



NAMBUCCA SHIRE COUNCIL INTERNAL REPORTING (PUBLIC INTEREST DISCLOSURE) POLICY NO: G 08

Our Vision

Nambucca Valley ~ Living at its best

Our Mission Statement

'The Nambucca Valley will value and protect its natural environment, maintain its assets and infrastructure and develop opportunities for its people.'

1 Policy objectives

The purpose of this policy is to:

- Address Council's responsibilities under the *Public Interest Disclosure Act* (PID Act), in particular explaining the process for handling reports that are classified as protected disclosures
- Demonstrate Council's commitment to high standards of ethical and accountable conduct to promote integrity, accountability and good management within the Council
- Demonstrate Council's commitment to supporting and protecting staff if they report wrongdoing

2 Applicability

This policy applies to:

Councillors
Staff
Volunteers
Individual contractors

3 Related legislation / documents

Amendment to Public Interest Disclosure Act 1994 (Div of Local Govt Circular 11-31 of 17/10/2011)

Public Interest Disclosures Act 1994

Independent Commission Against Corruption Act 1988

Government Information (Public Access) Act 2009

Council's Various Codes of Conduct

Local Government State Award

Standard Contract of Employment – General Manager and Senior Staff (other than General Managers)

NSW Ombudsman's Guidelines on Public Interest Disclosures

4 Organisational commitment

Council is committed to:

- creating a climate of trust, where staff are comfortable and confident about reporting wrongdoing
- encouraging staff to come forward if they have witnessed what they consider to be wrongdoing within the Council
- keeping the identity of the staff member disclosing wrongdoing confidential, wherever possible and appropriate
- protecting staff who make disclosures from any adverse action motivated by their report
- dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it
- keeping staff who make reports informed of their progress and the outcome
- encouraging staff to report wrongdoing within the Council, but respecting any decision to disclose wrongdoing outside the Council – provided that disclosure outside the Council is made in accordance with the provisions of the PID Act
- ensuring managers and supervisors at all levels in the Council understand the benefits of reporting wrongdoing, are familiar with this policy, and aware of the needs of those who report wrongdoing
- providing adequate resources, both financial and human, to:
 - encourage reports of wrongdoing
 - protect and support those who make them
 - provide training for key personnel
 - investigate allegations
 - properly manage any workplace issues that the allegations identify or create
 - correct any problem that is identified
 - reassess / review the policy each year to ensure it is still relevant and effective.

5 Roles and responsibilities

5.1 All staff

The responsibilities of all staff include:

- reporting known and suspected wrongdoing within Council
- not making false or misleading reports of wrongdoing
- keeping the identity of internal reporters and anyone who is the subject of a report confidential
- assisting those dealing with a report, including supplying any information on request
- supporting staff who report wrongdoing
- not taking reprisals against another staff member that they suspect has reported wrongdoing
- notifying their manager or supervisor immediately of any suspicions they have that reprisal to an internal reporter is occurring or has been threatened.

5.2 Staff reporting wrongdoing

The responsibilities of staff reporting wrongdoing include:

- only discussing the matter with authorised people and not alerting anyone who is the subject of a report that a disclosure has been made
- when they report, raising any concerns that they have about reprisals or workplace conflict with the person assessing their report or the disclosures coordinator
- assisting those assessing and dealing with the report, including supplying any information on request
- if needed, seeking support from their support officer, manager or supervisor, the disclosures coordinator or any external organisations and services
- at any time after they have reported, notifying their manager or supervisor, the disclosures coordinator or principal officer immediately of any suspicions they have that reprisal is occurring or has been threatened.

5.3 Staff receiving a report

The following positions within Council are responsible for receiving reports of wrongdoing:

- General Manager (principal officer/disclosures coordinator)
- Mayor (principal officer where the report concerns the General Manager)
- Manager Human Resources (disclosure officer)

The responsibilities of staff receiving a report – whether they are a principal officer, disclosures coordinator or disclosures officer – include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- when requested by a person wishing to report wrongdoing, arranging to meet with them privately and discreetly – if necessary away from the workplace
- assisting the person to put their report in writing or ensuring that any reports received orally are documented, dated and signed by the person
- forwarding reports to the disclosures coordinator or principal officer for assessment
- advising the internal reporter to only discuss the matter with authorised people and not alert anyone who is the subject of a report that a disclosure has been made about them
- explaining to the internal reporter what will happen in relation to the information received
- advising the internal reporter to notify the disclosures coordinator or principal officer immediately of any suspicions they have that reprisal is occurring or has been threatened against them
- helping the internal reporter to communicate with the disclosures coordinator, principal officer or their support person if they are having difficulty doing this directly.

