

Protected Disclosure Policy

Policy

This policy explains how employees, volunteers, contractors, parents and carers can report serious concerns about wrongdoing or misconduct at Bateau Bay OOSH.

Anyone who raises a genuine concern will be treated fairly, supported and protected from retaliation. Bateau Bay OOSH will respond to each report carefully, confidentially and in line with its legal obligations.

Purpose

The purpose of this policy is to provide a safe and confidential way to report serious wrongdoing, misconduct or concerns that could place a child at risk.

At Bateau Bay OOSH, children's safety, rights and best interests come first in all decisions and practices. This policy explains:

- Who can make a report
- How to make a report
- Who can receive a report
- How Bateau Bay OOSH will respond
- How the person making the report will be protected
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WHO THIS POLICY APPLIES TO

This policy applies to:

- Current and former employees and educators
- Management
- The Approved Provider
- The Nominated Supervisor
- Students
- Families
- Contractors and subcontractors
- Volunteers
- Visitors connected with Bateau Bay OOSH

WHAT IS A PROTECTED DISCLOSURE?

A protected disclosure is a genuine report made when a person has reasonable grounds to believe that serious wrongdoing has occurred or may be occurring.

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This may include:

- Conduct that places a child's safety, health or wellbeing at risk
- Inappropriate conduct or discipline involving a child
- Abuse, neglect or a breach of child-protection requirements
- Illegal activity or a breach of the law
- Fraud, corruption or serious misconduct
- Negligence
- Unsafe practices
- Failure to follow the National Law or National Regulations
- Retaliation against someone who has made, intends to make or is suspected of making a report

A report does not need to be proven correct for the person to receive protection. However, the person must have reasonable grounds for making the report.

Personal workplace complaints are generally not protected disclosures unless they involve serious wrongdoing, risks to children, breaches of employment law or retaliation for making a protected disclosure.

How Bateau Bay OOSH will apply this policy

Bateau Bay OOSH provides safe and confidential ways for people to report concerns.

All reports will be considered fairly. People who make genuine reports will be supported and protected from retaliation.

Anyone who suspects illegal, unethical, corrupt or fraudulent behaviour, serious wrongdoing, inappropriate conduct or inappropriate discipline is encouraged to speak up.

Responsibilities of Management

The Approved Provider, Nominated Supervisor and management will:

- Ensure children's safety and wellbeing are prioritised at all times
- Ensure this policy meets relevant legal and regulatory requirements
- Make sure educators, staff, students and volunteers understand and follow this policy
- Make the policy available to families
- Provide safe ways for people to report concerns
- Promote a culture of honesty, transparency and accountability
- Provide regular training about protected disclosures
- Ensure reports are assessed and investigated promptly
- Protect people who make genuine reports
- Maintain confidentiality
- Provide feedback about the progress and outcome of a report where appropriate and lawful

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Responsibilities of Educators, Volunteers and Students

Educators, volunteers and students must:

- Immediately report incidents, allegations or complaints involving child safety
- Raise concerns even if they are unsure whether the matter meets the definition of a protected disclosure
- Cooperate with investigations
- Maintain confidentiality
- Support people who make protected disclosures
- Never participate in or tolerate retaliation against a person who makes a report
- Complete required training

What Families Can Expect

- Be informed that they can report serious wrongdoing
- Receive clear information about how to make a report
- Be protected when their report meets the requirements of a protected disclosure
- Have their concerns taken seriously and managed appropriately
- Be treated respectfully throughout the process
- Have their information kept confidential wherever possible

How to Report a Concern

- *Current and former employees, educators, volunteers, students, contractors, families and people involved in managing Bateau Bay OOSH can make a report.*
- A report can be made:
 - In person
 - In writing by letter or email
 - By telephone
 - Anonymously
 - Through a legal practitioner
- Anonymous reports will be accepted. However, remaining anonymous may make it harder for Bateau Bay OOSH to fully investigate the concern or provide updates.
- When making a report, please provide as much of the following information as possible:
 - A clear description of the concern
 - The names and roles of the people involved
 - Relevant dates, times and locations
 - The names of any witnesses
 - Supporting documents or evidence
 - Contact details, unless making an anonymous report

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Bateau Bay OOSH Reporting Contacts

Approved Provider: Bateau Bay Public School P&C Association – bbpspc@outlook.com

Nominated Supervisor: Charmayne Nathan

Contact details: Directorcharmayne@bateaubayoosh.au

Designated Whistleblower Protection Officer: Erin Dippel – erin@bateaubayoosh

External Reporting Contacts

If a person does not feel comfortable reporting the concern directly to Bateau Bay OOSH, they may contact an appropriate external authority, including:

