

Whistleblower Policy

PURPOSE

The purpose of this policy is to allow staff, students, parents and others to come forward confidentially as well as anonymously, to report misconduct or dishonest or illegal activity that has occurred within Perth College without risk of victimisation, retaliation, harassment or any form of detrimental action unless the claim is malicious or vexatious.

ELIGIBLE WHISTLEBLOWER

An Eligible Whistleblower is a person who exposes misconduct or dishonest or illegal activity that has occurred within Perth College.

The following are Eligible Whistleblowers:

- a member of the School Council;
- an employee of Perth College;
- an agency employee of Perth College;
- a contractor of Perth College;
- an auditor of Perth College;
- a person who supplies goods or services (paid or unpaid) to Perth College;
- an employee of a person who supplies goods or services (paid or unpaid) to Perth College;
- parents;
- volunteers;
- students;
- members of the public;
- a relative, dependent or spouse of any individual described above.

DISCLOSABLE MATTERS

A Disclosable Matter is a disclosure of information about Perth College where the Eligible Whistleblower has “reasonable grounds” to suspect that the information relating to Perth College is:

- misconduct;
- an improper state of affairs or circumstances;
- a breach of the Corporations Act;
- a breach of other financial services legislation;
- an offence against any law of the Commonwealth punishable by imprisonment of 12 months or more; or

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- conduct that represents a danger to the public.

Examples of misconduct or improper state of affairs or circumstances include but are not limited to:

- dishonesty;
- unethical conduct;
- corrupt conduct;
- unsafe work practices;
- negligence;
- serious improper conduct;
- unsafe work practices;
- fraudulent behaviour;
- offering or taking a bribe;
- illegal acts including but not limited to theft, drug sale or use, violence or threatened violence and criminal damage against property;
- deliberate regulatory breaches; and
- any other conduct which may cause loss to Perth College or be otherwise detrimental to Perth College.

A Disclosable Matter does not generally include personal, work-related grievances. These are grievances which relate to a current or former member of staff's employment or have implications for that person only and have no broader implications for Perth College.

REASONABLE GROUNDS

Reasonable grounds mean that the Eligible Whistleblower has a suspicion of misconduct or of dishonest or illegal activity, that could reasonably be formed based on the facts and information available to them.

The Eligible Recipient is not required to believe the suspicion.

If the disclosure is unfounded and there are no reasonable grounds to suspect, the Eligible Whistleblower will not be protected by the Whistleblower Policy or by the Corporations Act.

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AN ELIGIBLE RECIPIENT

To qualify for protection under this policy, an Eligible Whistleblower must report the Disclosable Matter to an Eligible Recipient.

Perth College's Eligible Recipients are:

- the Principal
- the Vice Principal
- the Chair of Council

HOW TO REPORT A DISCLOSABLE MATTER

An Eligible Whistleblower who wishes to report a Disclosable Matter should contact:

- the Principal by email to principal@pc.wa.edu.au; or
- the Vice Principal by email to viceprincipal@pc.wa.edu.au.

Alternately, the Eligible Whistleblower can contact the Perth College reception on 08 9471 2100 and ask to speak with either the Principal or the Vice Principal.

If the Disclosable Matter relates to the Vice Principal, then the report must be made to the Principal.

If the Disclosable matter relates to the Principal, then the report should be made to the Chair of the School Council by email to pccouncilchair@pc.wa.edu.au.

An Eligible Whistleblower can contact Perth College anonymously or by using a pseudonym. If the Eligible Whistleblower chooses not to identify themselves, we may not be able to give them the information or provide the assistance they might otherwise receive. Anonymity is the right of any Whistleblower but maintaining anonymity restricts our ability to fully understand, explore, manage and resolve the situation.

In disclosable matters, these are the pathways to be taken:

- a) full details of the allegations are obtained;
- b) the person against whom the allegations are made is informed;
- c) involvement of external parties such as the WA Police is considered by the Eligible Recipient as appropriate;

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- d) the allegations are fully investigated;
- e) the Eligible Recipient decides on the action to be taken; and
- f) the Eligible Whistleblower will be kept informed of the progress of the investigation as far is permitted by the law.

Where the Eligible Recipient decides that the allegations are of a very serious nature, external investigators will be engaged.

WHISTLEBLOWER PROTECTIONS

All reports of Disclosable Matters will be kept confidential and secure. The identity or any information that could lead to the identity of the Eligible Whistleblower who has made the report will not be released to any person who is not involved in the investigation/resolution of the matter.

There are several exceptions, such as disclosures to:

- ASIC or APRA;
- the Federal Police;
- a legal practitioner;
- certain State or Commonwealth authorities;
- if the whistleblower consents;
- public interests disclosures; and
- when reasonably necessary to investigate the matter (steps must be taken to reduce the risk of identifying the whistleblower).

Perth College will take all reasonable steps to ensure that no detriment is caused to an individual who it believes or suspects has made an Eligible Disclosure. Detriment includes dismissal, demotion, alteration of a staff member's position or duties to their disadvantage; discrimination between an employee and other employees, victimisation of a dependent of the Eligible Whistleblower, harassment or intimidation of a person, or harm or injury to a person, including psychological harassment, damage to property, reputation or business or financial position.

NON-ELIGIBLE DISCLOSURES

Any person wishing to make a disclosure or complaint that does not meet the criteria of a Disclosable Matter may do so by following the complaints process in

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the Concerns Complaints and Disputes Policy and Procedures which are publicly available on the Perth College website and to staff through SPACE.

ABUSE OF THE REPORTING PROCESS

All reports made pursuant to this confidential reporting process must be made in good faith. If an Eligible Whistleblower makes an allegation in good faith but it is not confirmed by subsequent investigations, the matter will be closed and no further action taken and will not result in disciplinary action.

Abuse of the confidential reporting process and the making of vexatious claims will not be tolerated and will be treated as a serious breach of the Perth College Code of Conduct. If any claim is found to be made with malicious intent and/or is vexatious or made for personal gain, then the protections of this Whistleblower Policy will not be applicable and Perth College will consider taking appropriate disciplinary and/or civil action.

MONITORING AND TRAINING

Perth College will monitor and review this policy regularly to assess its effectiveness in encouraging the reporting of Disclosable Matters, protection of Eligible Whistleblowers and investigation of reports.

Education and training about the procedures involved under this Whistleblower Policy will be provided to those involved in managing or investigating disclosures. The Perth College community will also be educated and kept informed in relation to the policy and the protections contained therein.

POLICY ACCESSIBILITY

The Whistleblower Policy will be made publicly available on the Perth College website and to staff through SPACE.

SCOPE

This policy applies to all Eligible Whistleblowers as defined above.

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RELEVANT LEGISLATION AND AUTHORITY

Whistleblower protection regime in Part 9.4AAA of the Corporations Act 2001

REVIEW

This policy will be reviewed on a biennial basis. This policy was last reviewed in July 2025.