G 28 Whistleblower (Public Interest Disclosure Act) Policy

Policy Objective

The objective of this policy is to encourage and support employees, council members, contractors, consultants, volunteers and members of the public, to report suspected unlawful, unethical, or undesirable conduct (misconduct or wrongdoing) that is genuinely believed to be in breach of the Shire of Ravensthorpe's Code of Conduct for Council Members, Committee Members and Candidates, and Code of Conduct for Local Government Employees, Contractors and Volunteers, Council policies, or the law.

Definitions

The Shire means the Shire of Ravensthorpe

PID Act means the *Public Interest Disclosure Act* 2003

Public Interest Disclosure means a report about certain types of wrongdoing by a public authority, public officer or public sector contractor covered by the PID Act. A disclosure must do both of the following:

• Relate to a matter of public interest information – which has a specific meaning under the legislation.

• Show (or tend to show) that a public authority, public officer or public sector contractor is, has been or may in the future be involved in wrongdoing when performing their public function.

Anyone can make a disclosure, including members of the public, government clients or stakeholders, and people who work for a public authority, as long as they believe, on reasonable grounds, their information is or may be true. Making a deliberately false or misleading disclosure carries significant penalties under the PID Act.

Policy

The Shire of Ravensthorpe does not tolerate corrupt or other improper conduct. The Shire is committed to the aims and objectives of the *Public Interest Disclosure Act* 2003 ("the PID Act").

The PID Act recognises the value and importance of Employees and others to enhance administrative and management practices, and strongly supports disclosures being made as to alleged Misconduct.

The Shire strongly supports disclosures being made by employees about corrupt or other improper
conduct. The Shire also strongly supports contractors and members of the community making disclosures about corrupt or improper conduct.

The Shire does not tolerate any of its employees, contractors or subcontractors taking reprisal action
against anyone who makes or proposes to make a public interest disclosure.

The Shire will take all reasonable steps to protect employees and council members from any

detrimental action in reprisal for the making of a public interest disclosure. Equally, the Shire will take all reasonable steps to protect those people not covered by the PID Act – contractors, contractors, volunteers and members of the public – from any reprisals for reporting suspected wrongdoing or misconduct.

The commitment to effectively manage public interest disclosures extends to a proper authority of the Shire. The person/s responsible for receiving disclosures of public interest information designated under s. 23(1)(a) of the PID Act will abide by the PID Code of conduct and integrity in performing their duties.

The Shire is committed to responding to the disclosure thoroughly and impartially. The Shire will treat all people in the disclosure process fairly and without judgement, including those who may be the subject of a disclosure.

The Shire will provide as much information as possible to people considering making a public interest disclosure.

The Shire will consider each matter under the appropriate reporting pathway and make every attempt to protect those people making reports from any reprisals.

Public Interest Disclosure Guidelines

The Chief Executive Officer is authorised to develop, review and adopt Shire of Ravensthorpe Public Interest Disclosure Guidelines in line with those published by the Public Sector Commission.

Nothing in this Policy or Public Interest Disclosure Guidelines displace the notification or reporting requirements of the Corruption, Crime and Misconduct Act 2003.

General information and the Shire's Public Interest Disclosure Guidelines are accessible to all employees, council members and contractors. Copies are available from the Shire's Public Interest Disclosure (PID) Officer and are available on the Shire's website.

While the Shire's Public Interest Disclosure Guidelines focus on public interest disclosures made under the PID Act, the Shire is committed to dealing with all reports of suspected wrongdoing. The Shire encourages people to report if they witness any such behaviour.

DOCUMENT CONTROL BOX	
Custodian: Chief Executive Officer	**Decision Maker:** Council
Compliance Requirements:	
Delegated Authority: -	
Legislation: *Local Government Act 1995* *Public Interest Disclosure Act 2003* *PID Code of Conduct and Integrity* *Corruption, Crime and Misconduct Act 2003* *Code of Conduct for Council Members, Committee Members and Candidates* *Code of Conduct for Local Government Employees, Volunteers and Contractors* *Shire of Ravensthorpe Fraud and Corruption Control Policy* *Shire of Ravensthorpe Internal Control Policy*	

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a	OCM 21/07/26; 12.1.1; Res:74/26	Adoption of new policy
b		
c		