



## Internal Reporting Policy

Application	Councillors, Staff and Contractors
Responsible Officer	General Manager
File No	CM:POL:CWP
Authorised by	Council
Effective Date	16/04/2021
Distribution	Internet / Intranet / Public Exhibition

### 1. OBJECTIVES

To establish an internal reporting system for Councillors and staff to report wrongdoing without fear of reprisal. The policy sets out who can report wrongdoing at Carrathool Shire Council, what can be reported and how reports of wrongdoing will be dealt with by Carrathool Shire Council.

To encourage Councillors and staff to make disclosures when they become aware of them and protect those persons from reprisals that might otherwise be inflicted on them because of these disclosures.

### 2. PURPOSE AND CONTEXT OF THE POLICY

Carrathool Shire Council is committed to protecting staff who report wrongdoing in the workplace.

Some reports of wrongdoing may be classified as 'protected disclosures' under the Public Interest Disclosures Act 1994 (PID Act). This policy specifically addresses those types of reports. Other reports of wrongdoing may not meet the definition of 'protected disclosures', however Council supports and encourages such reports, as we do not condone or tolerate wrongdoing in the workplace. Staff who come forward and report wrongdoing are recognised as helping to promote integrity, accountability and good management within Council.

### 3. ORGANISATIONAL COMMITMENT

Carrathool Shire Council will:

- create a climate of trust, where people are comfortable and confident about reporting wrongdoing
- encourage staff to come forward if they are aware of wrongdoing within the council
- keep the identity of a reporting staff member confidential wherever possible and appropriate
- protect staff who make disclosures from any adverse action motivated by their report
- deal with reports thoroughly and impartially and, if some form of wrongdoing has been found, take appropriate action to rectify it
- keep staff who make reports informed of their progress and outcome
- respect any decision to disclose wrongdoing outside the organisation, provided that disclosure outside the organisation is made in accordance with the provisions of the PID Act
- ensure Council managers and supervisors understand the benefits of reporting wrongdoing, are familiar with this policy, and are aware of the needs of those who report wrongdoing
- provide 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
  - remedy any wrongdoing that is found

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- review the policy every two years to ensure it is still relevant and effective.

#### 4. APPLICATION

This policy will apply to:

- both council staff and councillors
- permanent employees, whether full-time or part-time
- temporary or casual employees
- consultants
- individual contractors working for the council and
- other people who perform council official functions where their conduct and activities could be investigated by an investigating authority (including volunteers).

The policy also applies to public officials of another council or public authority who report wrongdoing relating to Council.

#### 5. ROLES AND RESPONSIBILITIES

##### 5.1 Councillors, Staff and Independent Contractors

Councillors, staff and contractors are encouraged to report known or suspected incidences of corrupt conduct, maladministration or serious and substantial waste in accordance with this policy.

All staff and Councillors are **obliged** to:

- report all known or suspected wrongdoing and support those who have made reports of wrongdoing
- if requested, assist those dealing with a report (including supplying information on request, cooperating with any investigation and maintaining confidentiality)
- treat any staff member or person dealing with a report of wrongdoing with courtesy and respect
- respect the rights of any person who is the subject of a report

##### 5.2 Nominated Disclosure Officers

Nominated disclosures officers are additional points of contact within the internal reporting system. They can provide advice about the system and the internal reporting policy, receive reports of wrongdoing and assist staff and councillors to make reports. Nominated disclosures officers have a responsibility to:

- document in writing any reports received verbally, and have the document signed and dated by the reporter
- make arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away from the workplace
- discuss with the reporter any concerns they may have about reprisal or workplace conflict
- carry out preliminary assessment and forward reports to the disclosures coordinator or general manager for full assessment

##### 5.3 The Disclosure Coordinator

The disclosure coordinator has a pivotal position in the internal reporting system and acts as a clearing house for disclosures. The disclosure coordinator can receive and assess reports and is the primary point of contact in Council for the reporter. The Disclosures Coordinator has a responsibility to:

- assess reports to determine whether or not a report should be treated as a public interest disclosure, and to decide how each report will be dealt with (either under delegation or in consultation with the general manager)
- deal with reports made under Council's code of conduct in accordance with Council's adopted code of conduct procedures



- coordinate Council's response to a report
- acknowledge reports and provide updates and feedback to the reporter
- assess whether it is possible and appropriate to keep the reporter's identity confidential
- assess the risk of reprisal and workplace conflict related to or likely to arise out a report, and develop strategies to manage any risk identified
- where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any officer the subject of a report
- ensure Council complies with the PID Act
- provide six monthly reports to the NSW Ombudsman in accordance with section 6CA of the PID Act

