

Protected Disclosure Policy



Policy No. 3.24
Version No 1.1
Review Date July 2018
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PURPOSE: The purpose of the Protected Disclosure Act 2012 ("Act") and this policy is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies, including GVWRRG, its staff, Board members and employees.

Scope

A person (i.e. not organisation or company) may make a disclosure under the Act. The person may come from within the organisation, or any member of the public externally.

A disclosure can be made about public officers and public bodies, including Goulburn Valley Waste and Resource Recovery Group ("GVWRRG"), its staff, Board members and employees.

Background

On 10 February 2013, Act came into operation, replacing the Whistleblowers Protection Act 2001. GVWRRG is a public body subject to the Act.

Definitions

Act means Protected Disclosure Act 2012

IBAC means the Independent Broad-based Anti-corruption Commission

Protected Disclosure Procedures means the procedures established by GVWRRG to facilitate and encourage the making of disclosures under the Act, and how GVWRRG will manage the welfare of persons connected with protected disclosures, as required under the Act.

GVWRRG means Goulburn Valley Waste and Resource Recovery Group

Legislation

Protected Disclosure Act 2012

Policy statement

GVWRRG is committed to the aims and objectives of the Act. It recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal improper conduct. It does not tolerate improper conduct by the organisation, its employees, officers or Board members, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

What can disclosures be made about?

Disclosures may be made about "improper conduct" on the part of a public body or its staff, employees and Board members. Disclosures may also be made about "detrimental action" taken (or suspected may be taken) in reprisal or in connection with a disclosure made about improper conduct.

The conduct or action being disclosed may have taken place, still be occurring, or is believed will occur or be engaged in.

The Act provides definitions about improper conduct and detrimental action. For more information about what those terms mean, see GVWRRG's Protected Disclosure Procedures (see further below "how to make a disclosure" about how to access or obtain a copy of those procedures).

Who can make a disclosure?

Any individual natural person (e.g., not organisation or company) may make a disclosure under the Act. The individual could be a person within the organisation, or any member of the public externally.

Disclosures may be made in a number of ways set out in the Act, including anonymously, in writing or orally. A discloser need not identify the person or body about whom the disclosure is made.

How to make a disclosure

According to the Independent Broad-based Anti-corruption Commission ("IBAC"), GVWRRG is not permitted to receive disclosures made under the Act. Therefore, if you wish to make a disclosure about GVWRRG, its officers, Board members or employees, you will need to make that disclosure directly to the IBAC. If GVWRRG believes a disclosure may be a protected disclosure made in accordance with the Act, it will ask you to make that disclosure to the IBAC. The IBAC will deal with the disclosure.

Role of GVWRRG

It is important to note that the IBAC is not required to contact GVWRRG about any disclosure you make so you should not discuss any disclosure you make to the IBAC with GVWRRG or any person in GVWRRG unless you have first obtained the permission of the IBAC to do so, or unless the IBAC has directed you to do so, or the IBAC has contacted GVWRRG to provide it with information in order to allow GVWRRG to provide you with any necessary welfare and support.

As required under the Act, GVWRRG has established procedures to facilitate and encourage the making of disclosures under the Act, and how GVWRRG will manage the welfare of persons connected with protected disclosures ("Protected Disclosure Procedures"). GVWRRG's Protected Disclosure Procedures are available at www.gvwrrg.vic.gov.au or by inspection during normal office hours of GVWRRG at 30 Benalla Road.

If you are not able to access an online copy or would like a copy sent to you, please contact the Protected Disclosures Coordinator on 0358221300 or info@gvwrrg.vic.gov.au so we can provide you a copy of our Protected Disclosure Procedures.

Confidentiality

GVWRRG takes its obligations under the Act seriously. This includes the requirement to protect the identity of the discloser and the matters disclosed by a discloser. Maintaining confidentiality in relation to protected disclosure matters is crucial, among other things, in ensuring reprisals are not made against a discloser. It is a criminal offence under the Act to disclose information connected with a disclosure made in accordance with the Act, including the identity of the discloser. The penalties for breaching confidentiality obligations include financial penalties and imprisonment.

For more information

For more information about protected disclosures or the Victorian integrity system generally, also see <http://www.ibac.vic.gov.au/report-corruption-or-misconduct/protected-disclosure>.

In addition, you can find out more information about our general complaints handling process from:

GVWRRG Executive officer

Goulburn Valley Waste and Resource Recovery Group

30 Benalla Road Shepparton Vic 3630 or by email info@gvwrrg.vic.gov.au.

Regular review of this policy

The Board will review this policy on an annual basis or more frequently, if required, to keep up-to-date with changes to laws, government policy, etc. This policy was last reviewed in July 2018.

Document control history

Version No.	Version Date	Review Date	Author	Nature of Amendment
1.0 draft	July 2018		N Nagle	
1.1	17/08/2018	17/08/2020	N Nagle	Final version endorsed by Board

