



Whistleblowing Policy

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Our Values

LTSA values a safe, inclusive, respectful work environment with a focus on providing our team members with an environment that supports their health, wellbeing, productivity, and effectiveness. LTSA is committed to a culture of compliance and high ethical behaviour.

The purpose of this Whistleblowing Policy is to encourage employees to disclose any malpractice, misconduct or conflicts of interest of which they become aware and provide protection for employees who report such allegations. This Policy also seeks to ensure that all allegations are thoroughly investigated with suitable action taken, where necessary.

This Whistleblowing Policy deals with certain issues relating to misconduct, malpractice, internal controls and conflicts of interest to ensure compliance with the laws and regulations applicable to LTSA and its team members, and to deal with concerns that are likely to arise in the work environment. This policy is not designed to deal with general employment grievances and complaints.

Application of this Policy

This policy does not form part of any contract of employment or any industrial instrument. It will be subject to regular review and may be amended by LTSA from time to time.

This policy applies to the following persons, collectively referred to in this policy as 'team members':

- a) prospective and current full-time, part-time and casual employees;
- b) Governing Board of Directors;
- c) volunteers;

- d) agents and contractors engaged from time to time; and
- e) elected student representatives and members of LTSA bodies.

This policy is not restricted to the workplace or work hours. The obligations in this policy are also applicable to any work-related events or functions. All team members are expected to comply with this policy at work related events or functions.

Policy

This policy is designed to ensure that honesty and integrity is maintained. A whistleblower is protected against adverse employment actions (dismissal, demotion, suspension, harassment, or other forms of discrimination) for raising allegations of malpractice, misconduct or conflicts of interest. Subject to this policy, a whistleblower is protected even if the allegations prove to be incorrect or unsubstantiated.

Team members who participate or assist in an investigation will also be protected. Every effort shall be made to protect the anonymity of the whistleblower; however, there may be situations where anonymity cannot be guaranteed. In such situations, the whistleblower shall be fully briefed.

Protection of Whistle-blower

This policy protects the whistleblower against any reprisals, provided that the whistleblower identifies himself/herself, and the claim is:

- a) submitted in good faith and without any malice or intentionally false allegations;
- b) based on the whistleblower's reasonable belief that the malpractice or misconduct;
- c) an issue related to the malpractice or misconduct that constitutes, or may constitute, a material violation; and
- d) does not result in a personal gain or advantage for the whistleblower.

No alleged malpractice or misconduct that meets the above-mentioned conditions will give rise to any reprisals or threat of reprisals against the whistleblower, unless the whistleblower is a participant in the prohibited activities about which the complaint is made. In those circumstances, the decision to file the complaint is only likely to affect the extent of the disciplinary measures (if any) that may eventually be taken against the whistleblower.

This effectively means that LTSA, elected student representatives, employees or members of LTSA bodies will not penalise, dismiss, demote, suspend, threaten or harass a whistleblower, or transfer the whistleblower to an undesirable job or location, or discriminate in any manner against the whistleblower, to take reprisals or retaliate as a result of the whistleblower having reported an act that is illegal or unethical, or deemed illegal or unethical, unless the whistleblower is a participant in the illegal or unethical act(s).

LTSA considers any reprisals against a whistleblower to be a serious breach of this policy and one likely to result in disciplinary measures up to and/or including dismissal. This protection applies to anyone providing information related to an investigation pursuant to this policy.

Confidentiality

LTSA recognises that maintaining appropriate confidentiality is crucial in ensuring a potential whistleblower comes forward and discloses their knowledge or suspicions about malpractice or misconduct in an open and timely manner and without fear of reprisals being made against them.

LTSA will take all reasonable steps to protect the identity of the whistleblower and will adhere to any statutory requirements in respect of the confidentiality of disclosures made. In appropriate cases, disclosure of the identity of the whistleblower or the allegation made by them may be unavoidable, such as if court proceedings result from a disclosure pursuant to this policy.

Anonymity

LTSA hopes the whistleblower will feel comfortable to voice any concerns openly; however, they may make a disclosure anonymously. Concerns expressed anonymously cannot always be dealt with as effectively as open disclosures, as they are often more difficult to investigate. LTSA will take all reasonable steps to protect the whistleblower's anonymity if requested.

Reporting procedures

Any person who has reasonable grounds to suspect that malpractice or misconduct has occurred is encouraged to report that suspicion to the GOO by phone, email or in writing. Any items of concern may also be raised with the Governing Board of Directors Chair if the matter relates to the GOO.