### 5.4 The General Manager

The general manager has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture, and ensuring the council complies with the PID Act. The General Manager can receive reports from staff and councillors and has a responsibility to:

- assess reports received by or referred to them, to determine whether or not the report should be treated as a public interest disclosure, and to decide how the report will be dealt with
- deal with reports made under the council's code of conduct in accordance with council's adopted code of conduct procedures
- ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- make decisions following any investigation or appoint an appropriate decision maker
- take appropriate remedial action where wrongdoing is substantiated or systemic problems are identified
- refer actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC)
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

### 5.5 The Mayor

The Mayor may receive internal disclosures from any member of council's staff or from any councillor concerning the General Manager. Where the Mayor receives such reports, the Mayor has a responsibility to:

- assess the reports to determine whether or not they should be treated as a public interest disclosure, and to decide how they will be dealt with (Note – in making this assessment the Mayor may seek guidance from an investigating authority – the ICAC, Ombudsman or OLG)
- deal with reports made under Council's code of conduct in accordance with Council's adopted code of conduct procedures
- refer reports to an investigating authority, where appropriate
- liaise with the disclosures coordinator to ensure there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- refer actual or suspected corrupt conduct to the ICAC
- refer any evidence of a reprisal offence under section 20 of the PID Act to the Commissioner of Police or the ICAC.

### 5.6 Supervisors and Managers

Supervisors and managers play an important role in managing the immediate workplace of those involved in, or affected by, the internal reporting process. Supervisors and



managers should be aware of the internal reporting policy and are responsible for creating a local work environment where staff are comfortable and confident about reporting wrongdoing. They have a responsibility to:

- encourage staff to report known or suspected wrongdoing within the organisation and support staff when they do
- identify reports made to them in the course of their work which could be public interest disclosures, and assist the staff member to make the report to an officer authorised to receive public interest disclosures under this policy
- implement local management strategies, in consultation with the disclosures coordinator, to minimise the risk of reprisal or workplace conflict in relation to a report
- notify the disclosures coordinator or general manager immediately if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the general manager, notify the Mayor.

### 6. WHAT SHOULD BE REPORTED?

You should report any suspected wrongdoing you see within the Carrathool Shire Council, or any activities or incidents you see within the Council that you believe are wrong.

Reports about the five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention – which otherwise meet the criteria of a public interest disclosure, will be dealt with under the PID Act and according to this policy. See below for details about these types of conduct. More information about what can be reported under the PID Act can be found in the NSW Ombudsman’s Guideline B2: What should be reported?

All other wrongdoing or suspected wrongdoing should be reported to a supervisor, to be dealt with in line with the relevant policies. This might include:

- harassment or unlawful discrimination
- practices that endanger the health or safety of staff or the public.

Even if these reports are not dealt with as public interest disclosures, Council recognises such reports may raise important issues. We will respond to all reports and make every attempt to protect the staff member making the report from reprisal.

#### 6.1 Corrupt Conduct

Corrupt conduct is the dishonest or partial exercise of official functions by a public official. For example, this could include:

- 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 council official being influenced by a member of the public to use their position in a way that is dishonest, biased or breaches public trust.

#### 6.2 Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory or based wholly or partly on improper motives. For example, this could include:

- making a decision and/or taking action that is unlawful
- refusing to grant someone an approval for reasons that are not related to the merits of their application;

#### 6.3 Serious and substantial waste

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources that could result in losing or wasting public money. For example, this could include:



- not following a competitive tendering process for a large-scale contract
- having bad or no processes in place for a system involving large amounts of public funds;

### 6.4 Breach of the GIPA Act

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

- destroying, concealing or altering records to prevent them from being released;
- knowingly making decisions that are contrary to the legislation;
- directing another person to make a decision that is contrary to the legislation.

### 6.5 Local government pecuniary interest contravention

A local government pecuniary interest contravention is a failure to comply with requirements under the Local Government Act 1993 relating to the management of pecuniary interests. These include obligations to lodge disclosure of interests returns, lodge written declarations and disclose pecuniary interests at Council and Council committee meetings. A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person.

For example this could include:

- A senior Council staff member recommending a family member for a Council contract and not declaring the relationship;
- A Councillor participating in consideration of a DA for a property in which they or their family have an interest.

## 7. ASSESSMENT OF REPORTS

All reports will be promptly and thoroughly assessed to determine what action will be taken to deal with the report and whether or not the report will be treated as a public interest disclosure.

The disclosures coordinator is responsible for assessing reports, in consultation with the General Manager where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at the time. It is up to the disclosures coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report, the Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.

