



PUBLIC INTEREST DISCLOSURES

1. Purpose

The Philip Island Nature Parks (Nature Parks) is committed to the highest standards of conduct and ethical behaviour throughout all of our business activities. We promote and support a culture of honest and ethical behaviour, corporate compliance and good corporate governance.

The purpose of this policy is to describe how allegations of corrupt conduct, improper conduct or detrimental action involving the organisation or its officers will be managed according to the *Public Interest Disclosures Act 2012*.

This policy does not form part of the terms and conditions of an employee’s employment.

2. Scope

Applies to:	Board Members CEO	Employees	Volunteers	Contractors Consultants	Visitors
	✓	✓	✓	✓	✓

3. Policy

In accordance with the *Public Interest Disclosures Act 2012* (“the Act”), the Nature Parks may not receive a Public Interest Disclosure (PID). Persons wishing to make a PID in relation to the Nature Parks must direct it to the Independent Board-based Anti-corruption Commission (IBAC).

The Nature Parks maintains processes to encourage speaking up about genuinely held concerns. In support of this, the Nature Parks has systems in place to manage confidentiality, welfare support and risk management measures for PIDs made about their organisation to support disclosures (e.g. where IBAC refers the matter back to the organisation to investigate) and for other disclosures that are not PIDs but are considered ‘Reportable Conduct’ in line with our Public Interest Disclosures and Whistle Blowers Protection procedure.

Allegations of corrupt conduct, improper conduct or detrimental action involving the organisation or its officers which may attract certain protections (previously known as whistleblower or protected disclosure protections) will be managed according to the following principles:

1. The Nature Parks cannot receive PIDs, persons wishing to make a PID should refer to IBAC
2. Where the Nature Parks is involved in PIDs (such as where IBAC refer the matter to the organisation, they will):
 - Be managed in consultation and cooperation with IBAC
 - Be kept in confidence



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Responsible Authority: Board
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- Attract protections from detrimental action or reprisals for the discloser where a public interest disclosure is assessed by IBAC as a Public Interest Complaint
 - Ensure the identity of the discloser and the subject of their disclosure will be treated confidentially regardless of whether allegations are ultimately substantiated or not
 - provide appropriate welfare support to a discloser and may appoint a welfare manager to that person
 - Refer to the Disclosures Coordinator and /or Officers if appropriate
 - Where a disclosure is about an action that poses an immediate threat to life, health or property, the organisation may take immediate action prior to disclosing to IBAC.
3. Reports that do not meet IBAC’s public interest disclosure criteria (i.e. such as those considered ‘Reportable Conduct’ as defined in the Public Interest Disclosures and Whistle Blowers Protection procedure) this will be managed through the appropriate organisation processes and authority
 4. The organisation will undertake a risk assessment for each PID or Reportable Conduct disclosure it receives.
 5. The organisation will refer misdirected disclosures to the correct body.

Those who can make a report or disclosure includes, but is not limited to, any person, or group of persons, such as Nature Parks employees or Board Members, a member of the public, prospective employees, directors, officers, unpaid worker or volunteers, contractors* or suppliers* (including their employees), associates consultants, relatives, dependents, spouses, or their dependents. [*A company or business cannot make a public interest disclosure.]

Improper conduct and/or detrimental actions include, but is not limited to, fraudulent or dishonest conduct, accepting a bribe in exchange for discharge of public duty, selling Nature Parks confidential information, engaging in conduct which could damage or injure Nature Parks or its employees, harassment, victimisation or discrimination or other adverse action taken against those who disclose improper conduct.

Those making a report or disclosure must have reasonable grounds to believe that improper conduct and/or detrimental action has occurred, is occurring, or will occur.

Reporting corrupt conduct, improper conduct or detrimental action should be made to:

Independent Broad-based Anticorruption Commission (IBAC)
www.ibac.vic.gov.au or 1300 735 135.

Reports that do not meet IBAC’s public interest disclosure criteria may be reported to:

Nature Parks Disclosure Coordinator:	
Melissa Nolet People and Culture Manager Phillip Island Nature Parks P O Box 97 54-156 Thompsons Avenue Cowes 3922	Phone: +613 5951 2837 Email: mnolet@penguins.org.au



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Nature Parks Disclosure Officers:	
Judy Tough Administration Officer Phillip Island Nature Parks P O Box 97 154-156 Thompson Avenue Cowes 3922 Phone: 5951 2815 Email: jtough@penguins.org.au	John Evans Assistant Operations Manager Phillip Island Nature Parks P O Box 97 154-156 Thompson Avenue Cowes 3922 Phone: 5951 2889 or 0407 990 198 Email: jevans@penguins.org.au

4. Related Documents

Legislation/Regulations	<ul style="list-style-type: none"> ▪ Public Interest Disclosure Act 2012 (PID Act) ▪ Treasury Laws Amendment (Enhancing Whistle-blower Protections) Act 2019 ▪ Part VIA of the Banking Act 1959 (Cth) ▪ Insurance Act 1973 (Cth) (Insurance Act) ▪ Life Insurance Act 1995 (Cth) (Life Insurance Act) ▪ Part 29A of the Superannuation Industry (Supervision) Act 1993 (Cth) (Super Act) ▪ Disclosures of breaches of the tax laws or misconduct relating to an entity's tax affairs under the Taxation Administration Act 1953 (Cth) ▪ Corporations Act 2001 (Cth) ▪ Fair Work Act 2009 (Cth)
Policies	<ul style="list-style-type: none"> ▪ Code of Conduct ▪ Grievance Policy
Procedures	<ul style="list-style-type: none"> ▪ Public Interest Disclosures and Whistle Blowers Protection procedure PRO-HR-005 ▪ Grievance procedure ▪ Issues Resolution Chart

5. Review and Approvals

Document reviewed by:

- Manager People and Culture
- Chief Executive Officer
- People and Resources Subcommittee

Document Approved by:

- Board

Signed:

Liz Stinson
 Chair
 August 2020