

## Protected Disclosure

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<b>Responsible officer:</b>	Director Community and Corporate Services
<b>Key Result Area:</b>	Governance and Decision Making
<b>Document type:</b>	Policy and Procedure
<b>Reference:</b>	10/01/0004
<b>Approved by:</b>	Council
<b>Date approved:</b>	1 December 2015
<b>Date of next review:</b>	October 2016
<b>Print date:</b>	15 December 2015

### Scope

The Protected Disclosure Policy and Procedures applies to disclosures which may be made in relation to Towong Shire Council or its employees under the Protected Disclosures Act 2012.

Council's Code of Conduct and the provisions under Division 1B of the Local Government Act detail actions to be taken when breaches of Council's Code of Conduct and/or the Local Government Act occur by an individual Councillor or group of Councillors. This is outside the scope of this policy and procedures.

### Policy Statement

Council is committed to the aims and objectives of the Protected Disclosures Act 2012 (the Act). It does not tolerate improper conduct by employees, officers or members, nor the taking of reprisals against those who come forward to disclose such conduct.

Council recognises the value of transparency and accountability in its administrative and management practices and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

Council will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also afford natural justice to the person who is the subject of the disclosure.

## **Objectives**

The State Government has introduced the Protected Disclosures Act 2012.

This Act applies to all public bodies, including councils.

The purpose of the Act is:

- a) to encourage and facilitate disclosures of improper conduct by public officers and public bodies;
- b) to provide protection for-
  - a. persons who make those disclosures; and
  - b. persons who may suffer reprisals in relation to those disclosures; and
- c) to provide for the matters disclosed to be properly investigated and dealt with.

## **Approach**

### **Who can make a disclosure?**

A natural person who believes, on reasonable grounds, that the Council, a Councillor, a Council Officer or Council employee has engaged in, is engaging in or proposes to engage in improper conduct or detrimental behaviour can make a disclosure.

### **Form of disclosure?**

A disclosure can be made orally or in writing. A disclosure can be made anonymously.

### **Making a disclosure**

Disclosures concerning a Council officer or employee are to be made to:

Director Community and Corporate Services  
T: (02) 6071 5100

E: @towong.vic.gov.au

All correspondence, phone calls and emails from internal or external disclosers will be referred to the Protected Disclosure Coordinator.

Where a person is contemplating making a disclosure and is concerned about approaching the Protected Disclosure Coordinator in the workplace, he or she can call the relevant officer and request a meeting in a discreet location away from the workplace.

### **Alternative contact persons**

A disclosure about improper conduct or detrimental action by Council employees may also be made directly to the IBAC (details are as follows):

The Independent Broad-Based Anti-Corruption Commission Victoria  
Ph 1300 735 135  
[www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

Disclosures concerning a Councillor or the Chief Executive Officer can be made to this Commission.

### **Deployment**

This policy will be deployed in accordance with the "Guidelines for making and handling protected disclosures" as published by The Independent Broad-Based Anti-corruption Commission of Victoria (IBAC).

The current version can be found at:

<http://www.ibac.vic.gov.au/docs/default-source/guidelines/guidelines-for-making-and-handling-protected-disclosures-june-2013.pdf?sfvrsn=2>

### **Results**

The deployment of this policy together with the results achieved will be reviewed at least annually.