

# Public Interest Disclosures Policy

## Section 1 - Introduction

- (1) The University of Newcastle (University) is committed to the highest standards in governance, ethical behaviour, and transparent and accountable decision making.
- (2) The University does not tolerate wrongdoing in the performance of its functions and will act promptly and fairly to address wrongdoing.
- (3) The University encourages public officials to make disclosures to the University in the first instance, and will support public officials who report wrongdoing in accordance with the [Public Interest Disclosure Act 1994 \(NSW\)](#).
- (4) Non-compliance with this Policy may result in the University taking disciplinary action in accordance with the [Code of Conduct](#) and the relevant [Enterprise Agreement](#) or employment contract.

## Section 2 - Audience

- (5) This Policy applies to public officials as defined in the [Public Interest Disclosure Act \(PID Act\)](#). This includes:
  - a. all staff of the University, and staff of controlled entities;
  - b. employees and officers of corporations providing services to, or on behalf of, the University under a contract;
  - c. individuals providing services to, or on behalf of, the University under a contract; and
  - d. any other individual meeting the definition of a public official of the University.

## Section 3 - Purpose

- (6) The purpose of this Policy is to:
  - a. prescribe a framework for receiving, assessing and dealing with disclosures of corrupt conduct, maladministration, failure to exercise functions in accordance with the [Government Information \(Public Access\) Act 2009 NSW](#) (GIPA Act), and serious and substantial waste of public money;
  - b. ensure the University fulfils its responsibilities under the [PID Act](#); and
  - c. provide appropriate protection for those who make disclosures under this Policy in accordance with the [PID Act](#).

## Section 4 - Scope

- (7) This Policy applies to:
  - a. operations and performance of University functions and the functions of its controlled entities; and
  - b. any disclosure made by a public official of corrupt conduct, maladministration, serious and substantial waste of public money, and Government information contraventions.

(8) This Policy does not apply to:

- a. disclosures made by persons other than a University public official – such matters may be dealt with in accordance with the [Complaint Management Policy](#).
- b. disclosures made by public officials where the University, on reasonable grounds believes the motive of the disclosure is solely or substantially to avoid dismissal or other disciplinary action.

## Section 5 - Definitions

(9) In the context of this document:

- a. “detrimental action” has the same meaning as defined in the [PID Act](#);
- b. “discloser” means a person who discloses or attempts to disclose wrongdoing to the University and wishes to avail themselves of protection against reprisal;
- c. “disclosure” means a report of wrongdoing made under this Policy;
- d. “Disclosure Officer” is an additional point of contact within the University's reporting system for any discloser to make a disclosure. The Disclosure Officers are:
  - i. Vice-Chancellor;
  - ii. Deputy Vice-Chancellor (Academic) and Vice President;
  - iii. Deputy Vice-Chancellor (Research and Innovation);
  - iv. Deputy Vice-Chancellor Global;
  - v. Chief Operating Officer;
  - vi. General Counsel;
  - vii. Chief Financial Officer; and
  - viii. Chief People and Culture Officer.
- e. “Disclosures Coordinator” means the role within the University who is responsible for coordinating the University's response to a disclosure. This role is the General Counsel;
- f. “maladministration” has the same meaning as defined in the [PID Act](#);
- g. “principal Officer” means the role within the University who has ultimate responsibility for ensuring compliance with with the [PID Act](#). This role is the Vice-Chancellor;
- h. “public official” has the same meaning as defined in the [PID Act](#); and
- i. “wrongdoing” means corrupt conduct, maladministration, serious and substantial waste of public money or Government information contraventions.

