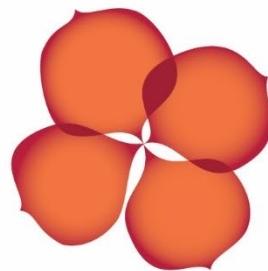


**POLICY**

**Protected Disclosures  
(Whistleblower)**



**NT  
CHRISTIAN  
SCHOOLS**

## DOCUMENT INFORMATION

**Document Title:** Protected Disclosures (Whistleblowers)  
**Policy Category:** SW - Safety and wellbeing  
**Policy Monitor:** Director Business Services  
**Contact:** policy@ntchristianschools.com.au  
**Approved by:** Board  
**Approval date:** 20 September 2024  
**Review date:** November 2027  
**Access Level:** Public

Policy  
Feedback



## AMENDMENT HISTORY

Version	Date	Changes Made
1.0	11/2019	Policy developed by Yvonne Twili, adopted by CEO. Any history prior to this unrecorded.
2.0	09/2024	Edits to meet ASIC regulatory guide 270. Addition of Preamble in response to amendments to Antidiscrimination Act in 2023. New policy template. Ratified 20 Sept 2024

# 1 Preamble

NT Christian Schools is a Christian organisation that exists to advance the Christian religion through the provision of education and religious instruction.

Across the full complement of occupations found within our staff community, every member plays a crucial role in demonstrating the outworking of an authentic Christian life to the wider NT Christian Schools community.

As representatives of NT Christian Schools, it is a genuine occupational requirement that staff and company members hold and act consistently with the religious beliefs of NT Christian Schools, articulated in, but not limited to, its Statement of Faith.

To facilitate the religious ethos of NT Christian Schools, all staff will be required to deliver or contribute to religious education (including by modelling and teaching the Christian faith), to lead and otherwise assist in religious observances (including, but not limited to delivering religious instruction, reading scriptures, partaking in communion, leading prayers or devotions and sharing their testimonies) either with fellow staff or students. These actions are to be performed in a manner that is consistent with the beliefs of NT Christian Schools, including as articulated in its Statement of Faith.<sup>1</sup>

The Bible exhorts us to pursue godliness and to model Biblical standards of behaviour to our peers and the wider society in both word and deed. It also calls Christian believers to abstain from all appearances of evil and to be active members of a local Church and meet together regularly as a body so that we may encourage one another.

Every staff member represents the dramatic outworking of the Christian faith through the testimony of their acceptance of Jesus Christ as Lord and through an ongoing daily transformation towards Christ's likeness. We believe that the Christian faith cannot be authentically conveyed by a person whose words are inconsistent with their actions. Accordingly, actions can inform the content of one's faith.

NT Christian Schools aims to spread and strengthen the teaching of the Christian religion, as articulated in the Statement of Faith, the maintenance of the doctrines upon which that religion rests, and the observances that promote and manifest that religion. In the context of Christian schooling, conduct that is inconsistent with the Christian beliefs of NT Christian Schools can impact detrimentally on:

- a) The ability of NT Christian Schools to be conducted in conformity with its Christian doctrines, tenets, beliefs or teachings;
- b) Its ability to maintain its religious ethos;
- c) Its ability to model a Christian standard of conduct to each individual student, the student body and the wider society,
- d) Its ability to nurture and model a Christian standard of conduct to peers and to the staff body.

---

<sup>1</sup> Draft Daily Hansard (Legislative Assembly of the Northern Territory), 22 November 2022, 70, 104-5

The use of NT Christian Schools facilities or property in a manner that is inconsistent with its religious doctrines, tenets, beliefs or teachings can have the same impact. Such conduct can remove the ability of the NT Christian Schools to act in conformity with its doctrines, tenets, beliefs or teachings and can incur injury to the religious susceptibilities of adherents of its religion.

Our Statement of Faith informs our understanding of the lifestyle values which staff who work in the school are required to respect and maintain. All staff of NT Christian Schools, regardless of their role, are required to be seen to conduct themselves in a manner consistent with our Statement of Faith and Code of Conduct, and in accordance with the Christian ethos of NT Christian Schools, providing a specifically Christian role model and example to all the families associated with NT Christian Schools.

Employees and those a policy applies to are fully supported by NT Christian Schools in ensuring compliance with these documents.