5.4 Staff assessing a report

The following positions within Council are responsible for assessing what should happen in response to a report of wrongdoing:

- General Manager (principal officer/disclosures coordinator)
- Mayor (principal officer where the report concerns the General Manager)

The responsibilities of staff assessing a report include:

- determining whether or not the report is a protected disclosure
- deciding how the report should be progressed, whether it is a protected disclosure or not
- providing the principal officer with written advice about the initial assessment and the decision about how the report is to be progressed
- ensuring that a written acknowledgement is given to the internal reporter as soon as possible, but at least within two weeks of having received the report
- in consultation with the internal reporter, assessing the likelihood of their identity remaining confidential in the workplace if the report is investigated
- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- if it is not possible to maintain confidentiality, developing a strategy for supporting the internal reporter and preventing reprisals – and giving the internal reporter an opportunity to discuss this proposal
- in consultation with the internal reporter, assessing the likelihood of them being exposed to reprisal or workplace conflict
- in consultation with the internal reporter, appointing a support person to assist them – someone who is not an investigator or someone with management responsibility for deciding the response to the report
- providing advice to the internal reporter's manager or the principal officer on the systems and strategies that should be established to minimise any risk of reprisal that the internal reporter faces
- reminding all managers that they have an obligation to notify the disclosures coordinator or principal officer immediately of any suspicions they have or allegations they receive that reprisal to an internal reporter is occurring or has been threatened.

5.5 Principal officers

Council's principal officer is the General Manager or the Mayor when the report concerns the General Manager.

Principal officers are responsible for:

- establishing and maintaining a working environment that encourages staff to report wrongdoing
- establishing an effective internal reporting system to appropriately deal with reports of wrongdoing, support staff who report, and ensure reprisals are not taken against them
- ensuring adequate resources, both financial and human, are dedicated towards achieving these outcomes.

If wrongdoing is reported to the principal officer under s.8(1)(2) of the PID Act, this person has the responsibilities outlined for 'Staff receiving a report'. In addition to these general responsibilities, the principal officer must also refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC).

The principal officer is responsible for assessing any reports that they receive in accordance with the responsibilities for 'Staff assessing a report'.

Irrespective of whether the principal officer receives or assesses a report, their responsibilities include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- ensuring that they are advised when an assessment decision has been made about a report and, if further action is recommended, given regular progress updates and a report of the outcome
- providing adequate resources to any support person appointed to assist an internal reporter
- providing adequate resources to any person appointed to investigate a report
- ensuring that appropriate systems and strategies are established to minimise any risk of reprisal that the internal reporter faces
- effectively managing the workplace situation, or ensuring that the workplace situation is effectively managed, if reprisal is threatened or does take place
- taking appropriate action against anyone who threatens or takes reprisal against a person for reporting wrongdoing
- taking appropriate remedial action in response to any findings that substantiate the allegations in the report
- implementing any organisational reform that is necessary to address systemic issues identified following a report.

5.6 Managers and supervisors

Managers and supervisors play a key role in establishing and maintaining a working environment that encourages staff to report wrongdoing and supports those that do. If a staff member has a concern or a report of wrongdoing that may be a disclosure under the PID Act, managers and supervisors should advise them to raise the matter with a nominated disclosure officer.

If a manager or supervisor is aware that one of their staff has made a report, their responsibilities include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- providing support to the internal reporter, including ensuring that they have access to any necessary professional support
- ensuring that appropriate systems and strategies are established to minimise any risk of reprisal that the internal reporter faces
- notifying the disclosures coordinator or principal officer immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing
- effectively managing the workplace situation if reprisal is threatened or does take place taking appropriate action against any person who threatens or takes reprisal against a person for reporting wrongdoing.

5.7 Disclosures coordinator

Council's disclosure coordinator is the General Manager.