NSW Early Learning Commission

Phone: 1800 619 113

Email: information@earlylearningcommission.nsw.gov.au

NSW Office of the Children's Guardian

Phone: (02) 8219 3600

Website: www.ocg.nsw.gov.au

NSW Ombudsman

Phone: 1800 451 524

Website: www.ombo.nsw.gov.au

NSW Police

Phone: 000 in an emergency

Phone: 131 444 for non-emergency police assistance

How People Who Report Concerns Are Protected

Bateau Bay OOSH will take reasonable steps to protect anyone who makes or intends to make a genuine protected disclosure.

A person must not be subjected to:

- Dismissal, demotion or suspension
- Harassment, intimidation or victimisation
- Discrimination or unfair treatment
- Damage to their reputation, property or financial position
- Physical or psychological harm
- Threats of any of these actions

Taking harmful action against someone because they made a protected disclosure may be a criminal offence.

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Reporting Retaliation or Harmful Treatment

Anyone who experiences or is at risk of retaliation after making a report should immediately notify:

- The Approved Provider
- The Nominated Supervisor
- The Designated Whistleblower Protection Officer
- An appropriate external authority
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Bateau Bay OOSH will:

- Investigate the concern
- Take steps to prevent further harm
- Support the affected person
- Take disciplinary or other appropriate action when required

False or Malicious Reports

A person will remain protected if they make a genuine report based on reasonable grounds, even if the concern is later found to be incorrect.

However, reports that are deliberately false or malicious may result in:

- Disciplinary action
- Termination of employment
- Legal action
- Referral to an appropriate authority

How Bateau Bay OOSH Will Manage a Report

Bateau Bay OOSH will manage protected disclosures appropriately, fairly and confidentially.

The person managing the report will:

- Acknowledge the report within five business days when contact details have been provided
- Decide whether the report qualifies as a protected disclosure
- Determine the appropriate response or investigation process
- Protect the person who made the report
- Ensure fairness for everyone involved
- Provide updates and a summary of the outcome where appropriate and lawful
- Keep secure and confidential records of the report, investigation and outcome
- Refer the matter to an external authority when required

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Assessing and Managing Risks

After receiving a report, Bateau Bay OOSH will assess any risks to:

- The person making the report
- The person who is the subject of the report
- Witnesses
- Anyone involved in the investigation
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Steps taken to reduce risks may include:

- Changing reporting or supervision arrangements
- Providing support services
- Using secure communication methods
- Limiting access to information
- Monitoring the situation throughout the process

Investigating Reports

Before beginning an investigation, Bateau Bay OOSH will assess whether the report qualifies as a protected disclosure and whether it must be referred to an external authority.

The person managing the report will:

- Conduct a fair and impartial investigation
- Decide the scope of the investigation
- Appoint an appropriate internal or external investigator
- Complete the investigation as soon as reasonably possible
- Keep the person who made the report informed where appropriate and lawful
- Take corrective action when wrongdoing is confirmed
- Notify the Regulatory Authority, NSW Police, the Office of the Children's Guardian or another authority when required

Keeping Reports Confidential

Bateau Bay OOSH will take reasonable steps to protect the identity of the person making the report.

This includes:

- Limiting the number of people who know the person's identity
- Restricting access to records
- Securely storing electronic and paper documents
- Reminding everyone involved of their confidentiality obligations
- Protecting the person from victimisation, harassment or retaliation
- Providing access to support services where available
- Monitoring risks throughout the process
- Taking action against anyone who retaliates against the person

Information may need to be shared when required by law, to protect a child or another person from serious risk, or to ensure a fair investigation.

Where possible, the person who made the report will be informed before information that may identify them is shared.



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Child Paramountcy

- At Bateau Bay OOSH, the safety, rights and best interests of children are the paramount consideration in every decision and action. This means children’s safety and wellbeing will always come before all other considerations, including operational, financial or management interests. This principle guides how Bateau Bay OOSH receives, assesses, investigates and responds to protected disclosures.

Policy Review

Bateau Bay OOSH will review this policy annually or earlier if:

- Legislation or regulatory guidance changes
- An incident identifies a need for review
- Improvements are required following feedback

Feedback may be requested from children, families, educators, staff and management. Families will be notified of significant policy changes within the required timeframe.

Review

Date:	Changes:	Reviewed by:
17/09/2026	New policy made	Charmayne Nathan