

POLICY	PROCEDURE
<b>Policy Name</b>	Whistleblower Policy
<b>NESA Manual Section</b>	School Management and Operation (B2) Schools Must be Maintained through Proper Governance (B2.3)
<b>Related Procedures &amp; Registers</b>	Whistleblower Procedure (B2.3) Whistleblower Disclosure Register (B2.3) Investigation Register (B2.3) Complaint Handling Procedure (B8.2) Staff Grievance Procedure (B2.3) Child Protection Procedure (B8.1) Document and Record Retention Procedure (B2.3) Legal and Regulatory Compliance Framework (B2.3) Staff Code of Conduct Procedure (B8.1) Discrimination, Harassment and Bullying Procedure (B2.3) Risk Management Procedure (B2.3)
<b>Related Policies</b>	Complaint Handling Policy (B8.2) Staff Grievance Policy (B2.3) Child Protection Policy (B8.1) Document and Record Retention Policy (B2.3) Legal and Regulatory Compliance Policy (B2.3) Staff Code of Conduct Procedure (B8.1) Discrimination, Harassment and Bullying Policy (B2.3) Risk Management Policy (B2.3)
<b>Related Legislation</b>	<a href="#">Corporations Regulations 2001</a> <a href="#">ASIC Regulatory Guide 270</a> <a href="#">Australian Charities and Not-for-profits Commission Act 2012</a>
<b>Date of Issue / Last Revision</b>	22 January 2020 25 March 2022 6 April 2026
<b>Date Set for Review</b>	<i>April 2029</i>

## Whistleblower Policy

### Policy Statement

Central Coast Montessori Primary School Ltd (CCMPS) is committed to fostering a culture of integrity, transparency and accountability. CCMPS encourages the reporting of suspected misconduct and wrongdoing and is committed to ensuring that individuals who make disclosures can do so safely, securely and without fear of detriment.

The School will ensure that disclosures are handled appropriately, confidentially and in accordance with legislative requirements, and that whistleblowers are protected and supported throughout the process.

### Purpose

This Policy establishes a clear and compliant framework for the reporting and management of whistleblower disclosures at CCMPS. It ensures that individuals who disclose wrongdoing in relation to the School are protected, supported, and treated fairly, in accordance with the *Corporations Act 2001 (Cth)* and *ASIC Regulatory Guide 270*.

## Scope

This Policy applies to all eligible whistleblowers in relation to CCMPS, including current and former Board members, employees, contractors, suppliers, associates, and their relatives or dependants.

This Policy applies to disclosures that meet the criteria of a qualifying disclosure under the Corporations Act and does not replace other complaint or grievance processes of the School.

## Qualifying Disclosures

A qualifying disclosure is made where:

- the disclosure is made by an eligible whistleblower;
- the disclosure is made to an eligible recipient; and
- the whistleblower has reasonable grounds to suspect that the information concerns a disclosable matter.

## Discloseable Matters

A disclosable matter is information where an eligible whistleblower has reasonable grounds to suspect misconduct or an improper state of affairs or circumstances in relation to the School.

This includes conduct that:

- involves misconduct or unethical behaviour;
- constitutes an improper state of affairs or circumstances;
- is unlawful, including breaches of the Corporations Act or other Commonwealth laws punishable by imprisonment of 12 months or more; or
- represents a danger to the public, financial system, or the health and safety of individuals.

Disclosable matters may include:

- fraudulent or corrupt conduct
- negligence or breach of duty
- misuse of School funds or resources
- improper accounting or financial reporting practices
- systemic practices posing a serious risk to health and safety

## Reasonable Grounds to Suspect

A disclosure must be based on reasonable grounds to suspect wrongdoing, assessed objectively having regard to all circumstances.

A whistleblower may still qualify for protection even if the disclosure ultimately proves to be incorrect. However, disclosures made without reasonable grounds may not be protected, and deliberate false reporting may result in disciplinary action.

## Personal Work-Related Grievances

Disclosures that relate solely to personal work-related grievances generally do not qualify for protection under this Policy and will be managed in accordance with the *Staff Grievance Policy*.

A disclosure may still qualify for protection where it:

- includes or is accompanied by information about misconduct;
- relates to a breach of law punishable by imprisonment of 12 months or more;
- relates to conduct that poses a danger to the public; or
- involves detriment or a threat of detriment arising from a disclosure.