When the disclosures coordinator receives or assesses a report, their responsibilities are those for 'Staff receiving a report' and 'Staff assessing a report'. Irrespective of whether the disclosures coordinator receives or assesses a report, their responsibilities include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- continually assessing the likelihood of the internal reporter being exposed to reprisal or workplace conflict
- ensuring that appropriate systems and strategies are established to minimise any risk of reprisals that the internal reporter faces
- ensuring that the internal reporter is kept regularly informed about the progress of the matter
- ensuring that the time frames promised in the acknowledgement letter are adhered to.

If the disclosures coordinator becomes aware that reprisal against an internal reporter is threatened or is taking place or has taken place, their responsibilities include:

- taking all steps to enable the internal reporter to continue working without being subjected to reprisal, or changing the workplace so that their exposure to the detriment is minimised (for example, moving staff to a different location)
- ensuring a senior and experienced staff member, who has not been involved in dealing with the initial report, investigates the suspected reprisal
- ensuring that the results of that investigation and any arising recommendations – including that appropriate disciplinary action be taken against anyone proven to have taken any reprisal – are provided to the principal officer for a decision
- referring any evidence of reprisals to the police, the ICAC or the Police Integrity Commission (depending on the subject matter of the allegation) to see if there are sufficient lines of inquiry to establish that a criminal offence has taken place.

The disclosures coordinator is also responsible for ensuring Council meets its broader obligations under the PID Act, including:

- implementing an internal reporting policy that provides procedures for receiving, assessing and dealing with protected disclosures
- reporting annually on the incidence and management of protected disclosures within Council and providing a copy of this report to the Ombudsman.

5.8 Support people

When staff report wrongdoing, a person should be appointed to provide support to the internal reporter. A support person should also be made available to anyone who is the subject of the report if appropriate or requested. This internal support shall be in addition to external sources of support such as employee assistance services or unions.

The support person should be independent of the investigation and the resulting decision-making process. Their appointment should be made in consultation with the internal reporter or anyone who is the subject of the report.

Support people within Council may include managers, supervisors, Human Resources staff and union delegates. The responsibilities of staff appointed to provide support include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, if this is possible and appropriate
- initiating and coordinating appropriate action to support internal reporters, particularly those who are suffering any form of reprisal
- advising internal reporters and anyone who is the subject of a report on the avenues available within Council to handle any concerns they may have arising out of the report

- advising internal reporters and anyone who is the subject of a report on the external organisations and services they can access for support – such as stress management, counselling services, legal or career advice
- ensuring the internal reporter and anyone who is the subject of a report has access to any necessary professional support
- monitoring the workplace situation for reprisal or conflict
- notifying the disclosures coordinator or principal officer immediately of any suspicions they have that reprisal to an internal reporter is occurring or has been threatened.

5.9 Staff who are the subject of a report

The responsibilities of staff who are the subject of a report of wrongdoing include:

- only discussing the matter with authorised people
- not seeking to identify the internal reporter
- assisting those dealing with the report, including supplying any information on request
- not taking reprisals against another staff member whom they know or suspect has reported wrongdoing
- if necessary, seeking support from their manager or supervisor or any available external organisations and services.

6 What should be reported?

You should report any wrongdoing you see within Council. Reports about the four categories of serious wrongdoing – corrupt conduct, maladministration, serious and substantial waste of public money, and government information contravention – will be dealt with under the PID Act as protected disclosures and according to this policy.

6.1 Corrupt conduct

Corrupt conduct is defined in sections 8 and 9 of the *Independent Commission Against Corruption Act 1988*. Corrupt conduct includes the dishonest or partial exercise of official functions by a public official. For example:

- the improper use of knowledge, power or position for personal gain or the advantage of others
- acting dishonestly or unfairly, or breaching public trust
- a member of the public influencing or trying to influence a public official to use their position in a way that is dishonest, biased or breaches public trust.

6.2 Maladministration

Maladministration is defined in section 11 of the PID Act as conduct that involves action or inaction of a serious nature that is either:

- contrary to law
- unreasonable, unjust, oppressive or improperly discriminatory
- based wholly or partly on improper motives.

Some examples are:

- awarding contracts and tenders to private parties that are related by family, friendship or association
- failing to make a decision in accordance with official policy for no appropriate reason
- refusing to grant someone a licence for reasons that are not related to the merits of their application
- issuing an order against a person without giving them procedural fairness.

