

Public Interest Disclosures Policy

Aim

We recognise the value of transparency and accountability in how we undertake our activities, and support disclosures that reveal improper conduct.

Our aim is to ensure that we:

- Thoroughly investigate all disclosures of improper conduct made in accordance with the *Public Interest Disclosures Act 2002 (the Act)*
- Act appropriately to address improper conduct where it has been established and
- Protect the person making the disclosure from any detrimental action.

Compliance Obligations

Public Interest Disclosures Act 2002 (Tas)

Definitions

Contractor means a person who at any time has:

- entered into a contract with TasWater for the supply of goods or services to, or on behalf of TasWater or
- an employee of the contractor, or a subcontractor engaged by the contractor to fulfil all or part of a contract with TasWater for the supply of goods or services to, or on behalf of TasWater.

Improper conduct includes conduct that:

- Is illegal, unlawful or corrupt
- Amounts to professional misconduct or a substantial waste or mismanagement of public resources
- Involves or creates a danger to public health, safety or the environment
- Includes a breach of a code of conduct or breach of public trust or
- Amounts to detrimental action.

Detrimental action includes:

- Action causing injury, loss or damage
- Intimidation or harassment
- Discrimination, disadvantage or adverse treatment relating to a person's employment, career, profession, trade or business including the taking of disciplinary action and
- Threats of detrimental action.

Discloser means an employee or contractor who discloses improper conduct or detrimental action.

Principal Officer means the Chief Executive Officer.

Public Interest Disclosures Officer means the General Manager Legal and Governance and any other person so appointed by the Principal Officer.

Welfare Manager means a person appointed to look after the general welfare of a discloser.

Policy

TasWater will not tolerate improper conduct by its employees, officers, consultants and contractors or any detrimental action taken against those who come forward to disclose such conduct.

In accordance with the Act, TasWater will:

- Make this policy, procedures, guidelines and the contact details of the Public Interest Disclosures Officer available throughout the business and to the general public
- Act on disclosures made under the Act in accordance with the approved procedures and guidelines, including initiating any appropriate action once an investigation has been completed and communicating the outcomes to the discloser
- Ensure the Principal Officer and the Public Interest Disclosures Officer discharge their functions and powers as required by the Act
- Report to the Ombudsman and relevant Minister as required in accordance with the Act.

Responsibilities

Principal Officer

The Principal Officer is primarily responsible for:

- Preparing procedures for approval by the Ombudsman and ensuring the application of natural justice in those procedures
- Receiving public interest disclosures and ensuring they are dealt with in accordance with the Act
- Ensuring the protection of both disclosers and witnesses
- Ensuring that staff are aware of the importance of public interest disclosures and general information about the Act
- Ensuring that employees have access to the confidential employee assistance program and appropriately trained internal support staff for those involved in the process.

The Principal Officer may delegate any or all functions to the Public Interest Disclosures Officer.

Public Interest Disclosures Officer

The Public Interest Disclosures (PID) Officer is responsible for:

- Acting as a contact point for general advice about the Act for any person wishing to make a disclosure about improper conduct or detrimental action
- Making arrangements for a disclosure to be made privately and discreetly and, if necessary, away from the workplace
- Receiving any disclosure made orally or preferably in writing from disclosers
- Recording in writing the details of any disclosure which is made orally
- Impartially assessing whether a disclosure is a public interest disclosure under the terms of the Act
- Impartially assessing the allegation and determine whether it is a “protected disclosure” under the terms of the Act
- Taking all necessary steps to ensure the identity of the discloser and the identity of the person who is the subject of the disclosure are kept confidential.

Welfare Manager

A Welfare Manager may be an employee of the TasWater or a consultant engaged for that purpose and will be appointed by the Principal Officer or the Public Interest Disclosure Officer.

The Welfare Manager is responsible for:

- Assessing the welfare and protection needs of a person who has made a disclosure, and will foster a supportive work environment
- Advising the discloser of the legislative and administrative protections available to them

- Listening and responding to any concerns of harassment, intimidation, victimisation or other detrimental action which may be occurring in reprisal for making a disclosure
- Protecting the identity of the discloser (as far as is practicable) in the course of carrying out these responsibilities.

Associated Documents

- TASPOL16 Public Interest Disclosures Model Procedures Manual

Approved by the Chief Executive Officer on 23 March 2018.

A handwritten signature in black ink, appearing to be "A. Smith", written over a dotted line.

Chief Executive Officer