## 8. WHEN WILL A REPORT BE TREATED AS A PUBLIC DISCLOSURE?

The Carrathool Shire Council will support any staff who report wrongdoing. For a report to be considered a public interest 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.
- the report must be about one of the following five categories of serious misconduct – corrupt conduct, maladministration, serious and substantial waste of public money, breach of the GIPA Act, and local government pecuniary interest contravention.
- the report has to be made to one or more of the following:
  - the General Manager
  - the Mayor
  - the Disclosure Coordinator
  - the Disclosure Officer
  - one of the investigating authorities nominated in the PID Act or in limited circumstances to an MP or journalist (see section 10 below).

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



- mostly question the merits of government policy, including the policy of the governing body of the council.
- are made with the sole or substantial motive of avoiding dismissal or other disciplinary action.

### **9. 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.

### **10. 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 Carrathool Shire 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.

### **11. MAINTAINING CONFIDENTIALITY**

Carrathool Shire 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. This will include the disclosures coordinator and the general manager or in the case of a report about the general manager, the disclosures coordinator and the Mayor. The fewer people who know about your report, before and after you make it, the more likely it will be that we can protect you from any reprisal.

Any staff or councillors involved in the investigation or handling of a report, including witnesses, are also required to maintain confidentiality and not disclose information about the process or allegations to any person except for those people responsible for handling the report.

### **12. WHO CAN RECEIVE A REPORT WITHIN CARRATHOOL SHIRE COUNCIL**

You are encouraged to report general wrongdoing to your supervisor. However the PID Act requires that, for a report to be a public interest disclosure, it must be made to a public official in accordance with Council's disclosure procedures. For Carrathool Shire Council, this means this policy and any supporting procedures.

Any supervisor who receives a report that they believe may be a public interest disclosure must refer the staff member making the report to one of the positions listed below. 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.

The following positions are the only staff within the Carrathool Shire Council who can receive a public interest disclosure.

**a. General Manager**

You can report wrongdoing directly to the General Manager. The General Manager is responsible for:

- deciding if a report is a public interest disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

The General Manager must make sure there are systems in place in Carrathool Shire Council to support and protect staff who report wrongdoing. He/she is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Contact details for the General Manager are:

Carrathool Shire Council  
9-11 Cobram Street  
PO Box 12  
GOOLGOWI NSW 2652  
Phone (02) 6965-1900

**b. Mayor**

If you are making a report about the General Manager, you should make your report to the Mayor, who will then be responsible for:

- deciding if a report is a public interest disclosure
- determining what needs to be done next, including referring it to other authorities
- deciding what needs to be done to correct the problem that has been identified.

The Mayor must make sure there are systems in place in Carrathool Shire Council to support and protect staff who report wrongdoing.

If the report is about the General Manager, the Mayor is also responsible for referring actual or suspected corrupt conduct to the Independent Commission Against Corruption.

Contact details for the Mayor are:

Mayor  
Darryl Jardine  
PO Box 24  
HILLSTON NSW 2675  
Phone: (02) 6967 2637

**c. Disclosure Coordinator**

The disclosure coordinator has a central role in dealing with reports made by staff. He/she will receive them, assess them, and refer them to the people within the Carrathool Shire Council who can deal with them appropriately.

Jacqui Smith  
Carrathool Shire Council  
9-11 Cobram Street  
GOOLGOWI NSW 2652  
Phone: (02) 6965-1900



### d. **Disclosure Officer**

The disclosures officer works with the disclosures coordinator, and is responsible for receiving, forwarding and/or dealing with reports made in accordance with this policy.

Christina De Paris  
Carrathool Shire Council  
9-11 Cobram Street  
GOOLGOWI NSW 2652  
Phone: (02) 6965-1900

### 13. **WHO CAN RECEIVE A REPORT OUTSIDE CARRATHOOL SHIRE COUNCIL?**

Staff are encouraged to report wrongdoing within Carrathool Shire Council, but internal reporting is not your only option. If you follow the guidance below, your report can still be a public interest 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 Carrathool Shire 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 the limited circumstances outlined below.

#### a. **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 Police Integrity Commission (PIC) — for police misconduct
- the PIC Inspector — for disclosures about the PIC or its staff
- the Office of Local Government— for serious and substantial waste in local government (reports about serious and substantial waste in State government agencies should be made to the Auditor General)
- the ICAC Inspector — for disclosures about the ICAC or its staff
- 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 Carrathool Shire 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.

#### b. **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:

- the general manager
- a person nominated in this policy
- an investigating authority in accordance with the PID Act.



Also, Carrathool Shire 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 Carrathool Shire Council's code of conduct – by, for example, disclosing confidential information.

