Howayek Providence Limited trading as

MARONITE COLLEGE OF THE HOLY FAMILY

Maronite College of the Holy Family policies have a commitment to Maronite Catholic ethos and values and should be read in conjunction with other policies and procedures and with relevant legislation.

WHISTLE BLOWING POLICY

This policy supersedes all previous policies relating to matters contained herein.

WHISTLE BLOWING POLICY

Mission: **"***Inspired by the Maronite Sisters of the Holy Family,*
we accompany our students in the realisation of their potential."

Vision: *"We challenge our community to grow in faith, strive for excellence and transform the future."*

Motto: *Know Love Serve*

Ethos: *"The College strives to instil in students the teachings of Jesus.*
Emphasis is firstly given to providing a Maronite Catholic foundation through regular prayer, celebration of the Sacraments, commitment to the Word of God, and openness to grace.

Secondly, all are encouraged to see the best in themselves and in one another, as Paul writes, 'Whatever is true, whatever is honourable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence and if there is anything worthy of praise, think about these things' (Phil 4:8).
Emphasises is on treating all with dignity, service, forgiveness, justice, and love.

Thirdly, the College is a community which promotes a sense of family among the Sisters, Board Members, staff, students, parents, and friends."

Values: *Resilience Collaboration Integrity Compassion Respect Faith*

INTRODUCTION

Maronite College of the Holy Family ensures that where a disclosure has been made, the protection of individuals who disclose information about illegal or improper conduct occurring within Maronite College of the Holy Family. This Policy has been adopted to provide a safe and confidential environment where such concerns can be raised by whistleblowers (preferred term is ***"a discloser"***, which is used in this Policy) without fear of reprisal or detrimental treatment.

This Policy sets out:

- What conduct is considered to be reportable under this Policy.
- Who is entitled to protection as a Discloser under this Policy and the Corporations Act.
- The protections Disclosers are entitled to under this Policy and under the Corporations Act.
- How disclosures made by a Discloser in accordance with this Policy and under the Corporations Act will be handled by Maronite College of the Holy Family.

All employees and contractors of must comply with this Policy.

This Policy is available to all employees of Maronite College of the Holy Family via SharePoint, Student Management System (Sentral under SALT) and the College website for external personnel such as contractors.

1. LEGAL FRAMEWORK

The Corporations Act 2001 (Catholic)

2. DEFINITIONS

"ASIC" means the Australian Investment and Securities Commission.

"APRA" means the Australian Prudential Regulation Authority.

"Associate" means any individual within the meaning of the Corporations Act.

"Corporations Act" means the Corporations Act 2001 (Catholic).

"Personal Work-Related Grievance" is as defined in section 1317AADA of the Corporations Act and may include the following grievances:

- An interpersonal conflict between the Discloser and another employee.
- A decision relating to the engagement, transfer or promotion of the Discloser.
- A decision relating to the terms and conditions of engagement of the Discloser.
- A decision to suspend or terminate the engagement of the Discloser, or otherwise to discipline the Discloser.

"Relative" has the same meaning as in the Corporations Act.

"Spouse" has the same meaning as in the Corporations Act.

3. DISCLOSURES

Maronite College of the Holy Family is committed to Catholic ethos and values. This includes people conducting themselves in accordance with our Policies and Procedures and the law. Maronite College of the Holy Family welcomes disclosures where our expectations are not being met and people are engaging in activities that might be considered:

- Fraudulent
- Illegal
- Corrupt
- Dishonest
- Unethical
- Violates the law or any legal code
- Creating an unsafe environment
- Breaches any of our Maronite College of the Holy Family's Policies
- Discrimination
- Harassment and/or bullying of any kind
- Any conduct which is detrimental to our educational institution and could cause financial or non-financial loss

3.1 OTHER DISCLOSURES

3.1.1 CHILD/STUDENT WELFARE

Maronite College of the Holy Family has a robust process in place to disclose, report and investigate incidents of suspected child and young person abuse. Refer to our ***Child Protection Policy and Procedures*** and disclosing procedures, located on our website and the intranet, SharePoint. Our Whistle Blowing Policy does not supersede that process.

3.1.2 CHILD/PARENT

Maronite College of the Holy Family has a robust process in place to disclose, report and investigate incidents of pre-natal concerns. Refer to our ***Child Protection Policy and Procedures*** for disclosing, located on our website and the intranet, SharePoint. Our Whistle Blowing Policy does not supersede that process.