6.3 Serious and substantial waste in local government

Serious and substantial waste is any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, that could result in the loss or wastage of public funds or resources. This includes all revenue, loans and other money collected, received or held by, for or on account of the Council.

Serious and substantial waste can be:

- Absolute – where the waste is regarded as significant.
- Systemic – where the waste indicates a pattern that results from a weakness within an organisation's systems.
- Material – where the waste is about the organisation's expenditure or a particular item of expenditure, or is to such an extent that it affects an organisation's capacity to perform its primary functions.

Some examples are:

- misappropriation or misuse of public property
- the purchase of unnecessary or inadequate goods or services
- overstaffing in particular areas
- staff being remunerated for skills they do not have, but are required to have under the terms or conditions of their employment
- programs not achieving their objectives and therefore the program's costs being clearly ineffective and inefficient.
- poor project management practices leading to projects running over time
- having poor or no processes in place for a system involving large amounts of public funds.

Waste can result from such things as:

- insufficient safeguards to prevent the theft or misuse of public property
- purchasing practices that do not ensure goods and services are necessary and adequate for their intended purpose
- poor recruiting practices

6.4 Government information contravention

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act). For example, this could include:

- intentionally overlooking documents that are clearly covered by an access application
- destroying, concealing or altering records to prevent them from being released
- knowingly making decisions that are contrary to the GIPA Act
- directing another person to make a decision that is contrary to the GIPA Act

6.5 Other wrongdoing

Although reports about the previous four categories of conduct can attract the specific protections of the PID Act, you should report all activities or incidents that you believe are wrong. For example, these could include:

- harassment or unlawful discrimination
- reprisal action against a person who has reported wrongdoing
- practices that endanger the health or safety of staff or the public.

These types of issues should be reported to a supervisor, in line with Council's policies on Harassment Prevention, Grievance Resolution and Occupational Health and Safety.

Even if these reports are not dealt with as protected disclosures, Council will consider each matter and make every attempt to protect the staff member making the report from any form of reprisal.

7 When will a report be protected?

Council will support any staff who report wrongdoing. For a report to be considered a protected disclosure, it has to meet all of the requirements under the PID Act. These requirements are:

- The person making the disclosure must honestly believe on reasonable grounds that the information shows or tends to show wrongdoing. This means that a protected disclosure cannot be based on a mere allegation or suspicion that is unsupported by any facts, circumstances or evidence.
- The report has to be made to one or more of the following:
 - General Manager
 - Mayor
 - Manager Human Resources
 - one of the investigating authorities nominated in the PID Act – see section 12 below

Reports by staff and councillors will not be considered to be protected disclosures if they:

- mostly question the merits of government policy, including the policy of the governing body of the Council.
- are made primarily to avoid dismissal or other disciplinary action.
- contain intentionally false statements or are intended to mislead or attempt to mislead the recipient (these are offences under the Act).

8 How to make a report

You can report wrongdoing in writing or verbally. You are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure and ask the person making the disclosure to sign this record. The staff member should keep a copy of this record.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

9 Can a report be anonymous?

There will be some situations where you may not want to identify yourself when you make a report. Although these reports will still be dealt with by the Council, it is best if you identify yourself. This allows us to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If we do not know who made the report, it is very difficult for us to prevent any reprisal action.

10 Maintaining confidentiality

Council realises many staff will want their report to remain confidential. This can help to prevent any action being taken against you for reporting wrongdoing.

We are committed to keeping your identity, and the fact you have reported wrongdoing, confidential. However there may be situations where this may not be possible or appropriate. We will discuss with you whether it is possible to keep your report confidential.

If confidentiality cannot be maintained, we will develop a plan to support and protect you from risks of reprisal. You will be involved in developing this plan. You will also be told if your report will be dealt with under the Council's Code of Conduct, as this may mean certain information will have to be tabled at a Council meeting.

If you report wrongdoing, you should only discuss your report with those dealing with it. If you discuss your report more broadly, you may affect the outcome of any investigation.

11 Who can receive a report within Council?

You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that – for a report to be a protected disclosure – it must be made to a public official in accordance with this Policy and any supporting procedures.

Any supervisor who receives a report that they believe may be a protected disclosure must refer the staff member making the report to one of the positions listed below. The broader responsibilities of these positions are outlined in Section 5 of this Policy (Roles and Responsibilities).

