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## GOVERNANCE POLICIES

### Whistleblower (Public Interest Disclosure)



Policy Number:	G15
Relevant Delegation:	Not Applicable
Adoption Details:	28 January 2016
Last Review Details:	25 February 2025

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#### **POLICY OBJECTIVE:**

To encourage Councillors, staff, volunteers, contractors, sub-contractors and consultants to report unlawful unethical, or undesirable conduct (“Misconduct”) that they have evidence has been committed by a person or persons in breach of the Shire of York’s Codes of Conduct, policies or the law.

To demonstrate the Shire’s commitment to a fair workplace and outline the process for managing matters of Misconduct.

To 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.

To assist in ensuring that matters of Misconduct and/or unethical behaviour are identified and dealt with appropriately.

To state the Shire of York’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.

#### **POLICY SCOPE:**

This policy applies to all Shire of York Councillors, staff, volunteers, contractors, sub-contractors and consultants.

#### **POLICY STATEMENT:**

##### **PRINCIPLES**

The Shire of York is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). It recognises the value and importance of contributions of employees and others to enhance administrative and management practices and strongly supports disclosures being made by employees as alleged Misconduct.

As a proper authority, the Shire of York is responsible for:

- Receiving disclosures
  - Investigating disclosures
  - Taking appropriate action
  - Reporting
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The Shire will not tolerate Misconduct and has developed its Whistleblower (Public Interest Disclosure) (PID) Policy and procedures to assist in raising concerns through a constructive and safe process.

The Shire will achieve this through the creation of an open working environment in which Councillors, employees (whether they are full-time, part-time or casual), volunteers, contractors and consultants, as well as members of the public, are able to raise concerns regarding actual or suspected Misconduct.

The Shire recognises that any genuine commitment to detecting and preventing Misconduct must include a mechanism whereby people can report their concerns freely and without fear of reprisal or intimidation. The Shire’s Whistleblower Policy and PID Guideline provides such a mechanism and encourages the reporting of such conduct.

The Shire will endeavour to provide protection to “Whistleblowers” from any detrimental action in reprisal for the making of a public interest disclosure.

The Shire’s Codes of Conduct (Policy E1 – Code of Conduct – Council Members, Committee Members and Candidates and Policy O8 – Employee Code of Conduct) require the observation of high standards of business and personal ethics in the conduct of people’s duties and responsibilities. Councillors, employees, volunteers, contractors, and consultants have a responsibility to practice honesty and integrity in fulfilling their responsibilities to the Shire and to comply with all applicable laws and regulations.

All records relating to the investigation of reported Misconduct will be confidentially stored and retained in an appropriate and secure manner, in accordance with the *Public Disclosure Act 2003* and *State Records Act 2000*.

#### **PENALTIES:**

Not applicable.

#### **KEY TERMS/DEFINITIONS:**

Not applicable.

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Responsible Officer: Chief Executive Officer  
Contact Officer: Council & Executive Support Officer  
Relevant Legislation: [Public Disclosure Act 2003](#)  
[Shire of York Public Interest Disclosure Guidelines](#)  
[Public Sector Commission](#)

Review History:

<b>Date Review Adopted:</b>	<b>Resolution Number</b>
Adopted – 28 January 2016	
Reviewed – 24 October 2016	
Reviewed – 25 November 2019	291119
Reviewed – 27 July 2021	160721
Reviewed – 25 February 2025	170225
<b>Former Policy No:</b>	G3.1

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