3.1.3 WORK-RELATED MATTERS

Wherever possible, employees should raise concerns openly with the Head of College or Principal. Concerns may be raised verbally or in writing. Please refer to our ***Complaints Handling Policy and Procedures for All Stakeholders*** for managing workplace complaints. Refer also to the College's ***Employment Relations Policy and Procedures*** for work related matters***.***

3.1.3.1 SOLELY WORK-RELATED GRIEVANCES

Disclosures concerning solely personal work-related grievances do not qualify for protection under the Corporations Act. A personal work-related grievance includes for example:

- An interpersonal conflict between the Discloser and another employee.
- A decision that does not involve a breach of workplace laws.
- A decision about the conditions of engagement, suspension or termination of the Discloser.

3.1.3.2 WORK-RELATED GRIEVANCES AND OTHER ISSUES

Disclosure of a personal work-related grievance may still qualify for protection under the Corporations Act if:

- It also contains information concerning a disclosable matter.
- The College has breached employment or other laws punishable by imprisonment of 12 months or more, engaged in conduct that represents a danger to the public, or relates to information suggesting misconduct beyond the Discloser's personal circumstances.
- The Discloser suffers from or is threatened with detriment for making a disclosure.
- The Discloser seeks legal advice about the operation of the Disclosure's protections under the Corporations Act.

4. WHO IS ENTITLED TO PROTECTION

4.1 DISCLOSERS UNDER THIS POLICY

To be treated as a Discloser under this Policy the person must:

- Be one of the individuals set out in Section 4.2.
- Disclose information regarding the type of matters set out in Section 4.3 (refer also to types of disclosures under Section 3).
- Disclose that information to one of the persons or bodies set out in Section 4.4.

4.2 DISCLOSURES CAN BE MADE BY CURRENT OR FORMER EMPLOYEES

Disclosures can be made by a current or former:

a) Employees of Maronite College of the Holy Family.
b) Contractor or supplier of goods and services to Maronite College of the Holy Family.
c) Associate of Maronite College of the Holy Family.
d) A relative, spouse or a dependant of an individual mentioned above.

4.3 UNLAWFUL CONDUCT or CONDUCT that ENDANGERS

Disclosures can be made about unlawful conduct or conduct that endangers the public or financial system which you suspect on reasonable grounds has occurred or is occurring within Maronite College of the Holy Family including conduct by an employee of Maronite College of the Holy Family. However, disclosures which are solely about a Personal Work-Related Grievance (as defined) will not be protected under this Policy. Such matters may be appropriately dealt with in accordance with Maronite College of the Holy Family's *Employment Relations Policy and Procedures* and/or *Complaints Handling Policy and Procedures for All Stakeholders*.

4.4 WHERE TO MAKE THE DISCLOSURE

A Discloser may make a disclosure to the following people or bodies:

a) Your supervisor (if you are an employee of Maronite College of the Holy Family).
b) An Executive of Maronite College of the Holy Family.
c) An auditor of Maronite College of the Holy Family.
d) ASIC.
e) APRA.
f) A lawyer in order to obtain advice or representation about the Corporations Act.

If the circumstances described in section 1317AAD of the Corporations Act exist, then a Discloser may make a public interest or emergency disclosure to the following persons:

g) A member of a Commonwealth or State Parliament or Territory.
h) A journalist.

5. MAKING A DISCLOSURE

A disclosure can be made in person, by telephone or in writing to one of the people or bodies identified in 4.4 (a-h) above. The external persons and bodies in sections 4.4 (d-h) above, may have other means by which you may make a disclosure. It is important to note that a Discloser does not have to reveal their identity when making a disclosure.

In addition, Whistleblowing/Anonymous disclosures can be made through our Discloser services WBS:

- https://www.whistleblowingservice.com.au/maronite-college/
- Use the Unique Key: **MAR2020**
- Use Client Reference Number: **j27k42020**
- Complete the form by entering the information requested.

6. HOW MARONITE COLLEGE OF THE HOLY FAMILY INVESTIGATES DISCLOSURES

6.1 The person who receives the disclosure will promptly forward it to the Principal who will determine:

a. If the disclosure is not covered by the policy, then the investigation will not proceed and the discloser will be advised.
b. If the disclosure is covered by the policy, the Principal will:

i. Recommend an investigation of the disclosure.
ii. Propose the investigation process, including the resources required, the people to be involved and external support.
iii. Nominate the Investigation Officer and the Protection Officer.
iv. Update the Discloser as required.

