

Public Interest Disclosures

Organisational Policy

Action statement

Date	Name	Position	Action required	Due date

Prepared by

Branch

Division

Location

Version no.

Version date

Status

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Ethical Standards Unit

Internal Audit Branch

Corporate Governance Division

Level 5, 140 Creek St, Brisbane, 4000

2.0

Document control sheet

Contact for enquiries and proposed changes

Officer	Name	Title	Phone number
Policy Owner	Trevor Chippindall	Director, Ethical Standards	31461489
Policy Officer	Trevor Chippindall	Director, Ethical Standards	31461489

Version history

Version no.	Date	Changed by	Nature of amendment
0.1			Initial draft.
0.2	28/6/2011	BFO	CA review

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Document sign off

This organisational policy is **approved** by the Director-General:

Name _____

Position Director-General

Signature _____ Date _____

This organisational policy is **endorsed** by:

Name _____

Position Deputy Director-General (Corporate)

Signature _____ Date _____

This organisational policy is **endorsed** by:

Name _____

Position General Manager (Corporate Governance)

Signature _____ Date _____

This organisational policy is **presented for approval** by the operational owner:

Name _____

Position Director (Ethical Standards), Corporate Governance Division

Signature _____ Date _____

Effective date

This policy will take effect from 1 July 2011.

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1 Policy Statement

The Department of Transport and Main Roads (TMR) is a large and diverse organisation. On occasions employees, contractors, suppliers, and members of the public report problems about TMR's operations. TMR encourages and welcomes these reports.

TMR is committed to responding appropriately to public interest disclosures, and having procedures in place to properly assess and, where appropriate, investigate those disclosures. In dealing with disclosures, TMR is committed to protecting people making disclosures and addressing the cause of confirmed problems.

2 Objectives

The objectives of this policy are to

- promote the public interest by facilitating public interest disclosures from within TMR and by the public
- ensure that public interest disclosures are properly assessed and, when appropriate, properly investigated
- ensure that appropriate consideration is given to the interests of persons who may be the subject of a public interest disclosure
- afford protection from reprisal to persons making public interest disclosures.

3 Benefits

Employees, contractors and members of the public who are prepared to speak up about misconduct, maladministration or other wrongdoing are one of the most important and accurate sources of information to identify and address problems that disadvantage or endanger other people, and damage the reputation of TMR.

Creating an environment in which employees, contractors and members of the public feel confident that making a public interest disclosure is valued and taken seriously, allows TMR to

- identify wrongdoing as early as possible
- expose weak or flawed programs that make TMR vulnerable to loss, criticism or legal action
- avoid financial loss and inefficiency
- maintain a positive corporate reputation
- reduce the risks to the environment or the health or safety of employees or the community
- improve accountability
- deter employees from engaging in improper conduct.

4 Scope and Applicability

This policy is primarily intended to apply to complaints or information received by any TMR staff member that meets the definition of a “public interest disclosure” in the *Public Interest Disclosure Act 2010*. However, the principles of protection and support, as outlined, should apply uniformly to all persons who raise a concern about TMR in good faith, regardless of whether that concern is a public interest disclosure.

This policy is not intended to usurp established complaint management protocols such as the Complaints Management policy and procedure, the Managing Employee Complaints policy, the Case Management Framework and departmental environmental complaints and incident reporting processes. Because not every TMR employee can be expected to know and apply the provisions of the *Public Interest Disclosure Act 2010*, it is TMR’s intention to continue to encourage disclosures within existing reporting frameworks and educate those staff who are most likely to receive, manage or provide advice on public interest disclosures of their responsibilities in helping TMR meet its obligations under the *Public Interest Disclosure Act 2010*.

5 Rationale

This policy exists to ensure TMR appropriately deals with reports of misconduct, maladministration or other disclosures. In particular, to ensure that appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure and to afford protection from reprisals to persons making public interest disclosures.

This policy satisfies the requirements of the *Public Interest Disclosure Act 2010* and the *Public Interest Disclosure Standard No.1*.

6 Consultation

TMR’s Legal and Prosecution Services Branch, Corporate Governance Division; Governance and Planning Branch, Corporate Governance Division and People and Capability Division were consulted in the development of this policy.

7 Review

This policy and any accompanying procedures will be maintained and reviewed by the Ethical Standards Unit, Internal Audit Branch, Corporate Governance Division. The policy and any accompanying procedures will be reviewed at least annually to ensure the policy and procedures meet legislative and policy requirements.

8 Definitions

Term, abbreviations and acronyms	Definition
Public Interest Disclosure (PID)	A PID is defined in Chapter 2 of the <i>Public Interest Disclosure Act 2010</i>

9 References

Public Interest Disclosure Act 2010

Public Interest Disclosure Standard No. 1, Public Service Commission

Managing a public interest disclosure program. A guide for public sector organisations, Crime and Misconduct Commission, Queensland Ombudsman, and Public Service Commission, 2009