

Public Interest Disclosure Policy

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1. Purpose

Towong Shire Council is committed to transparency, accountability, and integrity. This policy supports the aims of the *Public Interest Disclosures Act 2012* by encouraging disclosures of improper conduct or detrimental action, ensuring confidentiality, and protecting individuals from reprisals. It outlines how disclosures can be made, who can make them, and the protections afforded to whistleblowers. Council will take all reasonable steps to safeguard disclosers and ensure allegations are assessed and investigated in accordance with IBAC guidelines.

2. Scope

The Public Interest Disclosures Policy applies to disclosures which are made in relation to Towong Shire Council or its employees under the Public Interest Disclosures Act 2012.

Breaches of Council's Councillor of Conduct and/or the Local Government Act by a Councillor or group of Councillors are outside the scope of this policy, as these are handled by provisions within these instruments respectively.

3. Objectives

The objective of this policy is to support the Council in implementation of the Protected Disclosures Act 2012, which has the following purpose:

- a) To encourage and facilitate disclosures of:
 - a. improper conduct by public officers, public bodies and other persons;
 - b. detrimental action taken in reprisal for a person making a disclosure under the Act;
- b) To provide protection for:
 - a. persons who make those disclosures; and
 - b. persons who may suffer reprisals in relation to those disclosures and ensure they do not suffer any form of workplace disadvantage such as bullying, dismissal or demotion; and
- c) To ensure that those disclosures are properly assessed and, where necessary, investigated;
- d) To provide for the confidentiality of the content of those disclosures and the identity of persons who make those disclosures.

4. Approach

4.1. 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. (Enter Sub-heading OR Delete if not needed)

4.2. Form of disclosure

A disclosure can be made verbally, by post, electronically, or delivered to the office of the Protected Disclosure Coordinator. A disclosure can be made anonymously.

4.3. Making a disclosure

Disclosures concerning a Council officer or employee are to be made to the Public Interest Disclosure Coordinator. The Public Interest Disclosures Coordinator is the Corporate and Organisational Development Director of the Council. If public interest disclosure is in relation to the Director Corporate and Organisational Development, the Public Interest Disclosures Coordinator is the Chief Executive Officer.

Director Corporate and Organisational Development
T: (02) 6071 5100
E: dcod@towong.vic.gov.au

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

Where a person is contemplating making a disclosure and is concerned about approaching the Public Interest 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.

4.4. Alternative contact persons

A disclosure about improper conduct or detrimental action by Councillors or Council employees may also be made directly to:

a) the Independent Broad-Based Anti-Corruption Commission Victoria (IBAC)
Ph 1300 735 135
www.ibac.vic.gov.au;

b) the Victorian Ombudsman
Ph 1800 806 314 or (03) 9613 6222
ombudsman.vic.gov.au;

c) the Victorian Inspectorate – now operating as Integrity Oversight Victoria and overseeing IBAC, Victorian Ombudsman, OVIC, VAGO and more
Ph 1800 518 197 or (03) 8614 3225
vicinspectorate.vic.gov.au or integrityoversight.vic.gov.au

d) Local Government Inspectorate
Ph 1800 469 359
www.lgi.vic.gov.au

4.5. Protections for and Confidentiality of disclosers

Towong Shire Council will ensure that any person who makes a public interest disclosure under the Public Interest Disclosures Act 2012 is afforded the following protections:

- Immunity from liability – Disclosers are protected from civil, criminal, or administrative liability for making a disclosure in accordance with the Act.
- Protection from detrimental action – It is unlawful for anyone to take reprisals against a person because they made (or intend to make) a disclosure. This includes protection from dismissal, demotion, harassment, bullying, or other workplace disadvantage.
- Welfare support – Council will conduct a risk assessment for potential detrimental action and implement welfare measures such as support plans, EAP referrals, and workplace adjustments.
- Right to confidentiality – The identity of the discloser and the content of the disclosure will be kept strictly confidential except where disclosure is authorised by law or necessary for investigation.
- Protection for cooperating parties – Individuals who assist in or cooperate with an investigation are also protected from reprisals.
- Limitations – These protections do not apply to deliberately false or misleading disclosures, and disclosers remain responsible for their own unlawful conduct.

5. Responsibilities

Responsibility	Role/Position
Maintain and promote awareness of the Public Interest Disclosure (PID) scheme, procedures, and protections across Council (e.g., intranet, induction, toolbox talks).	Governance Officer
Establish, publish, and keep current internal PID procedures consistent with the PID Act and IBAC Guidelines.	Director Corporate and Organisational Development
Receive potential disclosures (including phone, email, letter, in person), assess in accordance with the PID Act, and notify IBAC of assessable disclosures within 28 days.	Public Interest Disclosure (PID) Coordinator
Provide confidential advice to prospective disclosers on how to make a disclosure (including anonymous disclosures) and where to go if Council isn't the right receiving entity (see Appendix A).	PID Coordinator; Governance Officer
Ensure secure handling and storage of PID information (limited access; separate, secure electronic/paper systems) and implement a PID-specific confidentiality plan.	PID Coordinator; Records Management; Information Security/IT