## Section 6 - Organisational Commitment

(10) The University is committed to:

- a. creating a climate of trust and supporting any public official who comes forward to make a disclosure if they are aware of, or if they suspect wrongdoing;
- b. encouraging public officials to make a disclosure within the University, but respecting any decision to make a disclosure to an external organisation or individual as defined in the [PID Act](#);
- c. keeping the identity of any public official disclosing wrongdoing confidential, except under circumstances permitted by the [PID Act](#);
- d. protecting a discloser who acts honestly and reasonably from detrimental action resulting from a disclosure;
- e. properly assessing, investigating or otherwise dealing with any disclosure of wrongdoing thoroughly and

impartially using the principles of natural justice;

- f. taking appropriate action against any person found to have engaged in wrongdoing, and where appropriate, notifying the relevant authorities;
- g. managing any workplaces issues, and appropriately addressing any other identified issues or problems that a disclosure identifies, or that result from a disclosure, including taking all appropriate action to rectify any wrongdoing;
- h. keeping any public official who makes a disclosure informed of the progress of any enquiry, assessment of fact or investigation, having regard to any obligations to maintain confidentiality and privacy, and any limitations or constraints which may be experienced because of a request for anonymity;
- i. ensuring public officials are aware of the contents of this Policy and the protections under the [PID Act](#) for a discloser and that relevant and appropriate training is provided; and
- j. providing adequate resources to operationalise this Policy and any associated procedures.

## Section 7 - Public Interest Disclosures (PID)

### What is a PID?

(11) Within the University environment a PID is a report by a University public official about:

- a. corrupt conduct;
- b. maladministration;
- c. serious and substantial waste of public money; or
- d. failure to exercise functions in accordance with the [Government Information \(Public Access\) Act](#) 2009.

(12) Corrupt conduct can take many forms but can be defined as deliberate or intentional wrongdoing, not negligence or a mistake. The conduct must involve a NSW public official (e.g. a University staff) or public sector organisation (e.g. the University). The [Independent Commission Against Corruption](#) provides examples of corrupt conduct at What is Corrupt Conduct?

(13) Maladministration involves action or inaction that is:

- a. contrary to law;
- b. unreasonable, unjust, oppressive or improperly discriminatory; or
- c. based wholly or partly on improper motives.

(14) Serious and substantial waste of public money involves the uneconomical, inefficient or ineffective use of resources which result in loss or wastage of public funds or resources.

(15) A breach of the [GIPA Act](#) is a failure to properly fulfil functions under the Act. This may include:

- a. destroying, concealing or altering records to prevent them from being released; or
- b. directing another or knowingly making a decision that is contrary to the [GIPA Act](#).

(16) Disclosures which meet the criteria of a PID will be dealt with in accordance with the [PID Act](#).

### What Should be Reported?

(17) Disclosers are encouraged to report any matter where they have honest and reasonable grounds to believe that the information they have shows or tends to show alleged wrongdoing within the University, in the absence of any

evidence to the contrary.

(18) Examples of wrongdoing in relation to the University that may be considered for disclosure include, but is not limited to:

- a. conduct including fraud, default, breach of trust and breach of duty;
- b. an improper state of affairs or circumstances;
- c. financial irregularities;
- d. failure to comply with, or breach of legal or regulatory requirements;
- e. engaging in or threatening to engage in detrimental conduct against a person who has made a disclosure, or is believed or suspected to have made, or be planning to make a disclosure; or
- f. behaviour that represents a danger to the public or the University's financial system.

### **What Protections are Available for Making a PID?**

(19) Public Officials who make a PID will receive legal protections under the [PID Act](#) if the following requirements are met:

- a. the report is about corrupt conduct, maladministration, serious and substantial waste of public money or Government information infringement;
- b. the person making the disclosure honestly believes, on reasonable grounds, that the information shows or tends to show the alleged wrongdoing; and
- c. the report has been made to a person who is authorised to receive the report, a Disclosures Officer.

(20) The University will not treat a disclosure in accordance with this Policy where, on reasonable grounds, the University believes the motive of the disclosure is solely or substantially to avoid dismissal or other disciplinary action.

### **Protection Against Reprisal Action**

(21) According to the [PID Act](#), a person who takes detrimental action against another person that is substantially in reprisal for that person making a PID is guilty of a criminal offence. They may also be liable for damages related to any loss that the other person suffers as a result of that detrimental action.