All claims of malpractice or misconduct should provide specific, adequate and pertinent information with respect to, among other things, dates, places, persons/witnesses, amounts, and other relevant information, in order to allow for a reasonable investigation to be conducted. If the whistleblower discloses his/her name, the person receiving the claim will acknowledge having received the complaint and may initiate a follow-up meeting. However, if the claim is submitted on an anonymous basis there will be no follow-up meeting regarding the claim of malpractice or misconduct and LTSA will be unable to communicate with the whistleblower if more information is required or if the matter is to be referred to external parties for further investigation.

Please remember that all claims of malpractice or misconduct received are treated on a confidential basis and whistleblowers are encouraged to disclose their identity to obtain the protection afforded to them at law.

Procedures following disclosure

Once a report of a suspected malpractice or misconduct has been received from a whistleblower who has provided reasonable grounds for their belief that malpractice or misconduct has occurred, an investigation of those allegations shall commence. All material violations and any actions that may be required as a result of the investigations will be reported to the LTSA GOO and the Chair of the Governing Board of Directors.

Investigations

Investigations will be conducted promptly and fairly with due regard to the nature of the allegation and the rights of the persons involved in the investigation. Evidence, including any materials, documents or records, shall be held securely by the investigator. The person receiving the disclosure must report it as soon as possible to the GOO or if the matter pertains to the GOO, to the Chair of the Governing Board of Directors. They shall then determine if the allegation is, in fact, pertinent to any of the issues mentioned in this policy.

The GOO or Governing Board of Directors Chair will determine the appropriate method for the investigation and provide written scope of investigation. In appropriate cases, they may ask for internal or external professional assistance.

During the investigation, the investigator will have access to all the relevant materials, documents, and records. All team members must cooperate fully with the investigator. During the investigation, LTSA will use all reasonable means to protect the confidentiality of the information regarding the whistleblower.

Reporting

At the conclusion of the investigation, the investigator will prepare a report of the findings for the GOO and Governing Board of Directors Chair if the matter pertains to the GOO. Where the final report indicates that the malpractice or misconduct has occurred, the final report will include recommendations for steps to be taken to prevent the malpractice or misconduct from occurring in the future, as well as any action that should be taken to remedy any harm or loss arising from the malpractice or misconduct, including disciplinary proceedings against the person responsible for the conduct, and the referral of the matter to appropriate authorities, as is deemed necessary by the LTSA GOO or Governing Board of Directors Chair.

Communications to the Whistleblower

LTSA shall ensure that, provided the claim was not submitted anonymously, the whistleblower is kept informed of the outcomes of the investigation of the relevant allegations, subject to the considerations of privacy of those against whom allegations are made.

False, deliberate or malicious claims

All employees should be aware that if a team member makes a false report deliberately, maliciously, or for personal gain, that team member may face disciplinary action.

Below are some examples of reportable malpractice, misconduct or conflicts of interest:

- a) dishonesty;
- b) fraud;
- c) corruption;
- d) illegal activities (including theft, drug sale/use, violence, threatened violence, or criminal damage against LTSA assets/property);
- e) discrimination, vilification, sexual harassment, harassment, bullying and victimisation;
- f) acts or omissions in breach of Commonwealth or state legislation or local authority bylaws;
- g) unethical behaviour;
- h) other serious improper conduct (including gross mismanagement, serious and substantial waste of LTSA resources, or repeated breaches of administrative procedures);
- i) unsafe work-practices;
- j) any other conduct that may cause financial or non-financial loss to LTSA or be otherwise detrimental to the interests or reputation of LTSA, or any of its employees; and
- k) the deliberate concealment of information tending to show any of the matters listed above.

Training

To ensure this policy is understood, all employees will receive an appropriate briefing to ensure that they are fully aware of their rights and responsibilities under this policy.

The GOO will fully brief staff as to their role in supporting this policy and the appropriate action to take in the event of any disclosure being made to them.

Breach of Policy

LTSA treats any breach of its policies or procedures seriously. LTSA encourages reporting of concerns about non-compliance and will manage compliance in accordance with the Higher Education General Staff Award 2020, National Employment Standards (NES), Disciplinary Policy and employment contract terms.

Governance

Related Policies & Procedures	<ul style="list-style-type: none"> • LTSA Complaints Handling Policy • LTSA Disciplinary Policy • LTSA WHS Policy • LTSA Anti-Bullying Policy • LTSA Freedom from Harassment Policy
Legislation Mandating Compliance	<ul style="list-style-type: none"> • Corporations Act 2001 (Cth)
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