

## Governance 9: Whistleblower (Public Interest Disclosure)

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### 1. Purpose

The purpose of this policy is to:

- (a) 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.
- (b) Demonstrate the City's commitment to a fair workplace and outline the process for managing matters of Misconduct.
- (c) 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.
- (d) Assist in ensuring that matters of Misconduct and / or unethical behaviour are identified and dealt with appropriately.
- (e) 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.

### 2. 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.
- (c) The City will achieve this through the creation of an open working environment in which Elected Members, Employees (whether they are full-time, part-time or casual), contractors and consultants, as well as members of the public, are able to raise concerns regarding actual or suspected Misconduct.
- (d) The City recognises that any genuine commitment to detecting and preventing Misconduct must include a mechanism whereby Employees and others can report their concerns freely and without fear of reprisal or intimidation. This policy provides such a mechanism and encourages the reporting of such conduct.
- (e) The City will endeavour to provide protection to Whistleblowers from any detrimental action in reprisal for the making of a public interest disclosure.
- (f) The City's Code of Conduct (Code) requires Elected Members and Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

- (g) As Elected Members, Employees and representatives of the City, everyone has a responsibility to practice honesty and integrity in fulfilling their responsibilities and to comply with all applicable laws and regulations

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	<p>This policy has been drafted to comply with the:</p> <ul style="list-style-type: none"> <li>AS 8004–2003 (Whistle blower Protection Programs for Entities)</li> <li>AS 8001–2008 (Fraud and Corruption Control).</li> <li><i>Public Interest Disclosure Act 2003</i> of Western Australia</li> </ul>		
Notes and Conditions	<p>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.</p> <p>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 Public Disclosure Act 2003.</p>		
Authority	Council		
Adopted	27 August 2019	Next Review Date	27 August 2021