### **Eligible Whistleblowers**

Eligible whistleblowers include individuals who are, or have been:

- a Board member (Responsible Person)
- an employee
- a contractor or supplier (paid or unpaid)
- an employee of a contractor or supplier
- an associate of the School
- a relative or dependant of any of the above

### **Eligible Recipients**

Disclosures may be made to:

- the Principal
- the Board Chair
- a Board member or authorised senior manager
- an auditor or member of an audit team
- a person authorised by the School to receive disclosures

Disclosures may also be made externally to ASIC, APRA or a legal practitioner in accordance with legislative requirements.

### **Confidentiality**

The School will take all reasonable steps to protect the identity of a whistleblower and any information that is likely to lead to their identification, in accordance with the Corporations Act.

Information will only be disclosed where permitted by law, including to regulators or authorities where required.

All records relating to disclosures will be handled confidentially and stored securely within the School's designated digital storage environment (currently CCMPS G:Drive).

### **Protection and Support**

CCMPS is committed to protecting whistleblowers from detriment, including dismissal, injury, harassment, discrimination or any other adverse treatment.

Whistleblowers who make a qualifying disclosure are protected from civil, criminal and administrative liability in relation to the disclosure.

The School will implement measures to:

- minimise the risk of identification
- prevent victimisation or retaliation
- provide appropriate support, including access to Employee Assistance Program (EAP) services where available

Any act of detriment or threatened detriment will be treated as a serious breach of this Policy.

### **Fair Treatment of Individuals Named in Disclosures**

CCMPS will ensure fair and objective treatment of individuals who are the subject of disclosures. This includes:

- handling disclosures confidentially where practicable
- conducting investigations in an impartial manner
- providing individuals with an opportunity to respond to allegations where appropriate

### **Accountability and Record Keeping**

The School will maintain appropriate records of disclosures, investigations and outcomes through:

- a Whistleblower Disclosure Register
- an Investigation Register

All records will be securely stored and managed in accordance with the *Document and Record Retention Policy*.

### **Roles and Responsibilities**

#### School Board (eg. Directors, Board Members, Responsible Persons)

- Ensure compliance with whistleblower legislation and regulatory requirements
- Provide governance oversight of whistleblower arrangements
- Promote a culture of integrity, ethical reporting and accountability
- Monitor trends, risks and outcomes arising from disclosures

#### Board Chair

- Provide governance oversight of whistleblower matters
- Receive disclosures where appropriate, particularly those involving the Principal or sensitive matters
- Ensure independence, procedural fairness and appropriate governance response
- Oversee escalation and reporting of serious disclosures to the Board

#### Principal

- Implement this Policy and associated procedures
- Receive and assess disclosures in the first instance
- Determine appropriate action, including whether an investigation is required
- Ensure disclosures are managed in accordance with legislative requirements
- Maintain oversight of investigations and outcomes

### Authorised Recipients

- Receive disclosures in accordance with this Policy
- Maintain confidentiality of the discloser and information provided
- Escalate disclosures appropriately to the Principal or Board Chair
- Support the proper handling of disclosures in line with this Policy

### All Staff and Community Members

- Report suspected wrongdoing in good faith
- Cooperate with investigations where required
- Maintain confidentiality where involved in a disclosure
- Refrain from conduct that may cause detriment to a whistleblower

### **Monitoring, Evaluating and Review**

Annual adjustments may be made to this policy in response to identified areas for improvement to ensure it remains current, effective and aligned with community expectations. Otherwise, this policy will be reviewed three (3) years, or earlier if required due to changes in legislation, NESA guidelines, or identified gaps in practice.

Continuous improvement will be guided by updates from NESA, ISN, relevant legislation, and best practice guidance. Regular reviews will ensure ongoing compliance and alignment with regulatory requirements.

### **Related Documents and References**

[AISNSW Whistleblower Policy Example \(August 2024\)](#)

[Independent Schools NSW Governance Resource Manual March 2026](#)

[NESA Registered and Accredited Individual Non-Government Schools \(NSW\) Manual February 2026](#)

[NESA Resources for Schools](#)

[NSW Education Standards Authority Act 2013 \(NSW\)](#)

In the event of any inconsistency between this Policy and applicable legislation, the legislation will prevail.