## 2 Purpose

NT Christian Schools is committed to upholding the highest levels of integrity in the conduct of its business, achieving good corporate governance and ensuring regulatory compliance.

This policy outlines the position of NT Christian Schools on protected disclosures<sup>2</sup>. Among other things, it creates a framework for determining:

- who is a whistleblower<sup>2</sup>,
- what protection will be provided to whistleblowers,
- to whom a disclosure should be made,
- how to make a disclosure,
- the investigation of disclosures, and
- how all entities of NT Christian Schools will ensure protection and fair treatment of all employees (whistleblowers and those who are the subject of a disclosure) after disclosure.

NT Christian Schools encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving NT Christian School businesses, and provides protections and measures so that those persons who make a report may do so confidentially and without fear of intimidation, disadvantage or reprisal.

This policy relates to a variety of disclosures and nothing in this policy limits the rights of an employee to make a disclosure in accordance with the Protected Disclosures (Whistleblower) Policy.

---

<sup>2</sup> See section 7

### 3 This policy applies to

This applies to all current and former staff and Directors of the Board of NT Christian Schools, NT Christian Schools Association members, persons who have supplied goods or services to NT Christian Schools, trustees, custodian or investment managers, or employees of the above; along with spouses, relatives or dependents of the people referred to above.

The policy is available via the NT Christian Schools website and on request in hard copy form from the NT Christian Schools Business Services office as required.

The policy is available to all staff via the NT Christian Schools Canvas *Policy and Advisory Library*.

## 4 Policy

### 4.1 Guiding Principles

NT Christian Schools shall take all reasonable steps to keep disclosures confidential and in instances where a whistleblower would prefer that their identity is kept confidential, then every best effort shall be used to keep the identity anonymous.

Those who raise a protected disclosure and who qualify for protections as a whistleblower, including protections under the Corporations Act 2001 (Cth) are protected by:

- Identity protection (confidentiality);
- protection from detrimental acts or omissions;
- compensation and remedies; and
- civil, criminal and administrative liability protections.

NT Christian Schools shall protect and support whistleblowers who raise genuine concerns under this policy, and witnesses involved even if investigations of the concern raised in their disclosure is found to be unmerited. You will be protected from:

- Detrimental Act or Omissions<sup>2</sup>
- Civil liability (eg: any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation)
- Criminal liability (eg: attempted prosecution of you for unlawfully releasing information, or other use of the disclosure against in a prosecution – other than for making a false disclosure)
- Administrative liability (eg: disciplinary action for make a disclosure).

NT Christian Schools shall protect as appropriate the privacy of those who are the subject of a disclosure, however this does not limit NT Christian Schools from undertaking appropriate disciplinary actions after investigation outcomes are determined. Relevant policies and reporting obligations to external agencies and authorities will be followed, which may result in termination of employment or criminal liabilities.

## 4.2 Application

This policy does not apply to disclosures about work-related grievances. This includes disclosures about:

- Matters pertaining to a whistleblower's employment that impact upon the employee personally.
- Interpersonal conflict between a whistleblower and another employee.
- Decisions relating to promotions, demotions, terms and conditions of employment.
- Decisions about taking disciplinary action against a whistleblower such as suspension and termination.

This Policy aims to provide an internal mechanism for reporting, investigating and remedying wrongdoing in the workplace. However, in certain instances it may be necessary to report certain disclosures to an external body.

NT Christian Schools will take precautions to prevent its employees from taking detrimental action or omissions in reprisal for a protected disclosure. This includes identifying, assessing, controlling and monitoring risks of reprisals faced by whistleblowers and witnesses.

## 4.3 Making a Report

NT Christian Schools provides several channels of making a report if a whistleblower becomes aware of any issue or behaviour which they consider to be reportable conduct<sup>2</sup>.

All reports shall be treated as confidential and will be reported to the Protected Disclosures Officer either in person, by phone, post, any other form of electronic communication or anonymously.

While NT Christian Schools encourages that reports are made to the Protected Disclosures Officer, you may also raise the matter with any Executive Officer<sup>2</sup> of NT Christian Schools and its entities.

A report must be made in private. It is important that only the person to whom you are making the disclosure to, can hear or receive your disclosure. For example, where a whistleblower makes a disclosure by email, the disclosure should be sent to the email address of the Protected Disclosure Officer to whom the disclosure is being made, rather than a group email. A disclosure can be made individually or with a group of individuals at the same time.

