

Governance 9: Whistleblower (Public Interest Disclosure)

1. Purpose

The purpose of this policy is to encourage Employees, Elected Members, contractors, consultants and members of the public, to report unlawful unethical, or undesirable conduct (Misconduct) that they genuinely believe has been committed by a person or persons in breach of the City of Kalamunda's Code of Conduct, policies or the law.

2. Planning

Priority 4: Kalamunda Leads

Objective 4.1 - To provide leadership through transparent governance.

Strategy 4.1.1.- Provide good governance.

3. Policy Statement

- a) The City of Kalamunda (City) is committed to the aims and objectives of the Public Interest Disclosure Act 2003. It recognises the value and importance of Employees and others to enhance administrative and management practices, and strongly supports disclosures being made as to alleged Misconduct.
- b) The City will not tolerate Misconduct and has developed this policy to assist Elected Members, Employees, contractors, consultants, and members of the public to raise concerns through a constructive and safe process.

4. Detail

The Policy has been developed to:

- a) Demonstrate the City's commitment to a fair workplace and outline the process for managing matters of Misconduct.
- b) Protect individuals who in good faith report conduct which they reasonably believe to be Misconduct, on a confidential basis, without fear of reprisal, dismissal or discriminatory treatment.
- c) Assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.
- d) State the City of Kalamunda's commitment to the aims and objectives of the Public Interest Disclosure Act 2003, the purpose of which is to facilitate the disclosure of information in the public interest, and to provide protection to those who make a disclosure or who are the subject of a disclosure.

5. Community Consultation

Policy does not require community consultation it is a statutory requirement

6. Governance

This Policy is required under legislation and is governed by the Public Sector Commissioner for issues relating to officers and contractors of the City or the Corruption and Crime Commission of Western Australia for matters relating to Elected Members.

7. Measures of Success

The success of this Policy will be measured in terms of the number of complaints being lodged through effective governance of the City's business.

8. Definitions

Nil.

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| Status | Council and Statutory Requirement | | |
| Related Local Law | N/A | | |
| Related Council Policies | N/A | | |
| Relevant Delegation | N/A | | |
| Related Internal Procedures | N/A | | |
| Related Budget Schedule | N/A | | |
| Legislation | This policy has been drafted to comply with the: AS 8004-2003 (Whistle blower Protection Programs for Entities) AS 8001-2008 (Fraud and Corruption Control). <i>Public Interest Disclosure Act 2003 of Western Australia</i> <i>Public interest Disclosure regulations 2003</i> | | |
| Notes and Conditions | The Whistleblower Policy and Procedures will be reviewed periodically by the Audit Committee. A report will be made to the Council on the outcome of each review and all recommended changes to the Policy. All information, documents, records and reports relating to the investigation of reported misconduct will be confidentially stored and retained in an appropriate and secure manner, in accordance with the <i>Public Disclosure Act 2003</i> . | | |
| Authority | Council | | |
| Adopted | 12 October 2021 | Next Review Date | 12 October 2023 |