

**Policy**

**Public Interest Disclosure**

**Introduction**

1.1

Public interest disclosures are reports about:

- improper conduct of public bodies or public officers (such as corrupt conduct)
- detrimental action that a public officer or public body has taken against a person in reprisal for them (or another person) having made a public interest disclosure or cooperated with the investigation of a public interest disclosure.

A disclosure can relate to conduct of action that:

- may have already taken place
- may be currently occurring
- may occur in the future.

The Victorian Legal Services Board + Commissioner (VLSB+C) cannot receive disclosures.

Guidance about organisations that can receive disclosures is available on the Independent Broad-based Anti-corruption Commission’s (IBAC) website (<https://www.ibac.vic.gov.au/>).

The VLSB+C is committed to the protection of people who make disclosures in accordance with the *Public Interest Disclosures Act 2012 (Vic)* (the Act). Systems are in place to:

- re-direct people who wish to make a public interest disclosures to IBAC; and
- Protect people against detrimental action that might be taken in reprisal for making a public interest disclosure.

The ‘Public Interest Disclosures Procedures’ describe the actions that must be taken by the Board and Commissioner.

This policy will be published on the Board and Commissioner’s website.

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2.1

The Board and Commissioner:

- are committed to the purposes of the Act;
- do not and will not tolerate improper conduct by staff, officers or members, nor detrimental action taken in reprisal for a public interest disclosure;
- recognise the value of transparency and accountability in their administrative and management practices;
- support the making of disclosures that reveal:
  - corrupt conduct;
  - conduct that would, if proved, constitute a criminal offence or reasonable grounds for dismissal;
  - detrimental action taken against a person in reprisal for someone making a public interest disclosure;
- take all reasonable steps to keep a discloser’s identity and the content of a disclosure confidential
- take all reasonable steps to protect people against detrimental action that might be taken in reprisal for the making of protected disclosures; and

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- follow the defined procedures in relation to disclosures made about improper conduct or detrimental action taken by a Board or staff member.

**Policy Management & Implementation**

- 3.1 Management is responsible for the welfare of people making public interest disclosures and/or cooperating with public interest disclosure complaint investigations. Relevant managers at the Board and Commissioner are:
- Manager, Corporate Governance;
  - General Counsel; and
  - Manager, People & Culture.
- 3.2 As a 'relevant principal officer' under the *Independent Broad-based Anti-corruption Commission Act 2011*, the Commissioner must notify IBAC of any matter which they suspect on reasonable grounds involves corrupt conduct occurring or having occurred.
- 3.3 Management will provide education and training to staff about public interest disclosures and support a workplace culture where the making of public interest disclosure is valued and taken seriously.
- 3.4 The Manager, Corporate Governance will regularly review the effectiveness of our public interest disclosure procedures and integrity frameworks as part of our process of continuous improvement.
- 3.5 The roles and responsibilities of these managers and the CEO are listed in the related procedures.
- 3.6 All meetings held in relation to disclosures must be conducted discreetly and in strict confidence.

**Annual Report Response**

- 4.1 In accordance with the Act, the VLSB+C Annual Report provides information about how to access the procedures established by the Board and Commissioner.

**Related Documents**

- 5.1 *Independent Broad-based Anti-corruption Commission Act 2011*  
*Public Interest Disclosures Act 2012*  
 VLSB+C Public Interest Disclosure Procedures  
 VLSB+C Integrity Framework  
 Guidelines for public interest disclosure welfare management, IBAC, 2020  
 Guidelines for handling public interest disclosures, IBAC, 2020