### **Protection Against Legal Action**

(22) Any University public official making a report of wrongdoing under the [PID Act](#) cannot be subject to any liability; and no action, claim, or demand can be taken against the person for making the disclosure.

(23) A University public official cannot be found to have breached any confidentiality obligation by virtue of making a PID.

### **Making a False or Misleading PID**

(24) It is a criminal offence under the [PID Act](#) to willfully make a false or misleading statement, or attempt to mislead an investigating authority, public authority or public official, when reporting wrongdoing.

## **Section 8 - Disclosure Procedure**

(25) This section details the steps to make a report of wrongdoing within the University and how the University will deal with this.

(26) To make a PID regarding another public authority, please see the [NSW Ombudsman](#) website.

(27) If a University Staff member or staff supervisor receives an allegation that may be considered a PID, the staff supervisor must direct the staff member to speak with one of the Disclosure Officers nominated in clause 9(d).

## **Making a Disclosure**

(28) A disclosure can be made by any person identified as a University public official.

(29) A disclosure may be made during or outside of business hours. All disclosures will be treated securely and confidentially.

(30) A disclosure must be made to a role with responsibility to receive a report of wrongdoing. These roles include:

- a. the Vice-Chancellor;
- b. the Disclosures Coordinator; or
- c. a Disclosure Officer.

(31) If a disclosure is made to a staff member who is not a Disclosure Officer the discloser may not be afforded the protections rights under the [PID Act](#). Misdirected disclosures should be forwarded immediately on a confidential basis to a Disclosure Officer.

(32) Assistance to make a disclosure can be sought from University staff identified as Disclosure Officers on the [University's PID Webpage](#).

(33) Staff are encouraged to report wrongdoing within the University, but internal reporting is not the only option. Staff can also make a PID to:

- a. an investigating authority, as outlined below; or
- b. a member of Parliament or a journalist, but only in the limited circumstances outlined below in clause 37 and 38.

## **Investigating Authorities**

(34) The [PID Act](#) lists a number of investigating authorities in NSW that staff can report wrongdoing to and the type of wrongdoing each authority can deal with. In certain circumstances it may be preferable to make a report of wrongdoing to an investigating authority, for example any report about the principal officer. The relevant investigating authorities for the University are:

- a. the [Independent Commission Against Corruption](#) - for disclosures about corrupt conduct;
- b. the [Auditor-General](#) - for disclosures about serious and substantial waste of public money;
- c. the [NSW Ombudsman](#) - for disclosures about maladministration;
- d. the [NSW Information Commissioner](#) - for disclosures about a breach of the [GIPA Act](#).

(35) Staff should contact the relevant investigation authority for advice about how to make a disclosure to them.

(36) Staff should be aware that the investigating authority may well discuss any such reports with the University. The University will make every effort to assist and cooperate with the investigating authority to ensure the matter is dealt with appropriately and there is a satisfactory outcome. The University will also provide appropriate support and assistance to staff who report wrongdoing to an investigating authority, if the University is made aware that this has occurred.

## **Members of Parliament or journalists**

(37) To have the protections of the [PID Act](#), staff reporting wrongdoing to a Member of Parliament (MP) or a journalist

must have already made substantially the same report to one of the following:

- a. the principal officer;
- b. a person nominated in this policy;
- c. an investigating authority (see clause 34).

(38) Also, the University or the investigating authority that received the initial report must have either:

- a. decided not to investigate the matter;
- b. decided to investigate the matter, but not completed the investigation within six months of the original report;
- c. investigated the matter but not recommended any action as a result; or
- d. not told the person who made the report, within six months of the report being made, whether the matter will be investigated.

### **Other external reporting**

(39) If a report of wrongdoing is made to a person or authority that is not listed above, or make a report to an MP or journalist without following the steps outlined above, the disclosure will not be protected under the [PID Act](#). This may mean the staff member making the report will be in breach of legal obligations or the University's code of conduct – by, for example, disclosing confidential information.

