



Whistleblower Policy

Policy Area: Governance

Approval: Chairperson, Board of Directors

Signature: *M. J. Smith* Date: 20/1/2021

1. BACKGROUND

Sheridan Institute of Higher Education (“Sheridan”) is committed to protecting its students and employees. We want to encourage people to speak up when they see activity or behaviour that they believe is in breach of the *Sheridan Code of Conduct*.

Sheridan employees can provide information on any concerns they have, understand where they can report their concerns, know what happens after they make a report, and ensure they feel safe in providing a report. Sheridan employees have a right to be anonymous and to be confident that, as an organisation, we will ensure they are not subject to any retaliation or other abuse because they made a report.

2. RESPONSIBILITY AND ACCOUNTABILITY

Initial approval of policy and later amendments:	Board of Directors
Amendment of procedures consistent with the policy:	Executive Principal
Distribution of policy:	Chair, Executive Principal
Implementation of policy:	Chair, Executive Principal, Case Manager
Monitoring and compliance of policy:	Audit and Risk Committee of Board of Directors
Evaluation and recommendations for amendments:	Board of Directors, Academic Council, Academic Principal, Executive Principal, Faculty

3. PURPOSE

3.1. Objective

The objective of the *Whistleblower Policy* is to provide very clear guidelines on how Sheridan approaches and manages this feedback. We aim to ensure:

- a. Every employee should have the chance to speak up when they feel we are not adhering to the *Code of Conduct*. They should have a place to report misconduct, every report will be heard and acted on, and we will make improvements based on the results.
- b. Every employee should be able to make reports anonymously. We commit to protecting informant's identities and they only need to reveal themselves if they choose.
- c. Every report of misconduct is investigated. At the end of the investigation, we will document the results and provide feedback when appropriate.

3.2. Who Falls Under This Policy

The following would be considered an “eligible person” and would fall under Sheridan’s *Whistleblower Policy*.

- Employees (including directors, managers, interns, and secondees);

- Contractors, consultants, service providers, suppliers, business partners;
- Former employees;
- Board members;
- Students.

This policy applies to all Sheridan's businesses, divisions, and offices. It also applies across all jurisdictions where we operate. If local legislation, regulation, or laws provide a higher level of protection than what is included in this policy, the local legislation will take precedence.

4. REPORTABLE CONDUCT

We want to hear from you if you witness or know about any behaviour that is:

- Fraudulent;
- Illegal;
- Corrupt;
- Dishonest;
- Unethical;
- Violates the law or any legal code;
- Is creating an unsafe environment;
- Breaches any of our company's policies;
- Discriminatory;
- Harassment and/or bullying of any kind;
- Any conduct which is detrimental to Sheridan and could cause financial or non-financial loss;

5. PROCESS FOR MAKING A REPORT

5.1. Channels For Making A Report

If an employee or eligible person would like to make a report, they have different channels available where they can do this.

- Whistleblowing/Anonymous Reporting via web and mobile
- Anonymous email sihe@abe.edu.au
- Via the Executive Principal's mobile 0451 678 858
- Via post {PO Box D178, Perth DC 6849}
- Speaking directly with the Chair of Sheridan Board of Directors

5.2. Assurance of Anonymity

Sheridan respects and protects your identity if you choose to make an anonymous report. You can choose to remain anonymous while making a report, interacting with managers during an investigation of your report, as well as after your case is closed. At any given time you can identify yourself, but this is your choice and at no point do you need to do this or will you be forced to provide your identity.

If you decide to disclose your identity, Sheridan will work to protect your identity and will outline and document who in the organisation will know you submitted your report. Sheridan will also take all steps necessary (and outlined in this policy) to ensure you do not suffer any retaliation.

Sheridan will make every endeavour possible to investigate your report, but in some cases, there are limitations of what can be achieved if the informant decides to remain anonymous.

5.3. The Investigative Process

It is important for Sheridan to be transparent with our employees and outline what is the process for us to investigate a report submitted through our whistleblowing channels. Below, we have provided

the different steps a manager or member of our whistleblowing team will go through once a report is received until the case is closed.