Manage welfare of disclosers and other staff involved (risk assessment for detriment, support plans, referrals to EAP, workplace adjustments). Advise disclosers of protections, process stages, and (where permissible) outcomes at key points of the PID process.	PID Coordinator; People & Culture/HR; Line Managers
Take reasonable steps to prevent and respond to detrimental action (monitoring, escalations, immediate protective actions, disciplinary processes if required).	CEO; PID Coordinator; People & Culture/HR; Line Managers
Notify IBAC of assessable disclosures and cooperate with IBAC, Victorian Ombudsman, and Local Government Inspectorate (LGI) during assessments/investigations.	PID Coordinator; CEO (as principal officer)
Maintain a register of disclosures/notifications (non-identifying where required), track actions taken, and compile statistics for reporting.	PID Coordinator; Governance Officer
Train leaders and supervisors on receiving concerns, preserving confidentiality, and immediately referring potential PIDs to the PID Coordinator.	People & Culture/HR; Governance; PID Coordinator
Ensure IT systems and physical records meet confidentiality and access control requirements (audit trails, secure repositories, needtoknow access).	Information Security/IT; Records
Support IBAC/Ombudsman/LGI requests discreetly and promptly (documents, interviews, logistics), while maintaining statutory confidentiality.	PID Coordinator; Governance; Records; Legal

6. Human Rights

The policy gives regard to relevant legislation, principles of natural justice and procedural fairness, community values and Council's resource capacity. It is considered that this policy supports the rights identified in the *Charter of Human Rights and Responsibilities Act (2006)*.

7. Relevant Legislation and Policies

This policy should be read in conjunction with all other relevant Council policies and procedures, as well as relevant legislative requirements.

Related legislation includes:

- *Local Government Act 2020*
- *Public Interest Disclosures Act 2012*
- *Protected Disclosures Act 2012*

Other related guidelines or policies include:

- *Employee Code of Conduct*
- *Independent Broad-Based Anti-Corruption Commission Victoria (IBAC) guidelines for handling public interest disclosures*

8. Definitions

Term	Definition
Public Interest Disclosure (PID)	A report about improper conduct by a public officer or body, or detrimental action taken against a person in reprisal for making a disclosure.
Improper conduct / corruption	Includes serious misconduct such as corrupt conduct, dishonest conduct, or substantial risk to public health or safety.
Detrimental action	Action in reprisal against a person because of a disclosure (e.g., bullying, harassment, disciplinary action).
Receiving entity	An organisation authorised to receive disclosures, including all local councils, IBAC, Victorian Ombudsman, and Integrity Oversight Victoria (formerly the Victorian Inspectorate).

Authorised by: _____

ntaylor

Narelle Taylor

Acting Chief Executive Officer

Appendix A – Government Entities for disclosures

If disclosure is about ...

The Chief Commissioner of Police
 The Director of Public Prosecutions
 The Chief Crown Prosecutor
 The Solicitor-General
 The Governor
 The Lieutenant-Governor or Administrator
 The Director, Police Integrity
 The Electoral Commissioner
 A Commissioner or a member of a Board of Inquiry under the Inquiries Act 2014 (Vic)
 A judicial employee
 A Ministerial Officer
 A Parliamentary adviser
 An electorate officer
 A Parliamentary officer
 A Minister who is not a member of parliament
 Integrity Oversight Victoria
 An Integrity Oversight Victoria Officer
 The IBAC or an IBAC officer
 A Public Interest Monitor
 A judicial officer
 A member of VCAT who is not a judicial officer
 Member of Victoria Police personnel (other than the Chief Commissioner)
 A Councillor
 The Information Commissioner
 The Health Complaints Commissioner
 The Chief Examiner or an Examiner appointed under section 21 of the Major Crimes (Investigative Powers) Act 2004 (Vic)
 A Victorian Ombudsman officer
 A Victorian Auditor-General's Office officer
 A Judicial Commission officer, other than a judicial member of the Board of the Judicial Commission
 A Council
 A member, officer or employee of a Council
 Member of Parliament (including a Minister) (Legislative Assembly)
 Member of Parliament (including a Minister) (Legislative Council)
 A public officer or public body not listed above

it must be made to ...

IBAC

The Integrity and Oversight Committee or a Presiding Officer.
 Integrity Oversight Victoria

IBAC or the Judicial Commission

IBAC or a prescribed member of Victoria Police personnel
 IBAC or the Victorian Ombudsman

IBAC or Integrity Oversight Victoria

IBAC, Integrity Oversight Victoria, the Ombudsman or the relevant Council
 Speaker of the Legislative Assembly

President of the Legislative Council

Victorian Ombudsman, IBAC or Integrity Oversight Victoria.
 (employees or members of a public service body can make a disclosure to that public service body)