

BLOWING THE WHISTLE ON SERIOUS WRONGDOING

The Victorian Government introduced the **Whistleblowers Protection Act 2001** to protect people who disclose information about serious wrongdoing within the Victorian public sector, of which **Alfred Health** is a part. The Act also provides a framework for the investigation of the matters disclosed.

A **whistleblower** is someone who reports or discloses **improper conduct** by public bodies or public officers. **Improper conduct** is defined by the Act to include:

- corrupt conduct;
- substantial mismanagement of public resources;
- conduct involving substantial risk to public health or safety; or
- conduct involving substantial risk to the environment.

The Act covers conduct that would, if proved, **be a criminal offence or constitute reasonable grounds for dismissal**.

Under the Act, **it is an offence** for a person to take **detrimental action** against another person in reprisal for making a **protected disclosure** (i.e. a disclosure that is covered by the Act). **Detrimental action includes:**

- action causing injury, loss or damage;
- intimidation or harassment; or
- discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of any disciplinary action.

Disclosures under the Act may be made verbally or in writing and may be made anonymously. Disclosures should be made to the **Alfred Health Protected Disclosure Coordinator**, the **Protected Disclosure Officer** on each campus, or direct to the **Ombudsman**.

The Act requires disclosures to be kept **confidential** and **strict penalties apply** to any breach of confidentiality. Where a protected disclosure has been made, the Act provides the whistleblower with **immunity** from any civil or criminal liability or any disciplinary action **for making that disclosure**. This immunity does not extend to action taken against them should they have been involved in the misconduct disclosed, or other wrongdoing.

Before making a disclosure, **consider** the following:

- is the proposed disclosure in the **public interest** and not for personal gain or revenge?
- are there **reasonable grounds** for believing that the alleged conduct has actually occurred?
- are your expectations of the process (disclosure and investigation) **realistic** and achievable?

If you decide to proceed, consider whether you have enough **evidence** to support your allegation (gathering evidence in the workplace after the disclosure may be difficult)

and ensure that you are making your disclosure to the **correct officer**, since your level of protection under the Act is affected by the way you make your disclosure.

Alfred Health has procedures in place to assist you to make disclosures under the protection of the Act. There is a **Protected Disclosure Coordinator** for Alfred Health as a whole who can receive disclosures from any campus (the Manager, Corporate Governance has this role, telephone **9076 6974**), and a **Protected Disclosure Officer** on each campus. The **Chief Nursing Officer** has this role at The Alfred, telephone **9076 6971**, and the **site coordinator** has this role, at Caulfield Hospital, telephone **9076 6603**, and at Sandringham Hospital, telephone **9076 1487**. Alternatively, disclosures may be made direct to the **Ombudsman** by telephoning **9613 6222 or toll free 1800 806 314**.

More information on the Whistleblowers Protection Act is available on the web at:

www.justice.vic.gov.au/whistleblowers

or contact the Protected Disclosure Coordinator, Alfred Health, on 9076 6974.

Correspondence should be marked "Confidential".