

Public Interest Disclosure (Whistleblowing) Policy

Section 1 - Purpose

(1) This Public Interest Disclosure (Whistleblowing) Policy and the supporting [Public Interest Disclosure \(Whistleblowing\) Procedure](#) set out:

- a. how Charles Sturt University (the University) will support and protect you if you come forward with a report of serious wrongdoing
- b. how the University will deal with a report of wrongdoing and the University's other responsibilities under the [Public Interest Disclosures Act 2022 \(NSW\) \(PID Act\)](#) and the [Corporations Act 2001 \(Cth\) \(Corporations Act\)](#)
- c. who to contact if you want to make a report
- d. how to make a report
- e. the protections that are available to you under the [PID Act](#) and the [Corporations Act](#).

(2) This policy also documents the University's commitment to building an [escalation culture](#) by having in place a framework that facilitates public interest reporting of wrongdoing by:

- a. protecting those who speak up from detrimental action
- b. imposing duties on the University when it receives reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

(3) This policy and associated procedure should be read in conjunction with:

- a. the [Complaints Management Policy](#) and/or the [Complaints Procedure - Workplace](#) - for dissatisfaction about conduct or services, including quality of service/product, failure to provide information and competence or conduct of staff
- b. the [Research Misconduct Procedure](#) - for research misconduct and breaches of the [Australian Code for the Responsible Conduct of Research](#) involving staff
- c. [Student Misconduct Rule 2020](#) - for matters of general, academic and research misconduct involving students.

Scope

(4) This policy applies to:

- a. all public officials in NSW. You are a public official if you are:
 - i. an employee of the University including an employee of an entity that is controlled by the University
 - ii. a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate
 - iii. a statutory officer
 - iv. a person providing services or exercising functions on behalf of the University, including a contractor, subcontractor or volunteer
 - v. an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of the University or exercises functions of the University, and are involved in

providing those services or exercising those functions

- b. The Vice-Chancellor, the oversight panel, the disclosure coordinator, disclosure officers and managers within the University who have specific responsibilities under the [PID Act](#). This policy also provides information on how people in these roles will fulfil their responsibilities.

(5) This policy does not apply to:

- a. students of the University (subject to clause 6)
- b. people who have received services from the University and want to make a complaint about those services
- c. people, such as contractors, who provide services to the University. For example, employees of a company that sold computer software to the University.

(6) Public officials who work in and for the public sector, but do not work for the University, may use this policy if they want information on who they can report wrongdoing to within the University. If you are not a public official, this policy does not apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see the 'Deeming that a report is a voluntary PID' heading of the [Public Interest Disclosure \(Whistleblowing\) Procedure](#) for more information). However, you can still make a complaint to the University. This can be done in accordance with the [Complaints Management Policy](#) and [Complaints Management Procedure](#).

Section 2 - Policy

Principles

(7) The University will comply with the [PID Act](#) and the 'Protection for whistleblowers' provisions that are set out in Part 9.4AAA of the [Corporations Act](#).

(8) The University takes reports of wrongdoing seriously. The University is committed to building an escalation culture where members of the University community are encouraged to report any conduct that is reasonably believed to involve serious wrongdoing.

(9) The integrity of the University relies upon its staff, volunteers, contractors and subcontractors speaking up when they become aware of wrongdoing.

Accessibility of this policy

(10) This policy is available in the [policy library](#) of the University's publicly available website and is brought to the attention of all staff of the University upon their commencement and through regular training.

Making a public interest disclosure/reporting wrongdoing

(11) The [Public Interest Disclosure \(Whistleblowing\) Procedure](#) contains more detailed information on how a report of wrongdoing should be made to the University and how the University will manage and investigate it. The procedure provides you with detailed information on the following:

- a. ways you can make a voluntary PID to the University under the [PID Act](#) or a disclosure that is protected under the [Corporations Act](#) (protected disclosure)
- b. the names and contact details for the nominated disclosure officers at the University
- c. the roles and responsibilities of people who hold particular roles under the [PID Act](#) and/or the [Corporations Act](#) and who are employees of the University
- d. what information you will receive once you have made a voluntary PID or a protected disclosure

- e. protections available to people who make a report of serious wrongdoing under the [PID Act](#) or who make a protected disclosure under the [Corporations Act](#) and what we will do to protect you
- f. university procedures for dealing with disclosures
- g. university procedures for managing the risk of detrimental action and reporting detrimental action
- h. university recordkeeping and reporting requirements
- i. how the University will ensure it complies with the [PID Act](#) and the [Corporations Act](#) and this policy.

