National Code – Standard 6</li> <li>ESOS Act 200 – Section 21</li> </ul> | <ul style="list-style-type: none"> <li>ACQCQA / National Quality Framework (NQF) – Quality Area 7</li> </ul> | <ul style="list-style-type: none"> <li>IB Standards &amp; Practices 2020 – requirement for ethical leadership and clear reporting structures for misconduct</li> </ul> | <ul style="list-style-type: none"> <li>Federal Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 – s1317AA to s1317AJ</li> <li>Corporations Act 2001 (Cth) – Division 2, Part 9.4AAA</li> <li>Privacy Act 1988 (Cth)</li> <li>Australian Privacy Principles (APPs)</li> <li>Privacy &amp; Data Protection Act 2014 (Vic)</li> <li>Crimes Act 1958 (Vic)</li> </ul> |



## Appendix A – Procedures for Reporting

|   | <b>Actions</b>                        | <b>Responsibility</b>                                                                   | <b>Steps</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---|---------------------------------------|-----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A | Action requiring reporting identified | <ul style="list-style-type: none"> <li>Whistleblower</li> </ul>                         | <ul style="list-style-type: none"> <li>A whistleblower should promptly, in person, in writing or via email to <a href="mailto:Principal@bgs.vic.edu.au">Principal@bgs.vic.edu.au</a> report the suspected or actual matter to the Principal or Deputy Principal of the School.</li> <li>For complaints or reports about the Principal, these should be directed to <a href="mailto:board@bgs.vic.edu.au">board@bgs.vic.edu.au</a>.</li> <li>A report can also be made to Integrity Line, which is a confidential, independent provider for individuals to make reports. Integrity Line can be contacted via phone on 1800 468 456 or online at <a href="https://integrityline.com.au/">https://integrityline.com.au/</a>. Reports made to Integrity Line are not investigated by Integrity Line but are forwarded to the nominated person at Ballarat Grammar who will investigate the matter.</li> <li>If the whistleblower is reluctant to report directly to the Principal, then they have the right to report the matter to the Board Chair via <a href="mailto:board@bgs.vic.edu.au">board@bgs.vic.edu.au</a>.</li> <li>It is the whistleblower's absolute discretion whether they choose to report the matter with their identity or anonymously.</li> </ul> |
| B | Report received                       | <ul style="list-style-type: none"> <li>Principal</li> <li>Board of Directors</li> </ul> | <ul style="list-style-type: none"> <li>Ballarat Grammar will investigate all matters reported under this Procedure as soon as practical after the matter has been reported.</li> <li>All investigations will be conducted in an objective and reasonable manner, having regard for the nature of the Reportable Conduct and the circumstances.</li> <li>Where the Principal and/or the Board of chair decides the allegations are of a very serious nature, external investigators will be engaged.</li> <li>All documentation relating to the report will be stored confidentially in accordance with the School's record keeping procedures.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| C | Feedback                              | <ul style="list-style-type: none"> <li>Principal</li> <li>Board of Directors</li> </ul> | <ul style="list-style-type: none"> <li>Where appropriate, at the absolute discretion of the Principal and/or the Board of Chair, the School will provide feedback to the whistleblower regarding the investigations, if possible.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |