

Protected Disclosure Policy

Purpose
The purpose of this policy is to encourage and facilitate the making of disclosures of improper conduct by its board, managers, staff, volunteers or contractors which may adversely affect MCM. These disclosures assist MCM to maintain and strengthen its high standards of conduct, administration and governance.
Scope
<p>This policy is applicable across all of MCM including Hester Hornbrook Academy. Any individual person (not company or organisation) may make a disclosure.</p> <p>This policy forms part of MCM risk management strategies and does not replace existing structures and systems in place for grievances, discrimination, harassment, bullying or other disputes.</p> <p>It replaces the previous Whistleblower Policy.</p>

Policy

MCM has committed to a process of dealing with disclosures in a way which provides protections for persons making disclosures and informs them of the process and outcome of the disclosure while respecting the need for fairness in investigating and dealing with disclosures. MCM provides a number of avenues for disclosure – both internal and external.

MCM is committed to the aims and objectives of the Protected Disclosure Act 2012. That being:

- Providing of certain protections for people who make disclosures
 - Anonymity
 - Protection from being harassed, discriminated against, bias, dismissal or demotion
- Creating certain obligations of confidentiality to prevent the disclosure of the identity of the person who has made a disclosure and the content of the disclosure, unless it is done under certain specified circumstances.
- Ensuring Non disclosure of either the identity of a discloser, or the content of their disclosure

For this policy to be enacted the following conditions are required:

- The nature of the matter means it is not appropriate for it to be reported through normal channels, or
- The person disclosing does not feel comfortable doing so via normal channels, or
- It has been reported via normal channels with no action being taken.

The person disclosing can then contact an MCM Protected Disclosure Advisor or Stopline to discuss and report the disclosure as documented in the Protected Disclosure Procedure supporting this policy.

Conduct that is reportable via protected disclosure can include:

- Unethical or immoral behaviours
- Dishonest, corrupt, illegal or fraudulent conduct
- Legal or regulatory non- compliance
- Mismanagement of resources

Protected Disclosure Policy



- Damaging the reputation of MCM
- Unsafe work practices
- Breaches of MCM's policies and procedures, including the staff code of conduct that if proven, would constitute:
 - A criminal offence
 - Reasonable grounds for dismissal
 - Reasonable grounds for disciplinary action

The conduct or action being disclosed may have taken place, still be occurring, or is believed will occur or be engaged in.

Where a person disclosing is identified as not acting in good faith or falsely reporting, then that person may be subject to disciplinary action.

Accountability
<p>MCM Board: Provides appropriate governance to ensures that MCM as an organisation is compliant with the intent of the Protected Disclosures Act 2012 (Vic)</p> <p>MCM Quality, Safety and Risk Committee: Provides appropriate governance, direction and guidance. Ensures that MCM as an organisation is compliant with the intent of the Protected Disclosures Act 2012 (Vic)</p> <p>CEO: Provides appropriate resources to enable the maintenance of an appropriate protected disclosure system for MCM. Supports a culture that enables transparency and encourages reporting.</p> <p>Head of Quality and Risk: Manage an organisation wide process for protected disclosures for MCM.</p>
Legislative context
Protected Disclosure Act 2012 Public Interest Disclosure Act 1998
Definitions
<p>The following definitions apply to this document:</p> <p>The Protected Disclosure Act 2012 provides definitions about improper conduct and detrimental action.</p> <p>IBAC means the Independent Broad-based Anti-corruption Commission</p>

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Supporting Material

Document title
Protected Disclosure Procedure
Grievance Resolution Procedure
Management of Workplace Bullying and Harassment Procedure, HHA Bullying and Harassment Procedure
Equal Opportunity Policy
MCM Code of Conduct

Development and Review

Owner: Fiona Prestedge. General Manager, People, Quality & Safety

Author: Kathy Abramoff. Head of Quality and Risk

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