(40) For more information about reporting wrongdoing outside the University, contact the Disclosures Coordinator or the [NSW Ombudsman's](#) Public Interest Disclosures Unit.

### **How to Make a Disclosure**

(41) A disclosure can be made either in writing or verbally. The University Internal [PID Report Form](#) should be used.

(42) The University prefers that a disclosure is made in writing to ensure clarity of detail and to assist with the subsequent assessment and any formal investigation.

(43) If a disclosure is made verbally the person receiving the report will:

- a. ensure the location and time of the disclosure are appropriate for the discloser to make their disclosure comfortably, and to ensure the discloser is protected;
- b. ask for the disclosure to be made in writing using the [University Internal PID Report Form](#); or
- c. document the details of the disclosure in writing and request the person making the disclosure to sign and date the document; and
- d. discuss the confidentiality restrictions in respect of the disclosure and the discloser's identity.

(44) Any evidence of wrongdoing should also be provided with the disclosure, wherever possible.

(45) If a Disclosure Officer receives a disclosure regarding allegations they may be involved in directly or indirectly, they are required to forward the disclosure, on a confidential basis, to another Disclosure Officer or the Disclosures Coordinator.

(46) Disclosers are strongly encouraged to maintain accurate records of all actions and discussions throughout their involvement.

### **Anonymous Disclosures**

(47) A disclosure can be made anonymously, however, this may make it difficult for the University to deal with the

disclosure; for example, where it may be necessary to obtain more information or detail to proceed with an investigation. Whilst an anonymous disclosure will be dealt with, where possible the University strongly recommends that persons making a disclosure identify themselves to allow for the necessary protection and support to be provided. If a discloser does provide their identity it will in no way impact their rights detailed under Section 9, 10 and 11 of this Policy.

### **Seeking Support and Advice**

(48) Disclosers may wish to seek support from one or more of the following, where relevant:

- a. a Disclosure Officer;
- b. the University's [Employee Assistance Program](#);
- c. Human Resource Services; or
- d. [NSW Ombudsman](#).

### **Responding to a Disclosure**

(49) Disclosure Officers who receive a disclosure must ensure that the matter is dealt with promptly, impartially, and in accordance with Policy.

(50) The Disclosure Officer who receives the disclosure will:

- a. not disclose the fact that a report has been made, other than to the Disclosures Coordinator or Vice-Chancellor;
- b. maintain appropriate and confidential records of the report received; and
- c. immediately escalate the report to the Disclosures Coordinator, or in their absence the Vice-Chancellor.

(51) The Disclosures Coordinator will:

- a. determine if the discloser wishes to provide consent in writing to divulge their identity and obtain this consent;
- b. notify the Vice-Chancellor of the report if appropriate;
- c. provide written acknowledgement of the disclosure to the discloser within 45 calendar days of the disclosure being received and provide:
  - i. a timeframe within which further updates will be provided;
  - ii. the name and contact details of persons who can be contacted for further information or support; and
  - iii. a copy of this Policy.
- d. conduct an assessment of the disclosure against the criteria of the [PID Act](#) and inform the discloser within 6 months of the disclosure being received, of the action or proposed action to be taken in respect of the disclosure;
- e. make a recommendation to the appropriate Deputy Vice-Chancellor, Chief Operating Officer, or equivalent if the disclosure warrants further investigation;
- f. conduct a risk assessment; and
- g. maintain records of all actions taken in accordance with the [Records and Information Management Policy](#).

(52) If the disclosure meets the requirements of the [PID Act](#), but was made under a statutory or legal obligation, or is incidental to the performance of the discloser's day-to-day functions, an acknowledgement letter and copy of this Policy may not be provided.

(53) The Disclosures Coordinator is authorised to escalate disclosures directly to the Chancellor, where the Vice-Chancellor may be the subject of the disclosure.

