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Public Interest Disclosures Internal Reporting Policy

December 2018

PUBLIC INTEREST DISCLOSURES INTERNAL REPORTING POLICY

Purpose

The purpose of this policy is to inform, support and protect staff and Councillors making public interest disclosures, in accordance with the Public Interest Disclosures Act, 1994 (the PID Act).

This policy establishes an internal reporting system for staff and Councillors to report wrongdoing without fear of reprisal. It sets out who wrongdoing can be reported to, what can be reported and how reports of wrongdoing will be dealt with by the City of Ryde.

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to raise matters of concern at any time with their supervisors, but they also have the option of making a report about a public interest issue in accordance with this policy, the *Reporting Procedure*, and the *Public Interest Disclosures Act 1994* (PID Act).

Staff and Councillors who come forward and report wrongdoing are helping to promote integrity, accountability and good management. Such behaviour is encouraged and supported by the City of Ryde and reflects our organisational values.

Scope

This Policy applies to Councillors, Council staff and consultants. It also applies to ~~and~~ individual contractors working for Council and the employees of contractors providing services to Council.

It also applies to other people who perform public official functions, whose conduct and activities could be investigated by an investigating authority, including volunteers.

Public officials from another council or public authority may also report wrongdoing relating to City of Ryde, using this policy and procedure.

Reports regarding these five categories of serious misconduct which meet the criteria of a public interest disclosure, will be dealt with under the *Public Interest Disclosures Act, 1994* (the PID Act) as public interest disclosures:

- corrupt conduct
- maladministration
- serious and substantial waste of public money
- government information contravention
- local government pecuniary interest contravention

This reporting system in this policy is not intended to be used for staff grievances which should be raised through the *Grievance and Dispute Resolution Policy and Procedure*.

Commitment

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The City of Ryde is committed to:

- creating a climate of trust where people are comfortable and confident about reporting wrongdoing.
- encouraging individuals to report wrongdoing within Council.
- keeping the identity of the person disclosing wrongdoing confidential, where possible and appropriate
- protecting the person from any adverse action resulting from them making a report.
- dealing with the reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it.
- keeping the individual who makes a report informed of their progress and the outcome.
- encouraging the reporting of wrongdoing within the Council, but respecting any decision to disclose wrongdoing outside the Council that 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.
- reviewing the policy periodically to ensure it is relevant and effective.
- providing adequate resources to:
 - encourage reports of wrongdoing.
 - protect and support those who make them.
 - provide training about how to make reports, including communicating the benefits of internal reports to Council and the public interest generally.
 - properly assess and investigate or otherwise deal with allegations.
 - properly manage any workplace issues that the allegations identify or that result from a report.
 - appropriately address any identified problems.

Who does this policy apply to?

This policy will apply to:

- both Council staff and councillors
- permanent employees, whether full-time or part-time
- temporary employees, whether full-time or part-time
- temporary or casual employees

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- consultants
- individual contractors working for the City of Ryde
- employees of contractors providing services for the City of Ryde
- other people who perform council official functions whose 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 the City of Ryde.

Procedures

The City of Ryde Public Interest Disclosures Internal Reporting Procedure gives further information and details on:

- the five categories of serious wrongdoing
- the process to be followed when making a report
- the roles and responsibilities of employees, managers, disclosures officers and coordinator, the General Manager, the Mayor and any external parties in the process
- support for those reporting wrongdoing and for the subject of a report.

References – Legislation

This Policy is one of several Council Policies relating to grievances and complaints, including the City of Ryde Code of Conduct, and Grievance and Dispute Resolution Policy and Procedure.

This Policy and the associated Procedure reflect the NSW Ombudsman's Public Interest Disclosures Model Internal Reporting Policy (Local Government) of June 2014.

Related Legislation and Guidance

Independent Commission Against Corruption Act 1988

Local Government Act 1993

Public Interest Disclosures Act 1994

Model Internal Reporting Policy – Office of Local Government – June 2014

Public Interest Disclosure Guideline A2 'Internal Reporting Policy and Procedures' - 2015

Public Interest Disclosure Guideline B2 'What should be reported' - 2015

Related Council Policies

Anti-Discrimination, Bullying and Harassment Policy

Code of Conduct – Policy, Standards of Conduct, and Complaints Procedure

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Equal Employment Opportunity Policy

Grievance Dispute Resolution Policy, Procedure, and Explanatory Notes

The Dispute Resolution Policy and Procedure

Prevention of Discrimination, Bullying and Harassment Policy, Procedure and Explanatory Notes

Work Health and Safety Policy

Review Process and Endorsement

This Policy shall be reviewed annually to ensure that it meets the object of the legislation, and facilitates the making of disclosures under the Act.

Attachments

<i>Title</i>	<i>Trim Reference</i>
Public Interest Disclosures Internal Reporting Procedure, including Internal Reporting Workflow	D19/6003

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