

# WHISTLEBLOWER PROTECTION POLICY

**APPROVED BY:**

EREA Board

**APPROVAL DATE:**

10 December 2019

**APPLICABLE TO:**

All in EREA

**SCHOOL ACTIONS:**

EREA Policy – Schools are to ensure their practices are consistent with this policy. A local policy is not required.

**LAST REVIEW DATE:**

1 June 2020

**NEXT REVIEW DATE:**

December 2023

**RELATED DOCUMENTS:**

*Guidelines – EREA Whistleblower Protection Policy for Employees & Service Providers*

*Guidelines – EREA Whistleblower Protection Policy for Students & Parents*

*EREA Whistleblower Program – CompliSpace web-enabled content*

*The Charter for Catholic Schools in the Edmund Rice Tradition*

*EREA Code of Conduct*

*EREA Child Protection Policy*

*EREA Complaints Handling Policy*

*EREA Internal Grievance Policy*

*EREA Health & Safety Policy*

**POLICY STORED:**

EREA CompliSpace PolicyPlus

**Policy Statement:**

Edmund Rice Education Australia (EREA) is committed to a culture of respect and ethical conduct in the way we work and relate to each other. We recognise the value of keeping the laws and standards that apply to us in our work and encourage everyone to report wrongdoing.

We will not tolerate corrupt, illegal or other undesirable conduct nor condone detrimental acts of anyone who intends to disclose or has disclosed wrongdoing.

There are two Guidelines linked to the Whistleblower Protection Policy which are to be used depending on the person's relationship to the school. The two Guidelines provide guidance and outline our responsibilities under the law:

- a) The Employee Guideline is for employees, service providers and contractors, and
- b) The Parent & Student Guideline is for parents and students.

The Guidelines outline the process by which EREA manages the reporting of actual, planned or suspected 'wrongdoing' which cannot reasonably be managed through internal reporting procedures.

Although there are legislative differences in how the employees of organisations captured under the Corporations Act must be protected, and how students and parents must be treated under state and federal legislation when reporting a "wrongdoing", EREA treats all whistleblowers fairly and equitably and provides best practice whistleblower protection support.

All groups within EREA: schools, entities and offices, will follow agreed guidelines and protocols.

**Rationale:**

EREA is required to comply with the whistleblower protections under the Corporations Act (2011) and ASIC's Regulatory Guidance 270.

All in EREA are mindful of the messaging from the Royal Commission into Responses to Child Sexual Abuse and appreciate the importance of providing anonymity and protection for those within EREA who wish to report known or reasonably suspected 'misconduct' or 'wrongdoing'.

EREA's Whistleblower Protection Policy and accompanying Guidelines have been established to:

- Support the values of the EREA Charter and Touchstones;
- Embody the principles outlined in the EREA Code of Conduct;
- Support EREA's long-term sustainability and reputation;
- Comply with EREA's legal and regulatory obligations; and
- Align with best practice governance principles and standards.

**Principles:**

A Whistleblower function is an important tool for assisting EREA to identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosure. Furthermore, it aims to:

- Encourage disclosures of wrongdoing;
- Help deter wrongdoing in accordance with EREA's risk management and governance framework;
- Ensure individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported;
- Ensure disclosures are dealt with appropriately and on a timely basis;
- Provide transparency around EREA's processes for receiving, handling and investigating disclosures;
- Support EREA's Charter, Touchstones and Code of Conduct;
- Support the long-term sustainability of EREA; and
- Meet with EREA's legal and regulatory obligations.

The services of an external service provider are utilised to allay concerns regarding the perception that internal methods may be compromised. The core functions of the external provider are to:

- Objectively and independently receive and assess disclosures;
- Protect the person's anonymity;
- Conduct investigations where required, either legislatively or at the request of EREA; and
- Appropriately escalate a qualifying disclosure to the designated delegation within EREA for further action or investigation.

**Key Responsibilities: EREA Board**

The EREA Board approves this Policy and ensures that appropriate guidelines are in place to assist all to comply with the Policy.

**Executive Director**

The Executive Director has responsibility for the implementation of this policy and the development and review of the accompanying guidelines and appoints the Disclosure Officers for EREA.

**Principals**

Principals are responsible for the implementation of this policy and the development of local school procedures in accordance with the EREA Policy and accompanying Guidelines.

**School Boards**

School Board members should be familiar with the policy and be able to direct members of the school community to it as needed.

**Review:**

This policy will be reviewed every four (4) years unless there is a legislative or regulatory requirement to do so earlier.