(54) Where it is determined the disclosure does not constitute a PID, the Disclosures Coordinator will:

- a. identify if the matter warrants implementation of an alternative University procedure;
- b. identify if the matter warrants further investigation in order to resolve the matter and protect the University's interests, including but not limited to its staff, brand, reputation, operations, performance and safety; and
- c. inform the discloser (if identifiable) of the outcome of the assessment of the disclosure and the reason for this determination. This must occur within 6 months of the disclosure being made.

## Section 9 - Confidentiality

(55) The University is committed to preserving the confidentiality of disclosures.

(56) The preservation of confidentiality of the facts of a disclosure will be subject to:

- a. the need to conduct an assessment of fact;
- b. the provisions of the [PID Act](#) for confidentiality; and
- c. taking any consequential necessary actions.

(57) All information received in relation to a disclosure must not be released without the consent of the Disclosure Coordinator or Vice Chancellor. This includes:

- a. the identity of the discloser;
- b. the identity of any person or persons who may be the subject of the disclosure; and
- c. the facts of the disclosure.

(58) Where confidentiality cannot be maintained, the Disclosures Coordinator will:

- a. seek the discloser's consent to release any details required to undertake an assessment or investigation; and
- b. develop a plan, in consultation with the Vice-Chancellor and the discloser, to support and protect a discloser from reprisal.

(59) See also NSW Ombudsman Fact Sheet 7 - Confidentiality and Its Practical Alternatives.

(60) All records relating to a disclosure must be stored in accordance with the [Records and Information Management Policy](#) and be classified as "restricted".

## Section 10 - Protection Against Reprisal

(61) The University will not tolerate any reprisal against a University public official who makes a disclosure. This includes taking or threatening to take detrimental action against another person substantially in reprisal for the person making a disclosure, or where they believe or suspect a person has made a disclosure. A threat may be express, implied, conditional or unconditional. Detrimental action means actions causing, comprising, or involving any of the following:

- a. injury, damage, or loss;
- b. intimidation or harassment;
- c. discrimination, disadvantage, or adverse treatment in a University process or function;
- d. dismissal from or prejudice in a University process or function; or



e. disciplinary proceedings.

(62) The [PID Act](#) imposes penalties on persons who take detrimental action against another person substantially in reprisal for the person making a disclosure, or where they believe a person has made a disclosure.

(63) Taking detrimental action is also a breach of the University's [Code of Conduct](#) which may result in action being taken in accordance with the relevant [Enterprise Agreement](#) or employment contract.

(64) This Policy, nor the [PID Act](#), provides protection to disclosers from disciplinary or other management action where the University has reasonable grounds to take such action.

(65) If the University becomes aware of, or suspects, that reprisal is being, or has been taken against a discloser, the University will:

- a. assess the allegation of reprisal to decide whether it should be dealt with under the [PID Act](#), and if the matter warrants investigation or if other action should be taken to resolve;
- b. ensure an investigation is conducted in accordance with the relevant [Enterprise Agreement](#) (if applicable), or by a senior and experienced member of staff, if warranted;
- c. take all possible steps to stop the activity and protect the discloser, where it is established that reprisal is occurring;
- d. initiate appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
- e. refer any evidence of an offence under the [PID Act](#), or any other applicable statute, to the [Independent Commission Against Corruption](#) or [NSW Police](#); and
- f. maintain appropriate records in accordance with the [Records and Information Management Policy](#).

(66) If it is believed that a report of an allegation of reprisal is not being dealt with effectively by the University, the [NSW Ombudsman](#) can be contacted, as follows:

Agency	Contact Details
<a href="#">NSW Ombudsman</a>	Web: <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a> Address: Level 24, 580 George Street Sydney NSW 2000 Phone: 02 9286 1000 or 1800 451 524

## Section 11 - The Rights of Persons Who are the Subject of a Disclosure

(67) The University is committed to ensuring staff and members of Council who are the subject of a disclosure are treated fairly and reasonably. This includes maintaining the identity of any person who is the subject of a disclosure as confidential, where this is practical and appropriate.

