

GUNAIKURNAI

Traditional Owner Land Management Board

Protected Disclosures Policy

POLICY STATEMENT

The Gunaikurnai Traditional Owner Land Management Board (“the Board”) is a public body subject to the *Protected Disclosures Act 2012* (“the Act”). The purpose of the Act is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies, including the Board, any staff and members.

The Board is committed to the aims and objectives of the Act. It recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal improper conduct. It does not tolerate improper conduct by the organisation, any staff, officers or members, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

OBJECTIVE

To facilitate the making of disclosures of improper conduct by public officers and public bodies in accordance with the Act and associated procedures.

SCOPE

This policy applies to any Board staff and all activities conducted by the Board.

RESPONSIBILITIES

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| <u>Board</u> | <ul style="list-style-type: none">• Approval and regular review of this Policy.• Implementation overview through the Audit and Risk Sub-Committee of the Board. |
| <u>EO</u> | <ul style="list-style-type: none">• Operational delivery of this policy together with maintenance of all relevant procedures. |
| <u>Any Employees</u> | <ul style="list-style-type: none">• Must familiarise themselves with this policy, related procedures and work instructions; and• Comply with all relevant processes and procedures. |

BACKGROUND

What Can Disclosures Be Made About?

Disclosures may be made about “improper conduct” on the part of a public body or its staff, employees and members. Disclosures may also be made about “detrimental action” taken (or suspected may be taken) in reprisal or in connection with a disclosure made about improper conduct.

The conduct or action being disclosed may have taken place, still be occurring, or is believed will occur or be engaged in.

The Act provides definitions about improper conduct and detrimental action. For more information about what those terms mean, see the Board’s Protected Disclosure Procedures (see further below about how to access or obtain a copy of those procedures).

Who Can Make A Disclosure?

Any individual natural person (e.g., not organisation or company) may make a disclosure under the Act. The individual could be a person within the organisation, or any member of the public externally.

Disclosures may be made in a number of ways set out in the Act, including anonymously, in writing or orally. A discloser need not identify the person or body about whom the disclosure is made.

How To Make A Disclosure

According to the Independent Broad-based Anti-corruption Commission (“the IBAC”), the Board is not permitted to receive disclosures made under the Act. Therefore, if you wish to make a disclosure about the Board, its officers, members or employees, you will need to make that disclosure directly to the IBAC. If the Board believes a disclosure may be a protected disclosure made in accordance with the Act, it will ask you to make that disclosure to the IBAC. The IBAC will deal with the disclosure.

Role Of The Board

It is important to note that the IBAC is not required to contact the Board about any disclosure you make so you should not discuss with the Board any disclosure you make to the IBAC *unless* you have first obtained the permission of the IBAC to do so, or unless the IBAC has directed you to do so, or the IBAC has contacted the Board to provide it with information in order to allow the Board to provide you with any necessary welfare and support.

As required under the Act, the Board has established procedures to facilitate and encourage the making of disclosures under the Act, and how the Board will manage the welfare of persons connected with protected disclosures (“Protected Disclosure Procedures”). The Board’s Protected Disclosure Procedures are available at www.gunaikurnai.com.au or by

inspection during normal office hours of the Board's Executive Officer at 574 Main Street, Bairnsdale, Victoria, 3875.

If you are not able to access an online copy or would like a copy sent to you, please contact the Board's Executive Officer on 03 5150 3573 or by email at info@gunaikurnai.com.au so we can provide you a copy.

Confidentiality

The Board takes its obligations under the Act seriously. This includes the requirement to protect the identity of the discloser and the matters disclosed by a discloser. Maintaining confidentiality in relation to protected disclosure matters is crucial, among other things, in ensuring reprisals are not made against a discloser. It is a criminal offence under the Act to disclose information connected with a disclosure made in accordance with the Act, including the identity of the discloser. The penalties for breaching confidentiality obligations include financial penalties and imprisonment.

For More Information

For more information about protected disclosures or the Victorian integrity system generally, also see <http://www.ibac.vic.gov.au/report-corruption-or-misconduct/protected-disclosure>.

REFERENCES, RELATED DOCUMENTS AND LEGISLATION

- *Protected Disclosures Act 2012*
- Board's Protected Disclosures Procedure

DOCUMENT CONTROL

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| Version Number | 2 |
| Last Review Date | 1 September 2016 |
| Frequency of Review | Three yearly |
| Next Review Due Date | September 2019 |
| Responsible Officer | EO |
| Approved by | The Board |