Where a report is verbal, the Protected Disclosure Officer may take notes and record the discussion. Recording the conversation will only be done with the whistleblowers permission.

A whistleblower need not identify themselves when making a disclosure. However, if the disclosure is anonymous, this may affect how it is investigated, and the whistleblower will not be notified of the outcome of any investigation. This will also affect NT Christian School's ability to protect the whistleblower from adverse measures if their identity becomes known.

If a whistleblower cannot be identified from the disclosure, the disclosure will be treated as an anonymous disclosure.

#### 4.4 Investigation of Reportable Conduct

NT Christian Schools will investigate all matters reported under this policy as soon as practicable after a report is made.

A Protected Disclosure Officer may, with the consent of the whistleblower, appoint a person to assist in the investigation of a report. Where appropriate, NT Christian Schools will provide feedback to the whistleblower regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations are made).

The investigation will be conducted in an objective and fair manner, and otherwise as is reasonable and appropriate having regard to the nature of the reportable conduct and the circumstances.

While the investigation process and enquiries adopted will be determined by the nature and substance of the disclosure, in general, as soon as practicable upon receipt of the report (if the report is not anonymous) a Protected Disclosure Officer or investigator will contact the whistleblower to discuss the investigation process including who may be contacted and such other matters as are relevant to the investigation.

Where a report is submitted anonymously, NT Christian Schools will conduct the investigation and its enquiries based on the information provided to it.

Where it is considered that a breach may have occurred, circumstances might require that an external investigation is undertaken. The Protected Disclosures Officer may engage an external audit of the investigation to determine any further response necessary to the potential breach.

#### 4.5 Procedure after investigation

NT Christian Schools shall provide the whistleblower with information about the results of its investigation. This will include any action taken by NT Christian Schools and any recommendation on action taken or further action to be taken. In circumstances where a disclosure was made anonymously, no feedback can be provided.

#### 4.6 Records

Records must be kept of all meetings and investigation reports. Any employees being interviewed will be asked to sign the notes of all interviews as a true and accurate record. If the employee refuses to sign the notes, the reasons for such refusal will be recorded.

The Protected Disclosure and the findings of the investigation and recommended actions will be recorded on NT Christian Schools Complaints Register (refer to Complaints Management Policy).

## 5 Roles and responsibilities

Evidence of Compliance	
<b>CEO</b>	
Ensure NT Christian Schools fosters an appropriate positive, safe and open culture to enable the reporting of misconduct without fear of victimisation or retribution.	Public publication and communication of Protected Disclosure (Whistleblower) Policy. Training provided to Protected Disclosure Officer, Executive Officers and Principals for receiving disclosures and undertaking investigations.
<b>Protected Disclosure Officer / Executive Officers / Principals</b>	
Act promptly on receipt of disclosure.	Provide a written response to the whistleblower (if not anonymous) within 5 business days acknowledging receipt of disclosure, and plan for investigation. Maintain regular contact throughout the process.
Monitoring risks of reprisals faced by whistleblowers and witness.	Develop a risk assessment for investigations and reporting process.
Keep secure records of receipt of protected disclosure, investigation findings, actions or recommendations, any reporting and communications with external agencies.	Written notes of meetings or interviews that are signed by all attendees as a true and correct record. Copies of evidence.
Be mindful of appropriate Privacy Protections for all involved.	This includes whistleblowers, witnesses and those who are the subject of the disclosure.
When appropriate engage external investigator or auditor of investigation.	Written request for engagement.
When a protected disclosure is found to be merited, ensure all appropriate reporting to required authorities and agencies is undertaken in a timely manner.	Written communication to agencies and authorities and copies of all their returned communications.
Complete records of Protected Disclosure	Enter details of Protected Disclosure, the investigations, actions taken or recommended and any related files or evidence on the Complaints Register. When appropriate records filed with appropriate privacy protections in relevant student or staff files.
<b>Whistleblower</b>	
Determine if your concern is reportable conduct under this policy or should be navigated via NT Christian Schools Complaints Management Policy	
Protect privacies when making a report.	Direct communications with Protected Disclosure Officer or Executive Officers.



