

PUBLIC INTEREST DISCLOSURES (WHISTLEBLOWER) POLICY



Policy Owner: CEO
Reviewed and Approved: 23 December 2024

1. PURPOSE

As part of its commitment to a business environment that is honest and ethical and operates with integrity, Southern Waste Solutions (SWS) recognises the value of internal reporting as a key element to identifying improper conduct. It also recognises the importance of providing a safe and respectful environment for employees and others connected to the business to report improper conduct and confidence that the reports will be properly addressed.

As a public body under the *Public Interest Disclosures Act 2002* (Tas) (the Act), SWS is committed to the purposes of the Act, which are primarily to:

- encourage and facilitate disclosures of improper conduct by public officers;
- protect persons making those disclosures and others from reprisals;
- provide for the matters disclosed to be properly investigated and dealt with; and
- provide all parties involved with those disclosures with procedural fairness (referred to as natural justice in the Act).

2. SCOPE

This policy applies to all SWS employees, including members of the SWS Board as well as contractors. The policy also extends to Authority Representatives, in their capacity as appointed representatives of participating councils.

3. DEFINITIONS

Act refers to the *Public Interest Disclosures Act 2002* (Tas).

Employees includes any person employed by SWS, whether on a permanent, fixed term or casual basis, including members of the Board.

Contractor is any person or organisation that undertakes work for SWS in accordance with a contract for services (whether verbal or written).

Workplace means any place where work is carried out for SWS business or related undertakings.

4. ROLES & RESPONSIBILITIES

Chief Executive Officer (CEO) Oversees, supports, and enforces this policy and related procedures and ensures consistent application across all practices and processes at SWS.

Undertakes relevant responsibilities as outlined in this policy.

Managers Observe and implement this policy and related procedures across all practices and processes at SWS.

Ensure employees know their obligations under this policy and other related policies and procedures through regular reference and discussion.

Employees

Observe and comply with this policy and other related policies and procedures as developed or amended from time to time.

Undertakes relevant responsibilities as outlined in this policy and related procedures.

5. POLICY

SWS will not tolerate any behavior of its employees or contractors that do not meet its commitment to honesty, integrity or ethical conduct. It encourages those with legitimate suspicions or allegations of improper conduct by SWS, its employees or contractors to report the allegations under the Act.

SWS commits to promptly investigating the allegations that meet the definition of disclosable matters under the Act and addressing the outcomes appropriately. Investigations will be undertaken as discreetly as possible to protect the discloser's identity and to ensure procedural fairness (principles of natural justice) are extended to the alleged offender.

SWS also commits to extending all possible protections from reprisal to the discloser (where disclosers identify themselves) and dealing promptly and appropriately with any reports of detrimental action against the discloser.

6. SPECIFIC RESPONSIBILITIES

6.1 SWS BOARD

The **Board** is responsible for:

- promoting a workplace culture where honesty, ethics and integrity are valued, and feedback and reporting in an open and respectful manner are encouraged;
- ensuring the CEO provides sufficient resources to implement the policy and its related procedures;
- monitoring outcomes of, and any trends arising from, proven allegations of unacceptable behaviour and ensuring outcomes are actioned in a timely manner;
- supporting any investigations instigated by the Ombudsman Tasmania or Integrity Commission; and
- complying with the policy as individual directors.

6.2 THE CHIEF EXECUTIVE OFFICER

The **Chief Executive Officer** is responsible for:

- implementing a workplace culture where honesty, ethics and integrity are valued, and feedback and reporting are dealt with in an open and respectful manner;
- maintaining and implementing the model procedures recommended by the Ombudsman Tasmania to support this policy;

- providing sufficient resources, including training, to implement this policy and its procedures;
- ensuring appropriate records are maintained securely to protect confidentiality;
- supporting any investigations instigated by the Ombudsman Tasmania or Integrity Commission;
- identifying appropriate actions and any business improvements that address outcomes of any investigations; and
- reporting to the Board in accordance with this policy.

6.3 SWS EMPLOYEES AND CONTRACTORS

SWS employees and contractors are responsible for:

- complying with the Code of Conduct to contribute to a workplace culture where honesty, ethics and integrity are valued;
- attending training about this policy and its related procedures; and
- avoiding any action that maybe detrimental to anyone who makes a disclosure under the policy or to anyone who is alleged to have acted improperly by a discloser.

7. REPORTING

The CEO will ensure that statistics related to disclosures under the Act are reported externally, in accordance with the Act.

Any serious actions proposed in response to proven allegations, such as termination of employment, will be reported to the Board by the CEO. If a claim or allegation appears legitimate but an investigation cannot be undertaken because it does not meet the definitions or limitations of the Act, the CEO will consult the Board to determine if an investigation is warranted and possible under another SWS' policy, code or process.

At the conclusion of any investigation, the CEO will consider the implications for the business and identify any improvements required to prevent a recurrence, and report these to the Board.

8. BREACH OF POLICY

All employees must comply with this policy and related policies and procedures. In instances when employees do not abide by this policy and related procedures, disciplinary action may be taken in line with the *SWS Disciplinary Procedure*.

9. REFERENCES AND RELATED DOCUMENTATION

7.1 POLICY

- Code of Conduct Policy
- Fraud, Corruption and Undesirable Conduct Prevention Policy

7.2 PROCEDURES

- Public Interest Disclosure Procedure
- Anti-Bullying and Harassment Procedure
- Grievance Procedure

- Disciplinary Procedure

7.3 LEGISLATIVE & STANDARDS

- *Public Interest Disclosures Act 2002 (Tas)*

Policy Owner	CEO
Policy approved by	CEO
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Next review date (unless a need arises earlier)	December 2027

Further information

Please contact Southern Waste Solutions by phone on 03 6273 9712 or via email info@swstas.com.au.