For more information about reporting wrongdoing outside Carrathool Shire 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.

#### **14. 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
- 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 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 Carrathool Shire 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 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.



### 15. 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 public interest disclosure.

The Carrathool Shire 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.

A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal is also a breach of the council's code of conduct which may result in disciplinary action. In the case of councillors, such disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.

It is important for staff and councillors to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Council has reasonable grounds to take such action.

#### a. Responding to allegations of reprisal

Carrathool Shire 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, the disclosures coordinator or the general manager 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 or the general manager.

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
- give the results of that investigation to the general manager for 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 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.

### **b. 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.

## **16. SUPPORT FOR THOSE REPORTING WRONGDOING**

Carrathool Shire Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a public interest 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. The General Manager will refer staff to appropriate officers to obtain any professional support required.

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

## **17. SANCTIONS FOR MAKING FALSE OR MISLEADING STATEMENTS**

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. The council will not support staff or councillors who wilfully make false or misleading reports. Such conduct may also be a breach of the code of conduct resulting in disciplinary action. In the case of councillors, disciplinary action may be taken under the misconduct provisions of the Local Government Act 1993 and may include suspension or disqualification from civic office.



### **18. THE RIGHTS OF PERSONS THE SUBJECT OF A REPORT**

Carrathool Shire Council is committed to ensuring staff who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person the subject of a report confidential where this is practical and appropriate.

If you are the subject of a report, you will be advised of the allegations made against you at an appropriate time and before any adverse findings. At this time you will be:

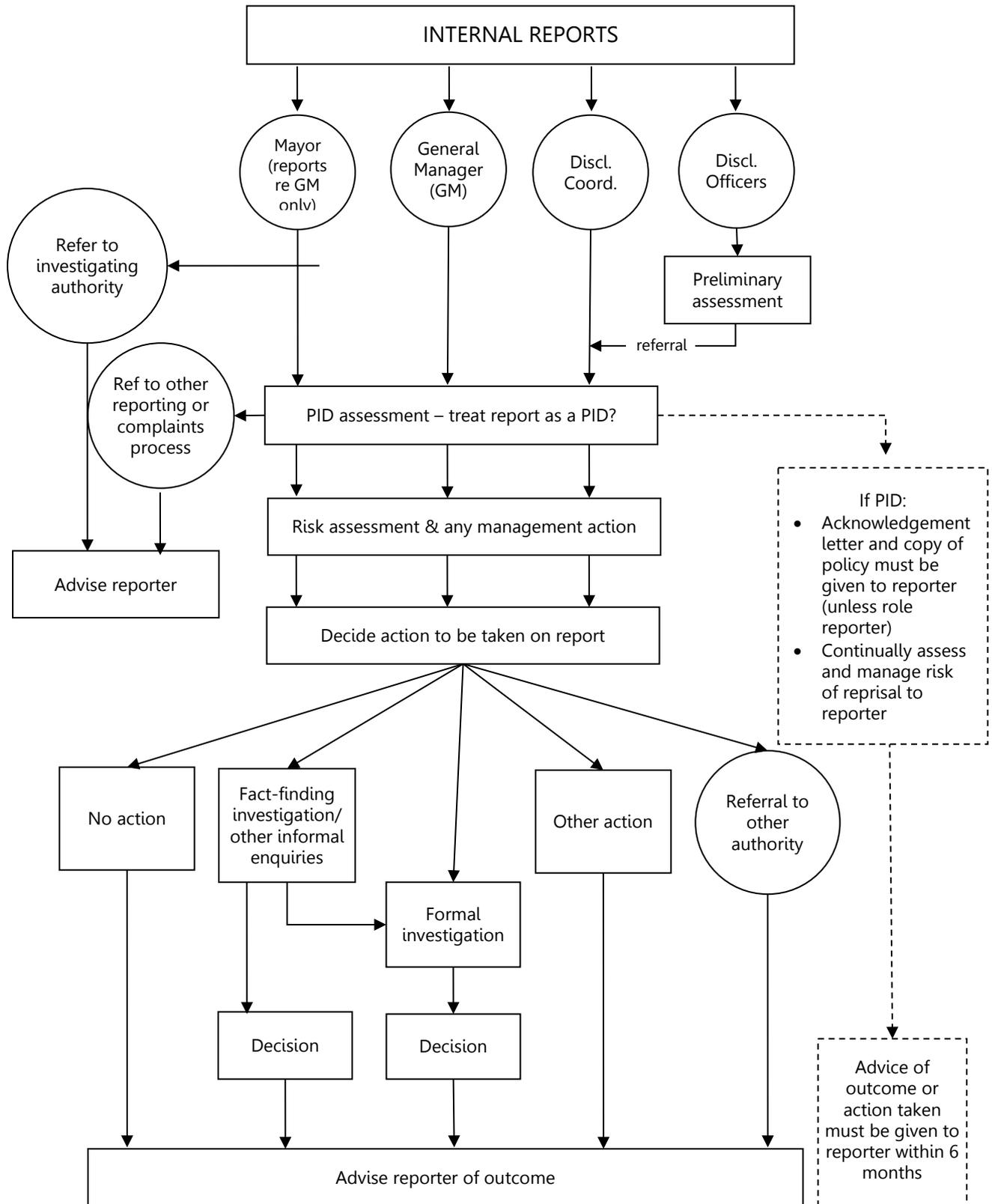
- advised of the details of the allegation
- advised of your rights and obligations under the relevant related policies and procedures
- kept informed about the progress of any investigation
- given a reasonable opportunity to respond to any allegation made against you
- told the outcome of any investigation, including any decision made about whether or not further action will be taken against you.