6.2 Any formal investigation of a disclosure will be undertaken by an impartial senior person, or an external investigator.

6.3 Maronite College of the Holy Family will ensure that the investigation:

a) Is conducted promptly
b) Sufficiently resourced
c) Conducted in a fair and objective manner.
d) Conducted in strict confidence.
e) Protects the identity of the person who made the disclosure.
f) Gives the opportunity to any person who is adversely mentioned in the disclosure an opportunity to respond prior to any findings being made.

6.4 At the conclusion of the investigation, the investigator will provide the Principal with a report that will summarise how the investigation was conducted, the evidence collected and contain findings in relation to the allegations in the disclosure and recommend any action required.

6.5 Following receipt of the investigation report, the Principal will take appropriate action, which may include:

a) Implementing the recommendations of the investigator.
b) Requesting further investigation.
c) Recommending disciplinary action.
d) Notifying regulatory or law enforcement bodies.

6.6 The whistle blower will be informed of the results of the investigation following the Principal taking the steps in 6.5 above. However, some circumstances may limit the information provided to the person, such as confidentiality or other legal constraints.

7. PROTECTION FOR WHISTLEBLOWERS

7.1 A whistle blower is entitled to protection of their identity, or information that is likely to lead to their identity becoming known. The whistle blower's identity or information that is likely to lead to their identity becoming known, can only be disclosed where it is made to:

a) An in-house or external lawyer for the purposes of obtaining legal advice or legal representation.
b) ASIC.
c) APRA.
d) A Commonwealth, State or Territory Authority for the purposes of assisting them in the performance of their duties.
e) The Australian Federal Police.
f) A Court or Tribunal, in circumstances where it is considered necessary in the interests of justice or is otherwise made with the consent of the whistle blower.

A whistle blower's identity may be disclosed to others as part of the investigation process, but only if necessary and Maronite College of the Holy Family will take all reasonable steps to avoid the identification of the whistle blower.

7.2 Other protections provided to whistle blowers are:

a) Maronite College of the Holy Family will not cause any detriment to the whistle blower because of the disclosure.
b) Anyone who causes or threatens to cause detriment to a whistle blower or another person in the belief or suspicion that a report has been made, or may have been made, proposes to or could be made, may be guilty of an offence under the Corporations Act and may be liable for damages.
c) The whistle blower has immunity from any civil, criminal or administrative legal action (including disciplinary action) as a result of making the disclosure.
d) No contractual or other remedies may be enforced and no contractual or other right may be exercised, against the whistle blower for making the disclosure.

LAWS & REGULATIONS

Anti-Discrimination Act 1977 (NSW)
Defamation Act 2005 (NSW)
Education Act 1990 (NSW)
Children & Young Persons (Care and Protection) Act 1998 (NSW)
Commonwealth Privacy Act 1998
Privacy & Personal Information Act 1998 (NSW)
Civil Liability Act 2002 (NSW) Section 5B Psychological Harm
Common Law Duty of Care (federal)

MCHF RELATED DOCUMENTATION

Child Protection Policy and Procedures
Privacy Policy, Plan and Procedures
Employment Relations Policy and Procedures
Anti-Discrimination Policy
Complaint Handling Policy and Procedures for All Stakeholders
Fee Policy and Procedures
Management and Operations Policy
Facilities Policy
External Provider Policy
Anti-Fraud and Corruption Policy
Banking and Finance Policy
Fundraising Policy
Third Party Facilities Policy
Conflict of Interest Policy
Educational and Financial Reporting Policy
Related Entity Transaction Policy and Register

POLICY OWNERSHIP: PRINCIPAL			
POLICY DATES			
Implemented	11/9/2019	***Reviewed***	11/2/2020, 13/03/2023; 11/06/2024, 27/06/2025, 17/01/2026
Next Policy Review Due	February 2027		
POLICY AUTHORISATION			
PRINCIPAL: Sr Margaret Ghosn	**SIGNATURE:**	**DATE:** 13/03/2023, 11/06/2024, 27/06/2025, 17/01/2026	
POLICY DETAILS			

Policy Number: 0046
Policy Version: 0001, 0002, 0003, 0004, 0005, 0006
Reference: CCER version 344699

Tracked Changes:

2023 Version 0003: Change of Principal's title to Executive Principal.
2024 Version 0004: Included Mission, Vision Motto, Ethos, Values and updated College emblem.
2025 Version 0005: Inclusion of Policy ownership, Head of Risk and Compliance
2026 Version 0006: Updated Principal's title throughout document and new policy owner.