(68) Persons who are the subject of a disclosure will be advised of allegations made against them at an appropriate time, will be afforded a reasonable opportunity to respond to the allegations made against them and will be advised before any adverse findings. They will also be advised of:

- a. the details of the allegation;
- b. their rights and obligations;
- c. the initiation of an investigation if required;
- d. the outcome of any investigation including any decision regarding further action to be taken; and

e. their right to contact and utilise the University's support services.

(69) If an investigation is initiated, the objective will be to determine if there is enough evidence to substantiate or refute the matters reported, using the principles of natural justice. The process will be objective, fair and without conflict of interest.

a. The University will provide appropriate and reasonable support to persons who are the subject of a disclosure in the event the allegations have been found to be wrong or unsubstantiated following an appropriate investigation.

## Section 12 - Review of Outcome

(70) Disclosers and subjects of a disclosure are encouraged to contact the University or the [NSW Ombudsman](#) should they be dissatisfied with the manner or process in which the University has dealt with a disclosure.

(71) The University will seek to review its Policy and processes in the event a person expresses dissatisfaction with the process undertaken in accordance with this Policy or the [PID Act](#).

(72) Complaints regarding the outcome of a disclosure investigation can be referred externally to:

Agency	Contact Details
<a href="#">NSW Ombudsman</a>	Web: <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a> Address: Level 24, 580 George Street Sydney NSW 2000 Phone: 02 9286 1000 or 1800 451 524

## Section 13 - Key Roles and Responsibilities

Role	Responsibilities
Vice-Chancellor	<p>The Vice-Chancellor is the Principal Officer of the University, and has ultimate responsibility for maintaining a working environment that supports genuine disclosures, and ensuring the University's compliance with anti-corruption legislation.</p> <p>The Vice-Chancellor has a responsibility to:</p> <ol style="list-style-type: none"><li>receive any disclosure of wrongdoing from a Public Official;</li><li>receive and assess disclosures referred to them from, a Disclosure Officer to determine whether a disclosure should be treated as a PID, and to decide how the disclosure will be dealt with;</li><li>ensure that there are strategies in place to support public officials make genuine disclosures of wrongdoing;</li><li>protect disclosers making genuine disclosures from any detrimental action so far as possible, and to manage any workplace issues that arise in relation to a disclosure;</li><li>make decisions following any inquiry or investigation in relation to a disclosure of wrongdoing or appoint an appropriate decision maker;</li><li>take appropriate action if a disclosure of wrongdoing is confirmed or substantiated;</li><li>report any matter which is suspected, on reasonable grounds, which may be or may concern corrupt conduct to the <a href="#">Independent Commission Against Corruption</a>; and</li><li>report any evidence of an offence under section 20 of the <a href="#">PID Act</a> to the <a href="#">Commissioner of Police</a> or the <a href="#">Independent Commission Against Corruption</a>.</li></ol>

