



NORTHERN MIDLANDS COUNCIL

POLICY MANUAL

WHISTLEBLOWER

Originated Date: Adopted 18 October 2021 – Min. No. 21/403

Amended Date/s: Reviewed/Amended 19 August 2024 – Min. No. 24/0277

Applicable Legislation: *Public Interest Disclosures Act 2002*

Objective To provide a framework and support for employees to report non-compliant actions by other people.

Administration: Governance

Review Cycle/Date: 3 years, next review 2027

1. PURPOSE

The purpose of this policy is to:

- a) encourage staff to report matters that may cause harm to individuals or financial or non-financial loss to the Northern Midlands Council, or damage to its reputation;
- b) enable the Northern Midlands Council to deal with reports from whistleblowers in a way that will protect the identity of the whistleblower as far as possible and provide for the secure storage of the information provided;
- c) establish policies for protecting whistleblowers against reprisal by any person internal or external to the entity;
- d) provide for the appropriate infrastructure;
- e) help to ensure the Northern Midlands Council maintains the highest standards of ethical behaviour and integrity.

2. SUSPECTED ILLEGAL OR CORRUPT BEHAVIOUR

Where an employee of the Northern Midlands Council believes in good faith, and on reasonable grounds that another employee, volunteer, or contractor has breached any provision of the general law, that employee must report their concern to:

- their supervisor; or, if they feel that their supervisor may be complicit in the breach,
- the General Manager; or, if they feel that the General Manager may be complicit in the breach,
- the People & Culture Business Partner, or
- the duly constituted authorities responsible for the enforcement of the law in the relevant area.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions:

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

Any person within the organisation to whom such a disclosure is made shall:

- if they believe the behaviour complained of to be unquestionably trivial or fanciful, dismiss the allegation and notify the person making the allegation of their decision;
- if they believe the behaviour complained of to be neither trivial nor fanciful, ensure that the allegation is investigated, a finding is made, and the person making the allegation is informed of the finding.

Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.



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Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

3. SUSPECTED IMPROPER OR UNETHICAL BEHAVIOUR

Where an employee of the Northern Midlands Council believes in good faith, and on reasonable grounds that another employee, volunteer, or contractor has breached any provision of the organisation's policies, code of conduct, or generally recognised principles of ethics, that employee may report their concern to:

- their supervisor; or, if they feel that their supervisor may be complicit in the breach,
- the General Manager; or, if they feel that the General Manager may be complicit in the breach,
- the People & Culture Business Partner.

The person making their concern known shall not suffer any sanctions from the organisation on account of their actions in this regard provided that their actions

- are in good faith, and
- are based on reasonable grounds, and
- conform to the designated procedures.

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Any such investigation shall observe the rules of natural justice and the provisions of procedural fairness.

Disclosures may be made anonymously, and this anonymity shall as far as possible be preserved by the organisation.

4. DISCLOSURES FROM CONTRACTORS, VOLUNTEERS, AND MEMBERS OF THE PUBLIC

Under the *Public Interest Disclosures Act 2002*, a disclosure can be made by a Contractor, Volunteer, or member of the public about one or more public officers, or about the Council as a whole. In accordance with the act, these disclosures can only be made to the Ombudsman Tasmania or the Integrity Commission.