



**Goulburn Broken Catchment Management Authority
Governance Policy
GOV 010**

Public Interest Disclosures POLICY

Date Created:	June 2013
Date Reviewed:	April 2020
Reviewed by:	Corporate Program Manager
Edits/Amendments:	Updated to reflect the change in name from the Protected Disclosures Act to the Public Interest Disclosures Act 2012 and to accommodate the establishment of a new parliamentary oversight committee, the Integrity and Oversight Committee, consolidating the oversight and performance review of a number of Victorian integrity agencies, including the Independent Broad-based Anti-corruption Commission (IBAC).
Date Approved:	27 th August 2020
Date of Next Review:	August 2023

GOV 010 Public Interest Disclosures Policy

Purpose

The purpose of this policy is to outline Goulburn Broken Catchment Management Authority's (CMA) responsibilities, as a public body, under the *Public Interest Disclosures Act 2012* ("Act"). The main responsibilities are:

- To encourage and facilitate the making of public interest disclosures (PIDs) of improper conduct by public officers and public bodies to the Independent Broad-based Anti-corruption Commission (IBAC), and
- To protect people connected with protected disclosures against detrimental action that might be taken against them in reprisal for the making of such disclosures.

It is important to note the CMA is not permitted to receive disclosures on behalf of an individual. All disclosures must be submitted direct to IBAC.

Background

The CMA has met the Act's requirements that the CMA to establish a procedure to facilitate and encourage the making of PIDs and to provide protection for people connected with Public Interest Disclosures against detrimental action that might be taken against them in reprisal. The procedure can be found on the CMAs SharePoint.

Policy

At the CMA, we are proud of our ethical standards, and we are committed to the highest standards of public service in managing land and water resources in the Goulburn Broken region of Victoria. Every organization, however, is susceptible to corrupt or improper conduct.

The CMA is therefore committed to the aims and objectives of the Act it encourages CMA Directors, members of Board Committees, members of Advisory Groups, employees, contractors and community members to make a PID if they believe the CMA or someone at the CMA is engaged in improper conduct.

The Act provides protection to people making PIDs and sets out a system for the disclosed matters to be investigated and rectifying action to be taken.

The CMA will work to ensure that any person connected with a PID is protected and will not tolerate any reprisals for making a PID.

What can public interest disclosures (PIDs) be made about?

PIDs may be made about:

- Improper conduct: which may be either criminal conduct or other conduct specified under the Act. Examples include serious professional misconduct, intentional or reckless breach of public trust and conduct adversely affecting the honest performance of a public officer.
- Detrimental action: which includes harassment or discrimination, or other adverse action taken against the discloser in reprisal for having reported the alleged improper conduct.

Who can make a disclosure?

Any individual person (i.e., not an organisation or company) may make a disclosure under the Act.

How to make a disclosure

The CMA is not permitted to receive disclosures made under the Act. A disclosure must be made directly to the IBAC.

Role of the Authority

Any disclosure made to IBAC should not be discussed with the CMA unless permission has been obtained from IBAC.

The CMA has established procedures to facilitate and encourage the making of disclosures under the Act, and how the CMA will manage the welfare of persons connected with Public Interest Disclosures. For full details see the CMA's Interest Disclosure Procedure which can be found in the CMA's record management system, RECFIND, by inspection during normal office hours of the CMA at 168 Welsford Street SHEPPARTON, or by contacting the CMA's Public Interest Disclosure Coordinator whose details appear below.

Confidentiality

The CMA 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. 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

The CMA has appointed a Public Interest Disclosure Coordinator.

This person is responsible for handling enquiries about the CMA's obligations under the Act. If you wish to obtain further information about CMA's public interest disclosures policy or procedures, or if you wish to arrange a confidential meeting to discuss any matters of concern contact **our Public Interest Disclosure Coordinator** as per the following details:

PUBLIC INTEREST DISCLOSURES COORDINATOR

GOULBURN BROKEN CMA

168 Welsford Street SHEPPARTON

Phone: 03 5822 7700

Email: reception@gbcma.vic.gov.au

For more information about Public Interest Disclosures see: <https://www.ibac.vic.gov.au/reporting-corruption/public-interest-disclosures>

PROCEDURAL TEXT

Application of the Policy

This policy is applicable to Goulburn Broken Catchment Management Authority (CMA) employees and Board members.

Standards (or References)

Public Interest Disclosures Act 2012

Public Interest Disclosure Regulations 2019

Independent Broad-based Anti-corruption Commission Act 2011

IBAC Guidelines issued January 2020 under s 57 of the Public Interest Disclosure Act 2012:

- a. Guidelines for handling public interest disclosures - https://www.ibac.vic.gov.au/docs/default-source/guidelines/guidelines-for-handling-public-interest-disclosures.pdf?sfvrsn=eb8b6875_14

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b. Guidelines for public interest disclosure welfare management

https://www.ibac.vic.gov.au/docs/default-source/guidelines/guidelines-for-public-interest-disclosure-welfare-management.pdf?sfvrsn=288e6875_16

Freedom of Information Act 1982

Privacy and Data Protection Act 2014

Charter of Human Rights and Responsibilities Act 2006

GB CMA's Employment Assistance Program

Definitions

Employees – All employees of the Goulburn Broken CMA engaged under the provisions of the Goulburn Broken Catchment Management Authority Enterprise Agreement and individual contracts.

Employees – includes all employees of the Goulburn Broken CMA, contractors, consultants, casual staff, committee members and Board members.

IBAC - Independent Broad-based Anti-corruption Commission

Replaces

Renaming of GOV 010 Protected Disclosures Policy

Relates to

GOV 011 Public Interest Disclosures Procedure

GOV 001 Privacy Policy

GOV 017 Conflict of Interest Policy

GOV 020 Gifts, Benefits and Hospitality Policy

GOV 021 Theft, Losses and Fraud Control Policy

HRM 002 Senior Management Employment Policy

HRM 010 Enterprise Agreement staff employment policy

HRM 020 Grievance Procedure

HRM 022 Discipline Procedure

HRM 039 Working Together Procedure

HRM 049 Issue Resolution Procedure

VPS Code of Conduct

Consultation

The Goulburn Broken CMA is committed to consultation and cooperation between management and employees. The Goulburn Broken CMA will involve staff both formally and informally in workplace change that would impact on its employees.

Communication of the Policy

All personnel will receive information about the policy at induction and will be provided with electronic access or a written copy of the policy after any revisions.

The approved policy will be available to all staff on the Goulburn Broken CMA portal site.

Confidentiality

The Goulburn Broken CMA 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, see <https://www.ibac.vic.gov.au/reporting-corruption>

In addition, you can find out more information about our general complaints handling process by contacting the People Safety and Wellbeing Manager at our Shepparton office, 168 Welsford Street Shepparton, phone (03) 5822 7700.

Responsibilities / Authorisation

Policies are endorsed by the Audit Risk and Compliance Committee and approved by the Board. Procedures are developed by management to implement policy, endorsed by the Management Team and Approved by the Chief Executive Officer.

Review

The Corporate Program Manager will review this policy no later than three years and forward to the Goulburn Broken CMA Board for endorsement.

Authorisation and Endorsement

Final version no 5.0 authorised and endorsed ARCC Meeting 127 held on 18 June 2020 and endorsed at Board Meeting No. GBB256 held on 27th August 2020.