If you are Council staff and your report involves a councillor, you should make it to the General Manager or the Mayor. If you are a councillor and your report is about another councillor, you should make it to the General Manager or the Mayor.

Only the following positions within Council can receive a protected disclosure:

- General Manager
- Mayor
- Manager Human Resources

12 Who can receive a report outside of Council?

Staff are encouraged to report wrongdoing within the Council, but internal reporting is not your only option. If you follow the guidance below, your report can still be a protected disclosure.

You can choose to make your report to an investigating authority. You can do this first, or at any stage after your initial report to the Council. If your report is about the General Manager or the Mayor, you should consider making it to an investigating authority.

You can also choose to make a report to a Member of Parliament or a journalist, but only in limited circumstances.

12.1 Investigating authorities

The PID Act lists a number of investigating authorities in NSW that staff can report wrongdoing to and the categories of wrongdoing each authority can deal with. In relation to Council, these authorities are:

- the Independent Commission Against Corruption (ICAC) — for corrupt conduct
- the Ombudsman — for maladministration
- the Division of Local Government, Department of Premier and Cabinet — for serious and substantial waste in local government
- the Information Commissioner — for disclosures about a government information contravention.

You should contact the relevant authority for advice about how to make a disclosure to them. Contact details for each investigating authority are provided at the end of this policy.

You should be aware that it is very likely the investigating authority will discuss the case with the Council. We will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. We will also provide appropriate support and assistance to staff who report wrongdoing to an investigating authority.

12.2 Members of Parliament or journalists

To have the protections of the PID Act, staff reporting wrongdoing to a Member of Parliament (MP) or a journalist must have already made substantially the same report to one of the following:

- a person nominated in this policy ie General Manager, Mayor or Manager Human Resources
- an investigating authority in accordance with the PID Act.

Also, the Council or investigating authority that received the report must have either:

- decided not to investigate the matter
- decided to investigate the matter, but not completed the investigation within six months of the original report
- investigated the matter but not recommended any action as a result
- not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

Most importantly, to be protected under the PID Act, if you report wrongdoing to an MP or a journalist you will need to be able to prove that you have reasonable grounds for believing that the disclosure is substantially true and that it is in fact substantially true.

If you report wrongdoing to a person or an organisation that is not listed above, you will not be protected under the PID Act. This may mean you will be in breach of legal obligations or Council's Code of Conduct by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside the Council, contact the disclosures coordinator or the NSW Ombudsman's Public Interest Disclosures Unit. Their contact details are provided at the end of this Policy.

13 Feedback to staff who report wrongdoing

Staff who report wrongdoing will be told what is happening in response to their report.

When you make a report, you will be given:

- an acknowledgement that your disclosure has been received—within 45 days of person making the disclosure
- the timeframe for when you will receive further updates
- the name and contact details of the people who can tell you what is happening.

This information will be given to you within **two (2) working days** from the date you make your report.

After a decision is made about how your report will be dealt with, you will be given:

- information about the action that will be taken in response to your report
- likely timeframes for any investigation
- information about the resources available within Council to handle any concerns you may have
- information about external agencies and services you can access for support.

This information will be given to you within **ten (10) working days** from the date you make your report.

During any investigation, you will be given:

- information on the ongoing nature of the investigation
- information about the progress of the investigation and reasons for any delay
- advice if your identity needs to be disclosed for the purposes of investigating the matter, and an opportunity to talk about this.

At the end of any investigation, you will be given:

- enough information to show that adequate and appropriate action was taken and/or is proposed to be taken in response to your disclosure and any problem that was identified
- advice about whether you will be involved as a witness in any further matters, such as disciplinary or criminal proceedings.

14 Protection against reprisals

The PID Act provides protection for people reporting wrongdoing by imposing penalties on anyone who takes detrimental action substantially in reprisal for them making the protected disclosure.

Council will not tolerate any reprisal action against staff who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

Detrimental action means action causing, comprising or involving any of the following:

- injury, damage or loss
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to employment
- dismissal from, or prejudice in, employment
- disciplinary proceedings.

14.1 Responding to reprisals

Council will act to protect staff who report wrongdoing from reprisals.