Role	Responsibilities
Disclosures Coordinator	<p>The General Counsel is the Disclosures Coordinator. The Disclosures Coordinator is the primary point of contact in the University for a discloser making a report of wrongdoing, and as such has the responsibility to:</p> <ul style="list-style-type: none"> <li>a. receive any disclosure of wrongdoing from a Public Official;</li> <li>b. acknowledge a disclosure and to provide regular updates and feedback to a discloser;</li> <li>c. assess whether it is possible and appropriate to treat as confidential the identity of a discloser, and to seek the consent of a discloser making a report to disclose their identity as may be considered prudent;</li> <li>d. assess the risk of detrimental action related to or likely to arise out of a disclosure, and to develop strategies to manage any risk identified;</li> <li>e. where required, provide or coordinate support to staff involved in the disclosure, enquiry or investigation process, including protecting the interests of persons who are the subject of a disclosure and ensuring that their rights are respected; and</li> <li>f. keeping a discloser informed of the progress and outcome of any investigation, having regard to any obligations to maintain confidentiality and privacy, and any limitations or constraints which may be experienced because of a request for anonymity.</li> </ul> <p>The Disclosures Coordinator is also responsible for ensuring compliance with the:</p> <ul style="list-style-type: none"> <li>a. <a href="#">PID Act</a>;</li> <li>b. University's reporting obligations in accordance with anti-corruption legislation, including compiling and providing any necessary reports to relevant authorities; and</li> <li>c. University's reporting obligations in accordance with the <a href="#">PID Act</a>, including reporting on statistical information about PIDs in the University <a href="#">Annual Report</a> and to the <a href="#">NSW Ombudsman</a> as required.</li> </ul>
Disclosure Officers	<p>Disclosure Officers have a responsibility to:</p> <ul style="list-style-type: none"> <li>a. receive reports of wrongdoing and forward them confidentially to the Disclosures Coordinator or the Vice-Chancellor;</li> <li>b. assist a public official to make a disclosure;</li> <li>c. make arrangements to ensure that disclosers can make disclosures privately and discreetly, which may require meeting them outside of the workplace;</li> <li>d. document in writing any disclosure received verbally, and have the document signed and dated by the discloser;</li> <li>e. discuss with a discloser any concerns they may have regarding possible detrimental action; and</li> <li>f. provide advice about this procedure and about making a disclosure.</li> </ul>
Staff Supervisors	<p>Staff supervisor play an important role in supporting those involved in, or affected by, this procedure, and have a responsibility to:</p> <ul style="list-style-type: none"> <li>a. support persons who disclose known or suspected wrongdoing within the University;</li> <li>b. identify reports made to them in the course of their work which could be a disclosure, and assist a public official making a disclosure to make the disclosure to a Disclosure Officer who is authorised to receive it;</li> <li>c. implement local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of detrimental action in relation to a disclosure; and</li> <li>d. notify the Disclosures Coordinator or Principal Officer immediately if they believe a public official is being subject to detrimental action as a result of a disclosure.</li> </ul>
University public officials	<p>University public officials have a responsibility to:</p> <ul style="list-style-type: none"> <li>a. be aware of, and comply with, their legal and ethical obligations and University policies;</li> <li>b. make disclosures of wrongdoing in the University in good faith;</li> <li>c. not make false or vexatious accusations of alleged wrongdoing;</li> <li>d. cooperate with investigations and assessments undertaken in accordance with this procedure and associated policies; and</li> <li>e. only discuss a disclosure with those responsible for dealing with it.</li> </ul>

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	9th June 2021
<b>Review Date</b>	9th June 2022
<b>Approval Authority</b>	Vice-Chancellor
<b>Approval Date</b>	26th March 2021
<b>Expiry Date</b>	3rd October 2023
<b>Responsible Executive</b>	David Toll Chief Operating Officer
<b>Enquiries Contact</b>	Daniel Bell General Counsel <hr/> Legal and Compliance

## Glossary Terms and Definitions

**"University"** - The University of Newcastle, a body corporate established under sections 4 and 5 of the University of Newcastle Act 1989.

**"Risk"** - Effect of uncertainty on objectives. Note: An effect is a deviation from the expected, whether it is positive and/or negative.

**"Risk assessment"** - The overall process of risk identification, risk analysis, and risk evaluation.

**"Controlled entity"** - Has the same meaning as in section 16A of the University of Newcastle Act 1989.

**"Disciplinary action"** - When used in relation to staff of the University, this is as defined in the applicable and current Enterprise Bargaining Agreement, or the staff member's employment contract. When used in relation to students of the University, this is as defined in the Student Conduct Rule.

**"Staff"** - Means a person who was at the relevant time employed by the University and includes professional and academic staff of the University, by contract or ongoing, as well as conjoint staff but does not include visitors to the University.

**"Supervisor"** - Staff members with direct supervisory responsibility for other staff within the workplace (a Supervisor may also be member of Senior Management, with duties as an Officer as defined in the Work Health and Safety Act 2011, or any replacing legislation).