

Protected Disclosures Procedure

Section 1 - Governing Policy

- (1) This Procedure is governed by the [Protected Disclosures Policy](#).
- (2) Specific terms defined in Section 2 of the [Protected Disclosures Policy](#) have the same meaning wherever they appear in this Procedure.

Section 2 - Scope / Application

- (3) This Procedure outlines the framework for supporting Reportable Conduct including:
 - a. how a Discloser can make a Protected Disclosure;
 - b. the process for dealing with Protected Disclosures; and
 - c. communication with the Discloser and Eligible Whistleblower during any process adopted in accordance with this Procedure.

Section 3 - How to Make a Protected Disclosure

- (4) ACU recommends that Disclosers follow this Procedure when making a Protected Disclosure.
- (5) A Discloser should contact any of the Eligible Recipients listed in Section 2 of the [Protected Disclosures Policy](#) either by:
 - a. contacting the KPMG FairCall whistleblowing reporting service as set out in Item 2 of Section 8 – Appendix A; or
 - b. directly contacting the Eligible Recipient.
- (6) ACU recommends that the Discloser provides all written or other evidence in their possession to the Eligible Recipient at the time of making the Protected Disclosure or within a reasonable period to enable the matter to be efficiently dealt with. The Eligible Recipient may ask the Discloser to provide further information or documents in relation to the Protected Disclosure at any time.
- (7) ACU has appointed KPMG as an Eligible Recipient (being the external third-party Disclosure Receiver listed in Section 8 – Appendix A of this Procedure) to receive disclosures under the [Corporations Act 2001 \(Cth\)](#) and the [Taxation Administration Act 1953 \(Cth\)](#). KPMG will treat all Disclosures made to it in accordance with its Privacy Statement: FairCall available via the following link: <https://home.kpmg/au/en/home/misc/privacy-faircall.html>.

Section 4 - The University's Process for Dealing with a Protected Disclosure

- (8) Whether ACU investigates a Disclosure and the way it may investigate a Disclosure of improper conduct or state of

affairs will depend on whether it is a Disclosure to which the [Protected Disclosures Policy](#) and this Procedure apply, who raises the concern, the seriousness and nature of the conduct disclosed, and who receives the Disclosure. The objective of any investigation is to determine whether there is evidence which substantiates the concern raised in the Disclosure.

(9) The usual steps in responding to a Disclosure are as follows:

- a. Disclosure made:
 - i. initial assessment;
 - ii. if a Disclosure of Reportable Conduct by Eligible Discloser, move to next step;
 - iii. If not, advise Discloser of other options (if applicable).
- b. Investigation:
 - i. refer Discloser to Protected Disclosure Officer;
 - ii. speak to Discloser;
 - iii. interview witnesses and other relevant persons;
 - iv. gather records;
 - v. analyse information.
- c. Report:
 - i. Disclosure substantiated;
 - ii. Disclosure not substantiated;
 - iii. Discloser and other relevant persons notified of the outcome and appropriate action taken, as required.

These steps are also presented visually in the [Protected Disclosure Diagram](#).

(10) If the Disclosure is appropriately dealt with under this Procedure, ACU will endeavour to:

- a. investigate the Disclosure within a reasonable period of time;
- b. ensure that any investigation is fair and objective;
- c. avoid conflicts of interest in carrying out any investigation; and
- d. keep information relating to Protected Disclosures (including the identity of the Discloser) confidential, except as required by law and permitted under the [Protected Disclosures Policy](#) and this Procedure.

(11) All Disclosures, regardless of the source of the report, must be communicated by the Eligible Recipient as soon as possible to the Protected Disclosures Officer, ensuring that the identity of the Eligible Whistleblower or Discloser is protected at all times. The investigation team will be coordinated by the Protected Disclosure Officer. In some cases, ACU may appoint external investigators such as lawyers or forensic accountants.

(12) If a Disclosure has been made to an Eligible Recipient and the Discloser can be contacted, the Protected Disclosure Officer (through the Eligible Recipient if the Discloser wishes to remain anonymous) will discuss the likely steps of any investigation with the Discloser (including whether the Discloser consents to their identity being disclosed) and provide the Discloser with updates from time to time, as appropriate. As part of this process, the Protected Disclosures Officer shall refer the Discloser to the external third-party Disclosure Receiver listed in Section 8 – Appendix A of this Procedure. The Disclosure maintains the discretion as to whether or not they wish to report the matter to the external third-party Disclosure Receiver, who may then communicate with the Protected Disclosures Officer (in lieu of the original Eligible Recipient), maintaining the Discloser's anonymity at all times.

(13) Where a Disclosure has been made directly through the third-party Disclosure Receiver identified in Section 8 – Appendix A, the Protected Disclosures Officer shall communicate with the Eligible Whistleblower or Discloser through

that third-party organisation.

(14) The outcome of any investigation will be reported on a confidential basis to the Senate Standing Committee, and where possible, to the Discloser. If the investigation substantiates the Disclosure, ACU is committed to addressing any wrongdoing, to the extent practicable in the circumstances.

Section 5 - Review

(15) Consistent with the [Policy Development and Review Policy](#), this Procedure will be reviewed in parallel with the [Protected Disclosures Policy](#) and is scheduled for review every two years or more frequently if appropriate.

(16) Unless otherwise indicated, this Procedure will still apply beyond the review date.

Section 6 - Revisions made to this Procedure

(17) This Procedure will be reviewed frequently and updated as required.

Section 7 - Further Assistance

(18) Any general enquiries in relation to this Procedure should be directed to the Enquiries Contact as described in the Status and Details tab.

(19) General enquiries made in accordance with this clause will not normally be treated as a Protected Disclosure.

Section 8 - Appendix A

1. Disclosure Receiver / Eligible Recipient (third party)

Organisation	Contact Person
KPMG Forensic Pty Ltd FairCall whistleblowing reporting service	FairCall Manager

2. FairCall Whistleblowing Reporting Service

Telephone hotline:	1800 500 965 Days of operation: Business days House of operation: 7:00am to 5:00pm AEST Alternative option: A Discloser may choose to have their call received by KPMG South Africa
Voicemail:	24 hours a day, 7 days a week If a voicemail is left with sufficient details, KPMG Australia will return the call upon resumption of the hotline's normal business hours, as set out above.
Online:	https://australiancatholicuniversity.kpmgfaircall.kpmg.com.au/frontpage The online reporting facility provides a secure web platform, accessible on any device, to anonymously make a Disclosure.
Post:	The FairCall Manager KPMG Forensic PO Box H67, Australia Square Sydney NSW 1213

Status and Details

Status	Current
Effective Date	6th March 2024
Review Date	29th April 2024
Approval Authority	Senate
Approval Date	6th March 2024
Expiry Date	Not Applicable
Responsible Executive	Diane Barker Director, Legal, Assurance and Governance
Responsible Manager	Matthew Charet National Manager, Governance
Enquiries Contact	Legal, Assurance and Governance Directorate