- Report (anonymous or otherwise) is received.
- A case manager is assigned to the report to assess it and confirm its receipt.
- The case manager will do an initial assessment to confirm it is a valid report and request permission to investigate.
- The case manager will begin their investigation. This can include corresponding with the informant if there is a channel to do this.
- The case manager will investigate and update management and the informant per policy guidelines.
- Once the case manager has finalised their investigation and report, management and the informant will be updated.
- At this point, the case manager will hand everything over to management for any subsequent action to take place.

5.4. Third Parties

Sheridan does not use 3rd parties in our whistleblower program. A person can be anonymous to ensure we protect informant's identities and leverage technologies to ensure no one in our organisation can identify them. We use best practice to assess, investigate and take action.

5.5. Who Is Alerted To A Report

Once a report is submitted (anonymous or not), the report goes to the Executive Principal of Sheridan. Should the report concern the Executive Principal, the report instead goes to the Chair of the Board of Directors.

This person will then assess the report and assign it to a case manager, who will manage the investigation.

Certain senior managers might be alerted to the report as part of the reporting process or if they are involved in the investigation in some manner.

Any information that could potentially identify an anonymous informant will be held in the strictest confidence and will not be shared, unless Sheridan is compelled by law.

5.6. What Is The Process Of Updating The Informant

As part of our investigative process, Sheridan will update the informant of the progress of the investigation. These updates can include the following:

- To confirming the receipt of a report from the informant.
- To inform that the investigative process has commenced.
- To inform that the investigation is currently ongoing.
- To inform that the investigation has been closed.

Sheridan's commitment is that the informant will be updated once a month while the investigation is ongoing. They will then be updated once the investigation has been closed.

Sheridan will strive to provide as much feedback on the investigation as possible. However, due to Sheridan's privacy guidelines, there often information that cannot be shared with the informant.

5.7. What If The Informant Is Not Satisfied With The Result

If, after receiving the summarised report of the investigation, the informant is not satisfied with the result, they can escalate this to the Sheridan Board of Directors. The informant can provide this escalation in writing so that a formal review can take place. While the Sheridan Board commits to review the request, Sheridan is under no obligation to reopen the investigation. If the Sheridan Board

concludes that the investigation was conducted properly and no new information exists that would change the results of the investigation, the investigation will be concluded.

6. HOW INFORMANTS ARE PROTECTED

6.1. Anonymity After Submitting A Report

Section 5.2 discussed how an eligible person can remain anonymous during the process of submitting a report. After submitting a report, the following policies around anonymity are in place to protect an informant's identity.

- The informant has the right to remain anonymous and does not need to identify themselves at anytime during the investigation process.
- Sheridan uses tools and platforms that help protect an informant's identity during and after submitting a report.
- At no time will Sheridan force the informant to reveal their identity.
- The informant can refuse to answer questions they feel could identify themselves. If the informant reveals themselves at any time, you will document who will have access to their identity. This can include the case manager, whistleblowing program Board, etc.

6.2. Potential Retaliation

An informant might be concerned that staff, management, or the organisation might retaliate against them. In this case, Sheridan will protect the informant from:

- Being terminated or having their employment ceased;
- Performance management;
- Harassment on the job or workplace bullying;
- Warnings or disciplinary actions;
- Discrimination;
- Any other action that can be perceived as retaliation for making a report;

6.3. Considered Risk Of Retaliation

In the case of "considered risk of retaliation", the informant believes retaliation is near or imminent, and they are targeted for retaliation. In cases of considered retaliation, the informant should contact the Sheridan Board. The Sheridan Board will take the action they feel is appropriate as well as come up with recommendations for how the situation can be resolved. Potential steps to protect the informant from a considered risk of retaliation can include:

- The informant taking leave.
- The informant being reassigned to other duties.

6.4. Already Retaliated Against

If the informant feels that they have already been retaliated against, they should escalate this immediately to the Sheridan Board. The Sheridan Board will take the action they feel is appropriate as well as come up with recommendations for how the situation can be resolved. Potential steps to protect the informant after retaliation has occurred can include:

- The informant taking leave.
- The informant being reassigned to other duties.

