Whistleblower Policy and Procedures

PURPOSE

Kincoppal-Rose Bay School ('the School') is committed to maintaining a working environment in which people connected with the School can report suspected instances of breaches of the law without fear of intimidation or reprisal.

The School is committed to ensuring that individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported.

This policy assists the School in the detection and resolution of unlawful conduct and to protect those persons who report this conduct.

DOCUMENT MANAGEMENT

Relevant to	Kincoppal-Rose Bay School employees, contractors and governing body
Reviewed by	Director of Corporate Services
Modification history	Created November 2019 Modified 7 November 2025
Related documents	B8.2 Complaints and Appeals Policy and Procedures Grievance Policy
Related legislation	Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 Corporations Act 2001 (Cth) Taxation Administration Act 1953 (Cth)
Review	As required by annual updates to requirements. Substantive review every 2 years.

SCOPE AND RESPONSIBILITY

This policy applies to all individuals who work for, or provide services the School, including employees, contractors and the School's governing body. These individuals (above) must adhere to this policy.

KEY DEFINITIONS

Whistleblower

An employee, director, contractor (or that person's relative, spouse or dependent) who, whether anonymously or otherwise reports unlawful, improper, or reportable conduct in accordance with this policy.

The category of persons who can make disclosures protected by the laws includes companies who supply products to the School, their employees and officers as well as their family members.

Improper/Reportable Conduct

Conduct or behaviour that is:

- dishonest, improper, fraudulent or corrupt
- criminal or breaches State or Federal Law
- unethical or involves substantial risk to the health and safety of students, employees or the public.

It may involve illegal acts like theft, drug sale or use, violence or threatened violence or criminal damage to property.

It may constitute an illegal act or omission or a failure to comply with a legal or regulatory requirement.

Protected Disclosure

A disclosure of improper/ reportable conduct, that is made in good faith, is based on reasonable grounds and is made in accordance with this policy.

Protected Disclosure Officers

- the Chair of the School Board
- the Principal
- the Company Secretary

(reporting procedures and contact information follows).

REPORTING PROCEDURES

Whistleblowers are encouraged to report matters of improper/reportable conduct to one of the Protected Disclosure Officers.

If a Whistleblower wants to seek advice about whether a matter constitutes improper/reportable conduct they should contact a Protected Disclosure Officer.

PROTECTED DISCLOSURE OFFICERS AND REPORTING PROCEDURES

The School's Protected Disclosure Officers

Individuals who wish to report improper or reportable conduct are encouraged to contact one of the following Protected Disclosure Officers:

The Chair of the Board – Ms Linda Quatermass
boardchair@krb.nsw.edu.au

The Principal – Ms Erica Thomas
principalpa@krb.nsw.edu.au

The Company Secretary – Mr Theo Miliatos
companysecretary@krb.nsw.edu.au

The mailing address for all correspondence is: New South Head Road, Vaucluse NSW 2030.

If the concern relates specifically to the Principal, the report should be directed to the Chair of the School Board.

External Reporting Option

Alternatively, reports may be made to the School's External Auditor, Mark Boyle, Nexia Australia, MBoyle@nexiasydney.com.au, Tel: 02 8264 0658.

Anonymous Reporting

Reports may be submitted anonymously by mail. Anonymous disclosures should be addressed to the Protected Disclosure Officer at the School, using the mailing address provided above. Any mail addressed in this manner will be delivered unopened to one of the Protected Disclosure Officers.

The Protected Disclosure Officers will assess the anonymous disclosure and determine the appropriate next steps, which may include engaging external professionals to assist with the investigation.

Matters Outside the Scope of Improper/Reportable Conduct

Concerns or grievances that do not fall within the definition of improper or reportable conduct, such as personal workplace grievances, should be reported in accordance with the School's Complaints and Grievance Policies. Disclosures that are not considered disclosable matters are not eligible for protection under the Corporations Act (Cth) 2001.

INVESTIGATION PROCEDURES

All reports will be kept confidential and secure. Each protected disclosure will be thoroughly investigated.

The School will:

(i) acknowledge the receipt of the disclosure (if not anonymous)

(ii) endeavour where possible to keep the Whistleblower informed of the investigation as it proceeds and when it has been closed.

PROTECTING THE WHISTLEBLOWER'S IDENTITY AND CONFIDENTIALITY

The School is committed to the protection of the Whistleblower against action taken in reprisal for making protected disclosures where the disclosure is made in good faith and is based on reasonable grounds and in accordance with this policy.

The School will protect the identity of the Whistleblower. It is a legal obligation to do so.

The School may disclose a Whistleblower's identity to a lawyer for advice about the discloser, to ASIC, APRA, the Police or where the Whistleblower consents to the disclosure.

The School may disclose information that causes the Whistleblower to be identified if:

(i) the Whistleblower's identity is not disclosed

(ii) releasing that information was reasonably necessary for the purposes of investigating the misconduct, breach of law or improper conduct disclosed in the Whistleblower's report and

(iii) the School took all reasonable steps to reduce the risk that the Whistleblower would be identified from the information.

PROTECTING THE WHISTLEBLOWER FROM DETRIMENTAL ACTS OR OMISSIONS

The School and its employees must not engage in conduct that causes detriment or threat of detriment to a Whistleblower based on their disclosure.

Detrimental Acts can be in the form of employee dismissal, injury in employment, alteration of position or duties causing disadvantage, discrimination, harassment or intimidation, harm or injury including psychological harm, damage to personal property, reputation or financial/business position.

Detrimental actions do not include administrative action that is reasonable for the purpose of protecting a Whistleblower from detriment and managing a discloser's unsatisfactory work performance if this is necessary.

Where an employee is the subject of a disclosure, they will be advised about the subject matter of the disclosure as and when required having regard to principles of natural justice and procedural fairness and prior to any actions being taken.

COMPENSATION AND OTHER REMEDIES

A Whistleblower may seek compensation and other remedies through the courts if:

(i) they suffer loss, damage or injury because of a disclosure

(ii) The School failed to take reasonable precautions and exercise due diligence to prevent detrimental conduct.

CIVIL, CRIMINAL AND ADMINISTRATIVE LIABILITY PROTECTION

The Whistleblower is protected from the following in relation to their disclosure:

(i) civil liability (e.g. legal action against the Whistleblower for a breach of employment contract, duty of confidentiality or other contractual obligation)

(ii) criminal liability (e.g. attempted prosecution of the Whistleblower for unlawfully releasing information; except in the instance of making a false declaration)

(iii) administrative liability (e.g. disciplinary action for making the disclosure.

ABUSE OF REPORTING PROCEDURE

All protected disclosures must be made in good faith. Abuse of the reporting procedure will be treated seriously and may result in legal action and/or disciplinary action (in instances related to employees of the School).

AVAILABILITY OF POLICY

This policy is available from the School website – Our Policies - Kincoppal-Rose Bay School.

7 November 2025