(12) If you require further information about this policy, how public interest disclosures will be handled, and the [PID Act](#), you can:

- a. confidentially contact a nominated disclosure officer within the University
- b. contact the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au, or
- c. access the NSW Ombudsman’s PID guidelines which are [available on its website](#).

(13) If you require legal advice with respect to the [PID Act](#) or your obligations under the [Corporations Act](#), you may need to seek independent legal advice.

Roles and responsibilities of University employees

Role	Responsibility
Vice-Chancellor	<ol style="list-style-type: none"> 1. Foster a workplace culture where reporting is encouraged 2. Receive disclosures from public officials 3. Ensure there is a system in place for assessing disclosures 4. Ensure the University complies with this policy and the PID Act 5. Ensure that the University has appropriate systems for: <ol style="list-style-type: none"> 1. overseeing internal compliance with the PID Act 2. supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action 3. implementing corrective action if serious wrongdoing is found to have occurred 4. complying with reporting obligations regarding allegations or findings of detrimental action 5. complying with yearly reporting obligations to the NSW Ombudsman.
Oversight panel The oversight panel will consist of the University Secretary and other officers as determined appropriate by the University Secretary, at least one of whom will be another member of the Office of Governance and Corporate Administration Leadership Team.	The oversight panel will be available to confer and provide advice and direction to the disclosure coordinator for the purpose of management of reports, including: <ol style="list-style-type: none"> 1. upon assessment 2. prior to commencing investigation 3. for decisions to refer the investigation to an external investigator, and/or recommend such referrals to the Vice-Chancellor for approval 4. upon completion of investigation 5. prior to recommending a Section 11 ICAC report or other external reporting, or 6. to act as an interface between the disclosure coordinator and the Vice-Chancellor.

Role	Responsibility
Disclosure coordinator	<ol style="list-style-type: none"> 1. Assess reports to determine whether a report should be treated as a protected report, and to decide how each report will be dealt with 2. Coordinate the University's response to the report 3. Acknowledge reports and provide updates and feedback to the reporter 4. Assess whether it is possible and appropriate to keep the reporter's identity confidential 5. Assess the risk of reprisal and workplace conflict related to or likely to arise out of a report, and develop strategies to manage any risk identified 6. Where required, provide or coordinate support to staff involved in the reporting or investigation process, including protecting the interests of any person who is the subject of a report 7. Where appropriate, recommend to the University Secretary that actual or suspected cases of wrongdoing be referred to an independent, qualified external investigator (such as a certified fraud examiner) 8. Identify systemic issues arising from disclosures and formulating recommendations for improvement 9. Ensure the University complies with the PID Act and Corporations Act for the purposes of reporting wrongdoing 10. Provide six monthly reports to the NSW Ombudsman in accordance with the PID Act.
Disclosure officers	<ol style="list-style-type: none"> 1. Receive reports from university employees 2. Receive reports when they are passed on to them by managers 3. Ensure reports are dealt with appropriately, including by referring the matter to the appropriate complaint unit (if relevant) 4. Ensure that any oral reports that have been received are recorded in writing.
Managers	<ol style="list-style-type: none"> 1. Receive reports from persons that report to them or that they supervise 2. Pass on reports they receive to a disclosure officer.
All employees	<ol style="list-style-type: none"> 1. Report suspected serious wrongdoing or other misconduct 2. Use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of the University 3. Treat any person dealing with or investigating reports of serious wrongdoing with respect.

Section 3 - Procedures

(14) [Public Interest Disclosure \(Whistleblower\) Procedure](#)

Section 4 - Guidelines

(15) Nil.

Section 5 - Glossary

(16) Nil.

Status and Details

Status	Current
Effective Date	10th November 2023
Review Date	10th November 2026
Approval Authority	Audit and Risk Committee
Approval Date	10th November 2023
Expiry Date	Not Applicable
Unit Head	Anthony Heywood University Secretary
Author	Elia Lazarakis Legal Officer
Enquiries Contact	Frank Tamsitt Chief Security Officer