6.5. Retaliation Not Adequately Resolved

If the informant feels their report of retaliation was not resolved adequately they can escalate this case in writing. The report will go to Sheridan Board and they will investigate the matter and process for how the retaliation was dealt with.

6.6. How Sheridan Deals With Retaliation

Sheridan does not tolerate any attempts to retaliate against an informant who has made a report. Any employee or associated person that found retaliating will face disciplinary action, including the potential to be terminated from their roles.

6.7. Separation Of Issues

Sheridan will still be able to raise any issues related to work or performance related issues. While Sheridan will protect the informant from any retaliation, it is also important that they are still effective in their job. Sheridan can still raise any performance or contract issues with the informant as long as they are kept separate and not influenced at all from any reports that have been made.

6.8. Protection and Immunity For Others

Other parties that might have to bear witness or are involved in the investigation will be protected from retaliation in the same manner as the informant.

6.9. Legislative/Regulation Protection and Assistance

If in any jurisdictions or locales where Sheridan operates has whistleblowing protection laws that provide a higher level of protection than what is included in this policy, the local legislation will take precedence.

7. ROLES AND RESPONSIBILITIES

7.1. Roles

The roles within Sheridan's whistleblower program include the following:

- Program owner;
- Day-to-day manager of Sheridan's whistleblower program;
- Case managers that investigate individual reports;

7.2. Responsibilities

The following are the responsibilities of each role in Sheridan's whistleblower program.

Program owner: This individual owns the entire program and is measured on its overall success. This includes employees knowing and understanding the program, an easy process of making a report, investigating reports, as well as being a point of escalation for any concerns or retaliation that has taken place. While this individual reports into the organisation, the results of their work goes directly to the Board of Directors.

Day-to-day manager: The day-to-day manager views incoming anonymous reports, assigns these reports to case managers, and manages them as they conduct investigations. This person is the first line of escalation and works collaboratively with case managers to ensure anonymous reports are heard and acted upon.

Case managers: Case managers are assigned anonymous reports and their role is to investigate these reports. This includes interacting and asking questions of informants, as well as using the information provided to investigate the report submitted. Their investigation can be internal or external to the organisation depending on what was documented in the report. Their goal is to gather the facts and put forth a final report to management on what happened and what action they feel needs to take place.

8. GOVERNANCE

8.1. Changes to Sheridan's Whistleblower Policy

From time to time, Sheridan's *Whistleblower Policy* will need to change to keep up with our values, best practices, improvements, as well as legislation and regulations. Any changes to our

Whistleblower Policy will be communicated with all employees and any relevant Board members. This policy and any changes made do form any contract of employment.

Any changes to Sheridan's *Whistleblower Policy* must be approved by the:

- Executive Principal of Sheridan
- Sheridan Board of Directors

All changes will be reviewed by the Board of Directors and the Board can comment and provide feedback as necessary. All changes will also be documented in Sheridan's *Whistleblower Policy* and will be made available to all employees.

8.2. Reporting to the Board of Directors

The Board of Directors is updated every half year on Sheridan's whistleblower program, inclusive of reports, investigations, and results. Reports or investigations carrying an undue amount of risk will be reported to the Board of Directors outside of the half yearly updates. The Board of Directors at any time can ask about anonymous reports, investigations, as well as the state of Sheridan's whistleblower program.

Sheridan's whistleblower program resides in the Audit and Risk Committee of the Board of Directors. They are responsible and accountable for the implementation and effectiveness of Sheridan's *Whistleblower Policy*.

9. APPENDIX: DOCUMENT HISTORY AND VERSION CONTROL RECORD

Document Title: Whistleblower Policy

Source Documents:

Associated Internal Documents: Governance Manual
Code of Conduct
Student Grievance Policy

Associated External Documents

Authorised Officer: Chair, Board of Directors

Approved by: Mr Michael Smith

Date of Approval: TBA

Next Review Before: Dec 2023

Version Number	Version Date	Authorised Officer	Amendment Details
0.01	15 Jan 2021	N/A	Submitted to Board of Directors for review at January strategic planning meeting
1.00	20 Jan 2021	Chair, Board of Directors	Approved by Board