

Making a disclosure under the 'Improper conduct and whistleblowing guidelines' (Guidelines)*

*This flowchart applies to Swinburne University of Technology (Swinburne University) and any subsidiary companies of Swinburne University under the Corporations Act 2001 (Cth) (including Swinburne Ventures Limited) (University Subsidiary Company) (collectively, the University). It is indicative only and is not intended to cover all information that may be relevant to making a disclosure.

You are a 'Whistleblower' who can make a disclosure under the Guidelines if, among other things, you are or have been a:

- University employee (including a full time, part time, casual or fixed term employee);
- University officer (including a councillor, member of a council committee, director or secretary);
- person who supplies goods or services to the University, or an employee of a supplier to the University;
- relative, spouse or dependant of any of the people listed above.

Public interest disclosures can be made directly to the Victorian Independent Broad-based Anti-corruption Commission (IBAC). They are not covered by the legislative protections in the Victorian Public Interest Disclosure Act if they are made directly to Swinburne University.

Refer to Sections 1.2 and 2.2 of the Guidelines for more information.

To be eligible for protection under the Guidelines, you must disclose information that you have reasonable grounds to suspect involves Improper Conduct and/or Misconduct (see Section 2.3 of the Guidelines) in relation to the University, including (among other things):

- criminal or illegal conduct, or breaches of any legislation;
- serious professional misconduct, dishonest performance of work responsibilities, or substantial mismanagement of public or University resources; or
- conduct that is dishonest, fraudulent, corrupt or may cause loss or reputational impact to the University or involves misusing University information or material.

A 'Personal Grievance' will usually not qualify for protection under the Guidelines and will be referred to the appropriate management pathway in line with the Complaints Management framework or the workplace relations policies. See Sections 2.3 and 2.4 and the Appendix of the Guidelines for more information.

To be eligible for protection under the Guidelines, you must make a disclosure to:

- the University's external Independent Disclosure Hotline, STOPline; or
- the University's Disclosure Officer (currently the General Counsel); or
- another eligible recipient (set out in the Appendix of the Guidelines).

Contact details for STOPline are set out at Section 4.4 of the Guidelines.

If you meet all the criteria set out above, you will be eligible for protection under the Guidelines

Refer to Sections 2.6 and 2.7 of the Guidelines for information on two key protections: confidentiality and protection from detriment.

Refer to the Appendix to the Guidelines for key protections under the Corporations Act where applicable.

If you do not meet all the criteria set out above, you will not be eligible for protection under the Guidelines

However, your concern may be reportable under another policy or scheme.

The Disclosure Officer and/or internal or external legal counsel will assess whether the report concerns conduct protected under applicable legislation

If the report is assessed to be a disclosure under the Public Interest Disclosures Act 2012 Act (Vic), then you may be referred to IBAC if appropriate



The Welfare Manager/Whistleblower Protection Officer will conduct a risk assessment, in relation to maintaining confidentiality of your identity and protection from detriment, and supporting your welfare



The Disclosure Officer will conduct or commission a preliminary assessment to determine if the report should be formally investigated, or may refer the matter to General Counsel or external counsel for advice



Investigation Process will be undertaken if appropriate

Refer to Section 3.1 of the Guidelines.



Where the preliminary assessment determines that a further investigation is warranted, an internal or external investigator may be appointed