When a report is received, we will ensure that a thorough risk assessment is conducted. This will identify any risks to the member of staff who reported the wrongdoing, as well as strategies to deal with those risks.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor or the disclosures coordinator immediately.

All supervisors must report any suspicions they have that reprisal action against a staff member is occurring, or any reports that are made to them, to the disclosures coordinator.

If the disclosures coordinator becomes aware of reprisal action against a person who has made a disclosure, they will:

- ensure a senior and experienced member of staff, who has not been involved in dealing with the initial disclosure, will investigate the suspected reprisal
- assess the results of that investigation and make a decision
- give the results of that investigation to the Mayor for a decision if the allegation of reprisal action is about the General Manager
- if it has been established that reprisal action is occurring against someone who has made a disclosure, take all steps possible to stop that activity and protect the member of staff who made the disclosure
- take appropriate disciplinary or criminal action against anyone proven to have taken or threatened any action in reprisal for making a disclosure.

If you report reprisal action, you will be kept informed of the progress of any investigation and the outcome.

The General Manager may issue specific directions to help protect against reprisals. If the allegation of reprisal action is about the General Manager, the Mayor may issue similar directions. These may include:

- issuing warnings to those alleged to have taken reprisal action against the member of staff who made the disclosure

- relocating the member of staff who made the disclosure or the subject officer within the current workplace
- transferring the member of staff who made the disclosure or the staff member who is the subject of the allegation to another position for which they are qualified
- granting the member of staff who made the disclosure or the subject officer leave of absence during the investigation of the disclosure.

These directions will only be taken if the member of staff who made the disclosure agrees to it. The disclosures coordinator (General Manager) will make it clear to other staff that this action was taken in consultation with the staff member and with management support – and it is not a punishment.

If you have reported wrongdoing and feel that any reprisal action is not being dealt with effectively, contact the Ombudsman or the ICAC – depending on the type of wrongdoing you reported. Contact details for all these investigating authorities are included at the end of this policy.

14.2 Protection against legal action

If you make a disclosure in accordance with the PID Act, you will not be subject to any liability and no action, claim or demand can be taken against you for making the disclosure. You will not have breached any confidentiality or secrecy obligations and you will have the defence of absolute privilege in defamation.

15 Support for those reporting wrongdoing

Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a protected disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

We also have staff who will support those who report wrongdoing. Council's Manager Human Resources is responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

All supervisors must notify the disclosures coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

16 Sanctions for making false or misleading disclosures

It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

17 Support for the subject of a report

Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably. If you are the subject of a report, you will be:

- treated fairly and impartially
- told your rights and obligations under our policies and procedures
- kept informed during any investigation
- given the opportunity to respond to any allegation made against you
- told the result of any investigation.

18 Review

This Policy will be reviewed by Council every twelve/eighteen months.

19 More information

Staff can access advice and guidance from Council's disclosures coordinator and the NSW Ombudsman's website at www.ombo.nsw.gov.au.

20 Resources

The contact details for external investigating authorities that staff can make a protected disclosure to or seek advice from are listed below.

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
Phone: 02 8281 5999
Toll free: 1800 463 909
Facsimile: 02 9264 5364
Email: icac@icac.nsw.gov.au
Web: www.icac.nsw.gov.au
Address: GPO Box 500 Sydney NSW 2000,

For disclosures about maladministration:

NSW Ombudsman
Phone: 02 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Translator & Interpreter Service (TIS) 131 450
Facsimile: 02 9283 2911
Email: nswombo@ombo.nsw.gov.au
Web: www.ombo.nsw.gov.au
Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about serious and substantial waste in local government agencies:

Office of Local Government in the Department of Premier and Cabinet
Phone: 02 4428 4100
Tel. typewriter (TTY): 02 4428 4209
Facsimile: 02 4428 4199
Email: olg@olg.nsw.gov.au
Web: www.olg.nsw.gov.au
Address: 5 O'Keefe Avenue, Nowra NSW 2541

For disclosures about breaches of the GIPA Act:

Information Commissioner
Toll free: 1800 447 679
Facsimile: 02 8114 3756
Email: ipcinfo@ipc.nsw.gov.au
Web: www.ipc.nsw.gov.au
Address: GPO Box 7011, Sydney NSW 2001

21 History

Department:	Governance	Last Reviewed	Resolution Number
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