### **19. MORE INFORMATION**

More information around public interest disclosures will be made available on Council's intranet as material is developed. Staff can also access advice and guidance from the Carrathool Shire Council disclosures coordinator and the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).



20. FLOW CHART OF INTERNAL REPORTING PROCESS





21. RESOURCES

The contact details for external investigating authorities that staff can make a public interest 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  
Tel. typewriter (TTY): 02 8281 5773  
Facsimile: 02 9264 5364  
Email: [icac@icac.nsw.gov.au](mailto:icac@icac.nsw.gov.au)  
Web: [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au)  
Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

**For disclosures about maladministration:**

NSW Ombudsman  
Phone: 02 9286 1000  
Toll free (outside Sydney metro): 1800 451 524  
Tel. typewriter (TTY): 02 9264 8050  
Facsimile: 02 9283 2911  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
Web: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)  
Address: Level 24, 580 George Street, Sydney NSW 2000

**For disclosures about local government agencies:**

Office of Local Government  
Phone: 02 4428 4100  
Tel. typewriter (TTY): 02 4428 4209  
Facsimile: 02 4428 4199  
Email: o  
Web: [www.olg.nsw.gov.au](http://www.olg.nsw.gov.au)  
Address: 5 O’Keefe Avenue, Nowra, NSW 2541

**For disclosures about serious and substantial waste:**

Auditor-General of the NSW Audit Office  
Phone 02 9275 7100  
Facsimile: 02 9275 7200  
Email: [mail@audit.nsw.gov.au](mailto:mail@audit.nsw.gov.au)  
Web: [www.audit.nsw.gov.au](http://www.audit.nsw.gov.au)  
Address: Level 15, 1 Margaret Street, Sydney NSW 2000

**For disclosures about breaches of the GIPA Act:**

Information Commissioner  
Toll free: 1800 463 626  
Facsimile: 02 8114 3756  
Email: [oiinfo@oic.nsw.gov.au](mailto:oiinfo@oic.nsw.gov.au)  
Web: [www.oic.nsw.gov.au](http://www.oic.nsw.gov.au)  
Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

**For disclosures about police misconduct:**

Police Integrity Commission (PIC)  
Phone: 02 9321 6700  
Toll free: 1800 657 079  
Facsimile: 02 9321 6799  
Email: [contactus@pic.nsw.gov.au](mailto:contactus@pic.nsw.gov.au)  
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REVISION TABLE

Minute / Date	Amendment Summary (Reason or Reference)
9242 19.05.1998	New policy - PID Act 1994
0152 19.10.1999	Reaffirmed
0332 16.11.2004	Updated NSW Ombudsman Model Policy - New model policy
1411 01.01.2007	New definition - CI 3.4 Serious and substantial waste definition
1148 20.09.2011	Updated NSW Ombudsman Model Policy Remove external investigating authority contact - New model policy
0163 19.02.2013	Update officers and change reference from protected disclosures to public interest disclosures
0605 18.03.2014	Reaffirmed
1131 22.10.2019	Changes made to adjust the policy closer to the model policy
1615 16.04.2021	Policy Review minor administrative changes made

ASSOCIATED DOCUMENTS



## Council Policy 99

- Internal Reporting System Procedures
- Code of Conduct
- Complaints Handling Policy and Procedure
- Grievance Handling Policy and Procedure
- Disciplinary Action Procedure
- Statement of Business Ethics
- Workplace Bullying and Harassment Policy
- Public Interest Disclosures Act 1994

### **REVIEW**

This policy will be reviewed by council every two years. For any advice or guidance about this review, contact the NSW Ombudsman's Public Interest Disclosures Unit.