



## AL-AMEEN COLLEGE

### WHISTLEBLOWER POLICY & PROCEDURE

#### 1. PURPOSE

Al-Ameen College (formerly known as Langford Islamic College) recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures of serious concerns about illegal or corrupt conduct, conduct involving a substantial mismanagement of resources, or conduct involving a substantial risk to the health and safety of students and staff.

Staff, students, parents, volunteers, former staff and community members need to have a transparent and safe process for reporting serious concerns about improper conduct or practices within the College's operations. This policy encourages serious concerns about improper conduct or practices to be reported through appropriate and confidential channels, without risk of retaliation, victimisation or harassment of any form.

#### 2. SCOPE

This policy applies to all staff, students, parents, volunteers and members of the community.

#### 3. POLICY

- All staff, students, parents, volunteers and community members are encouraged to disclose a serious concern about improper conduct or practices within the College's operations, including corruption, substantial mismanagement of resources, illegal activities taking place within the College or breaches of relevant laws or regulations, without fear of victimisation and with confidence that their concerns will be taken seriously.
- Reported allegations are to be treated confidentially to the greatest extent possible and are to be promptly and properly investigated.

- The College will not take adverse action in retaliation against a person/s who makes a disclosure under this Whistleblower Policy and the College will also not tolerate adverse action by others, including staff, students, parents and volunteers.
- College will take all reasonable steps to protect persons who make disclosures under this policy from any detrimental action in reprisal for making the disclosure. It will also seek to afford procedural fairness to any person/s who is/are the subject of the disclosure.
- Trivial, malicious or vexatious disclosures must not be made and do not qualify for protection under this policy.

#### **4. NON-COMPLIANCE**

- Any victimisation or harassment of any person as a result of raising a concern will be dealt with the College's disciplinary procedures and, if required, applicable legislation.

## **5. DISCLOSURE GUIDELINES & PROCEDURES**

Your concern or complaint must be about conduct which involve illegality, corruption, fraud or other serious misconducts within the College. If not, refer to the Complaints Policy and Procedure. If concerns are serious, then undertake and be informed of the following:

### **i. DISCLOSURE PROCEDURE**

- Disclose and discuss concerns with the Principal.
- Disclosures concerning the Principal, Assistant Principals or the Business Manager needs to be made to the Chairman of the Board of Governors.
- Disclosures can be made in writing or verbally.

### **ii. DELEGATION OF RESPONSIBILITY FOR REVIEWING ALLEGATIONS**

- The Principal will assess and delegate or recommend a course of action for any disclosure.
- In the case of allegations about conduct by the Principal, the Chair of Board will either delegate the responsibility for the review or undertake the review themselves.
- In the case of allegations about conduct by the Chair of the Board, the Executive Committee of the Board, excluding the Chair, will either delegate the responsibility for the review or undertake the review themselves.
- Where the Principal or the Chair of the Board decides that the allegations are of a very serious nature, external investigators may be engaged.
- It may not be immediately evident in the workplace that action is being taken as a result of any disclosure.

### **iii. CONFIDENTIAL TREATMENT OF DISCLOSURES**

All disclosures will be treated in highest confidence and in a sensitive manner. Information about a disclosure will only be disclosed to a third party on a 'need to know' basis including the following:

- reporting to the police and other law enforcement agencies, prosecutorial authorities or regulators where there is a suspected breach of the law;
- for the purposes of criminal proceedings;
- otherwise as required by law;
- for the purpose of carrying out an investigation;
- for the purpose of finalising a report concerning a disclosure; and

- for the purpose of carrying out a recommendation made regarding a disclosure.

**iv. TIMESCALE FOR INITIAL RESPONSE**

The person responsible for reviewing an allegation will normally provide an initial written response to the whistleblower within 5 working days (except in cases of anonymous allegations), acknowledging that the concern has been received. The person will then provide the whistleblower with further information as appropriate, in as timely a manner as is possible, regarding the person's review, including the following:

- How the person proposes to deal with the matter;
- An estimate of how long the person will take to provide a final response;
- Any enquiries that may be made by the person;
- The support available to the whistleblower while the matter is dealt with.

**v. ANONYMOUS ALLEGATIONS**

In determining whether an anonymous allegation will be taken forward, the College will take the following factors into consideration:

- The seriousness of the issue raised;
- The credibility of the concern;
- The likelihood of confirming the allegation from attributable sources and obtaining information provided.

A report will be provided to the Board of Governors where an anonymous allegation is not taken forward, including the reasons for not investigating or otherwise inquiring into the allegation, having regard to each of the three factors specified above.

**vi. FALSE OR MALICIOUS/VEXATIOUS ALLEGATIONS**

If an allegation under this policy is made in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action will be taken. If, however, the inquiry shows that false allegations were malicious and/or vexatious or made for personal gain, then the College will consider taking appropriate disciplinary or legal action.

**vii. PROTECTION UNDER LEGISLATION**

Protection under the Complaints Policy is in addition to any protections that may arise under legislation. The Principal receives all complaints. Whistleblowers wishing to

report a breach of the relevant legislation can identify themselves to the Principal but may remain anonymous to the College and receive statutory protection (if provided). While Whistleblowers may need to identify themselves to the Principal, for the purpose of managing the process relating to some legislative requirements, the College will not seek information that will identify the whistleblower who chooses to remain anonymous.

However, proper investigation into the concern could reveal the source of the information relevant to the concern. Further, if the investigation leads to legal proceedings, a statement may be required as part of the evidence, which may be required to be revealed to other parties involved, including where the whistleblower is called upon to give evidence in a court or tribunal.

If an investigation comes to a point when it becomes evident that the whistleblower's identity will likely be revealed should the investigation continue, the whistleblower will be consulted by the leader of the investigation prior to the investigation proceeding. Should the whistleblower not wish the investigation to continue at that point, the leader of the investigation will consider whether to proceed, including having regard to the nature and seriousness of the disclosure and the likely impact on the disclosure. If the leader of the investigation decides to proceed, consideration will be given to what steps can be implemented to limit any disclosure of the identity, or information which may reveal the identity of the whistleblower, and where appropriate legal advice will be sought in that regard.

## 6. REVIEW HISTORY

Year of Review	Reviewed By	Amendment/Review
2019	NM	Originally Released
2020	NM	Revised
2021	PR/ME	Revised