

CRIME AND
MISCONDUCT
COMMISSION



QUEENSLAND

Fostering workplace environments in support of whistleblowing

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Whistleblowing in Queensland

- ▶ From Fitzgerald to *Whistleblowers Protection Act 1994*
- ▶ Where are we 15 years on?

Organisational capacity

- ▶ Of Qld orgs (n=83)
 - No reporting system in 30%
 - No formal disclosure procedures in 48%
- ▶ Prop of orgs that stated their procedures were consistent with:
 - legislative requirements - 74%
 - model code in jurisdiction - 21%
 - Australian Standard 8004-2003 - 12%
 - none of the above - 5%

So what can be done?

- Introduce best practice legislation
- Consistent guidance from integrity agencies
 - Lead to greater consistency & quality
 - Focus beyond what organisations required to do, but on what organisations SHOULD be doing

Guidance from integrity agencies

- ▶ Collaboration between CMC, Queensland Ombudsman & Public Service Commission
- ▶ Qld industry partners of WWTW
- ▶ Series of guides for
 - potential whistleblowers
 - managers
 - organisations

Three target audiences

- Organisations – CEOs? Snr mgmt? Specialists?
- Managers & supervisors
 - 4 out of every 5 reports first to mgr/snr mgr
 - 1 out of every 5 public interest whistleblowers report poor treatment by mgmt
- Public sector employees
 - 47% aware reporting wrongdoing covered by legn
 - Half agree more info & training on legn required
 - Only 30% aware of support provided to reporters

Thinking about blowing the whistle?



MAKING A PUBLIC INTEREST DISCLOSURE

*A guide for individuals
working in the public sector*

2009

Handling a public interest disclosure

A guide for public sector managers and supervisors
(AVAILABLE NOW)

Managing public interest disclosures

A guide for public sector organisations
(COMING SOON)

under the
Whistleblowers Protection Act 1994 (Qld)



Has one of your staff blown the whistle?



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So you think you may have seen something in your workplace that shouldn't be happening?

Not sure what to do about it?

STOP AND ASK YOURSELF

Depending on the type of wrongdoing or danger that you are concerned about, there are different people you can, and should, talk to.

What kind of information do you have?

IS IT ABOUT BULLYING OR HARASSMENT?

Consult your organisation's bullying or harassment policy and talk to your manager or Human Resources (HR) section. If the matter is serious enough, it may be a public interest disclosure.

Keep reading.

IS IT A GRIEVANCE OR IS IT ABOUT WORKPLACE CONFLICT?

Consult your organisation's grievance policy and talk to your manager, HR section or union.

IS IT ABOUT MALADMINISTRATION OR A WASTE OF PUBLIC FUNDS?

It may be a public interest disclosure.

Keep reading.

IS IT ABOUT DANGER TO PUBLIC HEALTH OR SAFETY, THE HEALTH OR SAFETY OF A PERSON WITH A DISABILITY OR THE ENVIRONMENT?

It may be a public interest disclosure.

Keep reading.

IS IT A WORKPLACE HEALTH AND SAFETY (WH&S) ISSUE?

Consult your organisation's WH&S policy and talk to your manager or WH&S officer.

IS IT ABOUT OFFICIAL MISCONDUCT OR A REPRISAL?

It may be a public interest disclosure.

Keep reading.

IS IT A COMBINATION OF THE ABOVE?

You may have concerns about bullying or workplace conflict as well as information that may be a public interest disclosure.

Keep reading.

NOT SURE?

Seek advice from your manager, another senior manager, your HR section or one of the organisations listed on pp. 28–30.

This guide encourages you to make a PID while remaining aware of the potential difficulties and challenges you may face.

When you drive a car, you do not expect to be involved in a road accident, but you recognise that you may. You do not stop driving, but you remain alert for hazards.

When making a PID, don't assume that you will experience a reprisal — most people who report wrongdoing will not. Equally, recognise that detrimental action may happen in some circumstances.

Managing a PID – 12 steps

- ✓ consider the information
- ✓ refer and seek advice
- ✓ inform
- ✓ take action
- ✓ provide support
- ✓ manage expectations
- ✓ maintain confidentiality
- ✓ assess the risks
- ✓ protect disclosers
- ✓ manage the impact of any investigation
- ✓ keep records
- ✓ remember the officer who is the subject of the PID.

What are organisations doing?

- Queensland Health
 - Internal Witness Support Unit
 - New policy & procedures
 - Targeted training for managers
 - E-learning package for staff
 - Communication strategy