

1 PURPOSE

Grampians Wimmera Mallee Water Corporation (trading as “GWMWater”) is a public body subject to the *Public Interest Disclosure Act 2012* (“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 GWMWater, its staff, members, and employees.

2 SCOPE

GWMWater 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, its employees, officers, or members, nor the taking of detrimental action in reprisal against those who come forward to disclose such conduct.

3 METHOD

3.1 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 GWMWater’s Public Interest Disclosure Procedures (see further below about “how to make a disclosure” about how to access or obtain a copy of those procedures).

3.2 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.

3.3 How to make a disclosure

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

be a Public Interest 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.

3.4 Role of GWMWater

It is important to note that the IBAC is not required to contact GWMWater about any disclosure you make so you should not discuss any disclosure you make to the IBAC with GWMWater or any person in GWMWater *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 GWMWater to provide it with information in order to allow GWMWater to provide you with any necessary welfare and support.

As required under the Act, GWMWater has established procedures to facilitate and encourage the making of disclosures under the Act, and how GWMWater will manage the welfare of persons connected with public interest disclosures (“Public Interest Disclosure Procedures”). The GWMWater’s Public Interest Disclosure Procedures are available at www.gwmwater.org.au or by inspection during normal office hours at GWMWater, 11 McLachlan Street, Horsham.

If you are not able to access an online copy or would like a copy sent to you, please contact Ross Higgins, Manager Legal and Corporate Resources, GWMWater on 1300 659 961 so we can provide you a copy of our Public Interest Disclosure Procedures.

4 RELATED LEGISLATION

- a) *Public Interest Disclosure Act 2012*

5 RELATED POLICIES AND PROCEDURES

- b) [Protected Interest Disclosure Procedures CMS/3060](#)

6 EXPECTED OUTCOMES

GWMWater 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 public interest 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.

7 DOCUMENTATION

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

In addition, you can find out more information about our general complaints handling process by contacting Ross Higgins, Manager Legal and Corporate Resources, GWMWater.

8 DEFINITIONS

- a) Individual natural person – a real human being, as distinguished from a corporation which is often treated at law as a fictitious person.