



Policy No:	WP02:00
Approval Date:	12 September 2022
Previous Review Date:	29 July 2022
Next Review Date:	29 July 2024
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Whistleblower Policy

PURPOSE

The Diocese serves the people of God “through her witness and through such activities as dialogue, human promotion, commitment to justice and peace, education and the care of the sick, and aid to the poor and children” (*Redemptoris Missio*, 1990, n.20). To ensure this, an understanding of Catholic Mission through co-responsibility exists.

At the heart of leading Mission is looking to the future, especially in visioning, for without a vision ‘the people perish’ (Proverbs 29:18).

In co-responsibility, vision is shaped by the word and work, with clear civil, canonical and organisational responsibilities and boundaries, articulated for common understanding and clarity. This is readily assured if each partner recognises the importance of bringing different gifts to bear and having a clear sense of the distinctiveness of their vocation, role and particularly their service. Jesus shows us the way in this, leading ‘among you as one who serves’ (Luke 22:27).

Diocese of Lismore Catholic Schools Limited (DLCSL) is committed to the protection of individuals who disclose information about illegal or improper conduct occurring within DLCSL. This policy has been adopted to provide a safe and confidential environment where such concerns can be raised by whistleblowers without fear of reprisal or detrimental treatment.

The objective of this policy is to encourage reporting of wrongdoing that is of legitimate concern by providing a reliable and safe reporting mechanism, and for the protection of those who make disclosures about illegal activities, improper conduct or wrongdoing.

APPLICATION

This policy applies to all persons engaged by DLCSL or involved in the operations of DLCSL schools, such as employees, contractors and volunteers of DLCSL.

A whistleblower complaint can be made under this policy by any person who has reason to suspect wrongdoing, including employees, contractors, volunteers and persons who are Eligible Whistleblowers as defined under the Corporations Act and identified in this policy.

Employees, contractors and volunteers are to make themselves familiar with the requirements of this document and ensure they comply with the behaviours and obligations outlined within it.

This policy does not form part of any employment contract or contractor agreement and does not impose contractual obligations on DLCSL.

POLICY

Disclosures are to be made about unlawful conduct or conduct that endangers the reputation, public or financial system which may be suspected on reasonable grounds has occurred or is occurring within the DLCSL, including conduct by an officer or an employee of, or related to, DLCSL. However, disclosures which are solely about a personal work related grievance (as defined in the related documents) will not be protected under this policy. Such matters may be appropriately dealt with in accordance with DLCSL's Code of Conduct, Addressing Employee Performance and Disciplinary Matters Procedures, or Discrimination, Harassment and Bullying in the Workplace Procedures.

It is the intent of DLCSL to ensure that, in accordance with the *Corporations Act 2001* (Cth), a whistleblower is entitled to protection of their identity, or information that is likely to lead to their identity becoming known. A whistleblower's identity, or information that is likely to lead to their identity becoming known, can only be disclosed by consent of the whistleblower.

DLCSL is committed to the highest standards of conduct and ethical behaviour, and to promoting and supporting a culture of honest and ethical behaviour, compliance and good governance.

RATIONALE

The Commonwealth Government has introduced changes to the *Corporations Act 2001* (Cth) that impose new obligations on organisations to protect whistleblowers. *The Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019* (Cth) amends the *Corporations Act 2001* (Cth) and was assented to on 12 March 2019.

Whistleblowing can be an indication of a failure of the existing processes to resolve issues or problems, or to effectively mitigate risks. The establishing of policies and procedures that prevent individuals from engaging in behaviour that is improper or illegal can be an effective method of mitigating such risks. However, whistleblowing policies and procedures do not prevent improper or illegal conduct; they form part of a range of protections. Whistleblowing should be a last resort, used when other reporting systems have been exhausted or are not effective.

DLCSL recognises the need to encourage and protect disclosures by whistleblowers by maintaining whistleblowing disclosure policies and procedures effectively communicated to all employees of, and those who work with, DLCSL.

OUTCOMES

DLCSL encourages the reporting of any occurrences of suspected unethical or illegal activities, improper conduct or wrongdoing involving employees of, and those who work with, DLCSL. DLCSL will provide protections as it is able to by law, and measures so that those who make a report can do so confidentially and without fear of intimidation, disadvantage or retaliation. When a person makes a disclosure their identity must remain confidential; they will be protected from retaliation, discrimination, harassment or victimisation for making the disclosure; an internal investigation will be conducted; issues arising will be resolved or rectified; and the whistleblower will be informed about the outcome.

RELATED DOCUMENTS

The Mission of Jesus Christ Foundational Values: Catholic Education in the Diocese of Lismore

Addressing Employee Performance and Disciplinary Matters Standard Operating Procedures

Code of Conduct Standard Operating Procedures

Discrimination, Harassment and Bullying in the Workplace Procedures

Whistleblower Procedures

Corporations Act 2001 (Cth)

The Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Cth)