

MARIST SCHOOLS AUSTRALIA Ltd POLICY

Whistleblower Protection

1. Introduction and Purpose

Over time, episodes of misconduct can be expected to occur in organisations, both large and small. Despite its best efforts, Marist Schools Australia Ltd (“MSA Ltd”) recognises that it and its governed schools are not immune from the potential for misconduct – therefore, there is a need to identify misconduct and respond properly to it.

This policy is one plank in a wider platform of transparency and accountability in service of promoting a high standard of lawful and ethical conduct within MSA Ltd. Related policies include:

- Complaints Policy
- Child Protection Policy
- Codes of Conduct
- Staff Grievance or Workplace Complaints Policies.

MSA Ltd expects that if our *personnel* are aware of misconduct, they will usually report it through the normal organisational channels as set out in Complaints or other Human Resource (HR) policies, and that it will be dealt with through those channels. It is, however, now well established good corporate governance to acknowledge that, for a range of reasons (including perceived unresponsiveness and fear of reprisals or *victimisation*), members of an organisation may feel the need for alternative channels to report *improper workplace conduct*.

This policy aims to provide those channels. Where any of our *personnel* conclude that it is appropriate for them to report *improper workplace conduct* through alternative channels, this policy aims to create pelrr

2. Principles

This policy applies to all of our *personnel* and *eligible whistleblowers*, as well as to any *whistleblower disclosures*, even if the alleged conduct that is the subject of a *whistleblower disclosure* occurred before this policy was adopted.

Our personnel:

- must refrain from engaging in *improper workplace conduct* when they are acting in the course of their employment or engagement with us;
- are usually expected to report any actual or suspected *improper workplace conduct* through the usual channels in accordance with Complaints or other HR policies;
- may report actual or suspected *improper workplace conduct* in accordance with this policy if, in good faith, they consider that the usual channels are inappropriate;
- must cooperate with any investigation conducted by MSA Ltd under this policy or that may be required by law; and
- must not *victimise* an *eligible whistleblower* for making a *whistleblower disclosure*.

All of our *personnel* and any *eligible recipients* or *whistleblower investigation officers* must provide, and not undermine, all *whistleblower protections* in this policy.

When we receive a *whistleblower disclosure*, we will promptly review and, where appropriate, investigate. If the law requires, we will report that *whistleblower disclosure* to an *external authority* and co-operate with any official investigation

5. Whistleblower Protections

We will not subject any *eligible whistleblower* to any civil, criminal or administrative liability (including disciplinary action) for making a *whistleblower disclosure*

7. Appendix

- 1 Glossary of terms
- 2 MSA Ltd Whistleblower – Eligible Recipients

8. Policy History and Review Schedule

Approved by	Board of MSA Ltd
	National Director
	16 November 2021
Next Review Date	16 November 2022

Glossary of terms

APRA means the Australian Prudential Regulation Authority

ASIC means the Australian Securities and Investments Commission

Detrimental conduct, in respect of an *eligible whistleblower*, includes:

- dismissal of an employee;
- injury of an employee in their employment;
- alteration of an employee's position or duties to their disadvantage;
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Personal work-related grievance means a grievance

- is in relation to that person's employment
- having or tending to have personal implications
- does not have significant implications for the public interest
- relates to that person.

Personnel means any current director, officer, employee, contractor, supplier, employee of a contractor or supplier, or associate of MSA Ltd or MSA Ltd governed school.

Public interest disclosure has the meaning given to the term in paragraph 3 of this policy.

State authority means an authority or other body (whether incorporated or not) that is established in existence by or under a law of a State or Territory.

Whistleblower means a person who reports a situation where a person:

- is engaged in, or
- is about to engage in, a course of conduct that is likely to result in a person being