Evidence of Compliance	
<b>All Employees</b>	
Report misconduct or wrongdoing where they have reasonable belief it has happened.	
Comply with any reasonable request made as part of a whistleblower investigation	
Maintain confidentiality where any information relating to a whistleblower investigation has been revealed to them.	
Do not knowingly engage in any activity or behaviour which involves retribution towards or victimises anyone involved in a whistleblower investigation.	

## 6 Definitions and acronyms

Term	Definition
<b>Detrimental Act or Omission</b>	<p>Doing an act or failure to perform an action or duty that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person such as (but not limited to):</p> <ul style="list-style-type: none"> <li>• Terminating employment</li> <li>• Injuring or harming an employee (including psychological harm)</li> <li>• Alteration of an employee's position or duties to their disadvantage</li> <li>• Harassing, intimidating or discriminating against an employee.</li> <li>• Damaging a person's property</li> <li>• Damaging a person's reputation</li> <li>• Damaging a person's business or financial position</li> </ul>
<b>Executive Officer</b>	<p>Executive Officer of the Company is someone within NT Christian Schools who makes, or participates in making decisions that affect the whole, or a substantial part, of the business of the company, or who has the capacity to affect significantly the company's financial standing. I.e. Executive member of NT Christian Schools or a School Principal.</p>
<b>Protected Disclosure</b>	<p>The voluntary reporting of information when an eligible whistleblower believes or suspects on reasonable grounds reportable conduct is or has occurred.</p>
<b>Protected Disclosure Officer</b>	<p>A person appointed under these procedures to take protected disclosures. For purposes of this policy, this is the Human Resources Manager.</p>
<b>Reportable Conduct</b>	<p>Wrongdoing, improper conduct or detrimental action that has or is suspected to have taken place, may be occurring, or may be planned to happen in the future in relation to:</p>

	<ul style="list-style-type: none"> <li>• Dishonest, fraudulent or corrupt, including bribery or other related activity;</li> <li>• Illegal activity (such as theft, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);</li> <li>• Unethical conduct or conduct in breach of NT Christian Schools' policies (such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching NT Christian Schools' Code of Conduct or other policies or procedures, in this regard.</li> <li>• Potentially damaging activity to NT Christian Schools, an NT Christian Schools employee or a third party, such as unsafe work practices, environmental damage, health risks or abuse of NT Christian Schools property or resources;</li> <li>• Conduct amounting to an abuse of authority;</li> <li>• Conduct that may cause financial loss to NT Christian Schools or damage its reputation or be otherwise detrimental to NT Christian Schools interests;</li> <li>• Harassment, discrimination, victimisation or bullying, other than personal work-related grievances as defined in the Corporations Act 2001 or mandatory reportable conduct as per the Mandatory Reporting Policy.</li> <li>• Any other kind of misconduct or an improper state of affairs or circumstances.</li> </ul> <p>Deliberate concealment of information relating to any of the above</p>
<b>Whistleblower</b>	Any individual or group of individuals (see section 3 of this policy) who make a protected disclosure.

## 7 Related legislation and policy

### 7.1 NT Christian School policies and procedures

- Conducting Investigations Policy
- Complaints Policy
- Conflict of Interest Policy
- Staff and Board Code of Conduct
- Performance Management Policy
- Bullying, Harassment and Discrimination Prevention Policy
- Mandatory Reporting Policy
- Child Protection Policy
- Privacy Protections Policy
- Workplace Health and Safety Policy
- Conflict Resolution Policy

- Staff and Student Interactions Guidelines
- Financial Management Policy suite
- Governance Policy suite

## 7.2 Legislation

- Corporations Act 2001 (Cth)
- Taxation Administration Act 1953, Part IVD, Revised Explanatory Memorandum to the Treasury Laws Amendment (Enhancing Whistleblower Protections) Bill 2018 (Whistleblower Protections Bill)
- Independent Commission Against Corruption Act 2017 (NT)
- Public Interest Disclosure Act 2013

## 7.3 Other relevant resources

- ASIC Regulatory Guide 270 [Regulatory Guide RG 270 Whistleblower policies \(asic.gov.au\)](#)
- ASIC Information Sheet 247
- Australian Securities and Investments Commission (ASIC) – Whistleblower rights and protections [Whistleblower rights and protections | ASIC](#)
- NT Office of the Commissioner for Public Employment
- Independent Commission Against Corruption