



POLICY PROTECTED DISCLOSURE (WHISTLEBLOWER) POLICY



Purpose

Insight Early Learning is committed to maintaining a culture of integrity, accountability, transparency and child safety. We encourage employees, volunteers, contractors, students, families and visitors to raise concerns about suspected wrongdoing, misconduct, unlawful behaviour or risks to children, knowing they will be treated seriously, respectfully and without fear of victimisation or reprisal.

A protected disclosure, often referred to as whistleblowing, is the reporting of serious wrongdoing, misconduct, breaches of legislation, unsafe practices or conduct that may place children, employees or the organisation at risk. This may include but is not limited to child safety risks, criminal conduct, fraud, discrimination and serious governance or compliance failures.

This policy provides a safe, confidential and transparent process for making, assessing and responding to protected disclosures. It supports compliance with relevant legislation and regulatory requirements while ensuring concerns are managed fairly, independently and promptly, with the safety, wellbeing and best interests of children remaining the highest priority in all decision-making.

Scope

This policy applies to all employees, volunteers, contractors, students, families, visitors, management, the Approved Provider, Nominated Supervisor, Responsible Person, and leadership personnel.

Legislative Requirements

Education and Care National Law	
Regulations	Description
84	Awareness of child protection law
168 (2)(o)	Policies and procedures for dealing with complaints
Commonwealth Legislation	
Corporations Act 2001 (Cth) Part 9.4AAA	Protected disclosures (whistleblower) protections
Fair work act 2009	Workplace rights and protections
Work Health and Safety Act 2011	Duty of care and workplace safety
Privacy act 1988	Privacy and confidentiality obligations
Children's Guardian Act 2019	Reportable conduct scheme obligations
Child Protection Act 2012	Child protection requirements
Children and Young persons ACT 1998	Mandatory reporting obligations
Public Interest Disclosures Act 2022	

Relevant National Quality Standard (NQS) Elements

Quality Area 2 - Children's Health and Safety	
Standard 2.2	Each child is protected
Quality Area 7 - Governance and Leadership	

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Standard 7.1	Governance supports the operation of a quality service
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Implementation

Insight Early Learning is committed to ensuring all concerns about serious wrongdoing, misconduct, governance failures, or risks to child safety can be raised safely and without fear of reprisal. All employees, volunteers, contractors, students, families and visitors are encouraged to report concerns to the Approved Provider as soon as they become aware of them. Reports may be made through internal reporting channels or directly to an external authority where required by law or where a person believes it is appropriate to do so.

Where a matter involves immediate risk, criminal conduct, or child safety concerns, external reporting may occur without internal escalation.

All disclosures will be treated seriously and assessed promptly. Upon receiving a disclosure, Insight Early Learning will determine whether immediate action is required to protect children, employees, families or the organisation.

Where necessary, mandatory reporting obligations, reportable conduct requirements, regulatory notifications or referrals to external agencies will occur without delay.

Insight Early Learning will take reasonable steps to protect the identity of individuals making disclosures and maintain confidentiality throughout the assessment and investigation process. Information will only be shared where required by law, necessary to protect a child or other person from harm or required to properly investigate and respond to the matter.

Where a disclosure requires investigation, the matter will be managed fairly, objectively and in accordance with the principles of procedural fairness and natural justice. Appropriate records will be maintained, relevant evidence considered, and corrective actions implemented where required. This may include changes to practices, additional training, disciplinary action, or referral to an external authority.

Any form of victimisation, retaliation, intimidation or detrimental treatment towards a person who makes a disclosure, or is involved in an investigation, is strictly prohibited. Allegations of retaliatory behaviour will be investigated and may result in disciplinary action.

The Approved Provider, Nominated Supervisors and Leadership Team are responsible for promoting awareness of this policy, supporting individuals who raise concerns, ensuring disclosures are managed appropriately, and fostering a culture of integrity, accountability, transparency and child safety across all services.

Paramount Consideration

The safety, wellbeing and best interests of every child are of paramount consideration in all matters arising under this policy. Where a disclosure involves a child safety concern, Insight Early Learning will act immediately to assess and manage any risk to children. Mandatory Reporting obligations, Reportable Conduct requirements and regulatory notification obligations will be met in accordance with legislative requirements. Appropriate protective actions, risk assessments and support measures will be implemented without delay to ensure children remain safe and protected at all times.

Review

This policy will be reviewed annually or as legislation, regulations, or best practice changes.

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