

Policy Title:	Public Interest Disclosure Policy
Classification:	Governance

Date Adopted by Council

29 June 2016

Council Minute Number

2016/06/29.11

Effective Date

29 June 2016

Review Date

29 June 2017

Responsible Officer:

Legal and Governance Officer

Responsible Department:

Office of the Mayor and CEO

Revokes:

Policy Number: POLC-ES-CEO-008

Policy Name: Public Interest Disclosure Policy

Adopted: 26/10/2011

NOTE: This cover page is not to be included when submitting a report to a Council meeting

1. BACKGROUND AND PRINCIPLES

Whitsunday Regional Council is committed to upholding high standards of professional and ethical conduct by its *Councillors* and *employees*. *Council* is also committed to maintaining integrity and promoting the public interest through facilitating the effective notification, assessment and management of *public interest disclosures* in accordance with the *Public Interest Disclosure Act 2010* (“the Act”).

2. SCOPE

This policy applies to all Whitsunday Regional Council Councillors and employees of the Whitsunday Regional Council. It may also apply to other people who perform public official functions such as volunteers.

3. POLICY OBJECTIVES

The objectives of this policy are:

- to create a positive reporting environment that encourages the making of public interest disclosures and provides support and protection to those who make public interest disclosures;
- to establish Council’s commitment to the promotion and proper management of public interest disclosures; and
- to ensure Council fulfils its responsibility under the Act.

4. POLICY STATEMENT

- 4.1 Council recognises the important role Councillors, employees and members of the public can play in the identification of cases of maladministration, official misconduct and the misuse of public resources or contraventions giving rise to dangers to public health, safety or the environment.
- 4.2 Council supports an organisational culture where all Councillors and employees feel comfortable about reporting wrongdoing.
- 4.3 The *CEO* shall ensure Council has reasonable procedures in place to deal with public interest disclosures in compliance with s28 of the Act.
- 4.4 Council recognises the sensitivities associated with public interest disclosures and the need to maintain public confidence in its process for managing public interest disclosures. To that end, Council is committed to:
 - a) promoting the public interest by facilitating public interest disclosures of wrongdoing in the public sector;
 - b) ensuring that public interest disclosures are properly made, assessed and, when appropriate, investigated and dealt with in a timely manner;

- c) affording support and protection from reprisals to any person making a public interest disclosure and appropriately dealing with employees who take reprisal action;
- d) ensuring that appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure; and
- e) ensuring that the proper records of public interest disclosures are maintained and ensuring the confidentiality of all records created during the investigation and reporting of public interest disclosures, noting that Council may be legally required to disclose details of public interest disclosures.

5. RELEVANT LEGISLATION

Public Interest Disclosures Act 2010

6. DEFINITIONS

CEO shall mean a person who holds an appointment as Chief Executive Officer of the Whitsunday Regional Council under section 194 of the *Local Government Act 2009*. This includes a person acting in this position.

Council shall mean the Whitsunday Regional Council.

Councillor/s shall mean the Mayor and Councillors of the Whitsunday Regional Council within the meaning of the *Local Government Act 2009*.

Employee/s includes a permanent, temporary, casual or contract member on Council's staff.

Public interest disclosure is a disclosure made under Chapter 2 of the *Public Interest Disclosure Act 2010* and includes all information and help given by the discloser to the proper authority for disclosure.

7. RELATED DOCUMENTS

Public Interest Disclosure Management Procedure

8. DATE REVIEWED

29 June 2016

9. NEXT REVIEW

29 June 2017