



What is a protected disclosure?

www.ibac.vic.gov.au

Protection of people who make genuine disclosures about improper conduct in the public sector is critical for an effective integrity and anti-corruption system.

Protected disclosure

The *Protected Disclosure Act 2012 (Vic)* (the Act) ensures that people who report improper conduct and corruption in the Victorian public sector (whistleblowers) can do so in the knowledge that they will be protected.

Protections include keeping the identity of the person reporting improper conduct confidential and protecting them from reprisals including bullying, harassment or legal action.

How to report corruption and misconduct

Reports about corruption and misconduct can be made directly to IBAC. IBAC assesses every complaint it receives as a potential protected disclosure.

People can also report corruption and misconduct to the Protected Disclosure Coordinator of the public sector body or agency they are complaining about.

All Victorian state government departments, administrative offices and local councils have a Protected Disclosure Coordinator who is responsible for receiving and handling reports of improper conduct from employees or members of the public, and ensuring that support and welfare protection is provided to them.

A Protected Disclosure Coordinator must keep all potential protected disclosure complaints confidential and refer them to IBAC for assessment.

Some government agencies are not able to receive protected disclosures. The agencies that can accept protected disclosures are listed on this fact sheet. Any agency not in this list is unable to receive protected disclosures. Disclosures about these agencies should be made direct to IBAC.

How are potential protected disclosures assessed?

In assessing whether a complaint should be given protected disclosure status, IBAC uses the specific criteria set out in the Act.

A complaint should clearly show or suggest 'improper conduct' or 'detrimental action' by a public officer.

Improper conduct must be either criminal conduct or conduct serious enough to result in a person's dismissal.

Detrimental action includes harassment or discrimination, or other adverse action taken against the discloser in reprisal for having reported the alleged improper conduct.

People seeking protection under the Act should carefully consider whether their complaint meets these basic thresholds before reporting.

Entities that can receive protected disclosures

State Government departments:

- Department of Economic Development, Jobs, Transport and Resources
- Department of Education and Training
- Department of Environment, Land, Water and Planning
- Department of Health and Human Services
- Department of Justice and Regulation
- Department of Premier and Cabinet
- Department of Treasury and Finance.

Victorian Public Sector Commission

All local councils

Administrative offices:

- Environment Protection Authority
- Family Safety Victoria
- Local Government Investigations and Compliance Inspectorate
- Melbourne Metro Rail Authority
- Level Crossing Removal Authority
- Office of the Chief Parliamentary Counsel
- Office of the Governor
- Office of Projects Victoria
- North East Link Authority
- Public Record Office Victoria
- Safer Care Victoria: the Office for Safety and Quality Improvement
- Victorian Agency for Health Information
- Victorian Government Architect
- Victorian Government Solicitors Office
- Western Distributor Authority.

Find out more

These resources are available on the IBAC website at www.ibac.vic.gov.au:

- IBAC fact sheet - *Thinking of reporting corruption or misconduct? You may have protections.*
- IBAC complaint form

For Protected Disclosure Coordinators, the following resources are also available on the IBAC website:

Reports

- *Guidelines for making and handling protected disclosures*
- *Guidelines for protected disclosure welfare management*

Fact sheets

- *Information for Protected Disclosure Coordinators*
- *Protected disclosure procedures: a checklist for entities receiving disclosures*
- *The role of the Protected Disclosure Coordinator during investigations* (Victorian Ombudsman)

Other

- PowerPoint presentation for Protected Disclosure Coordinators to raise awareness inside their organisations
- e-learning module on Managing Protected Disclosures in Victoria.

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IBAC is Victoria's anti-corruption agency responsible for preventing and exposing public sector corruption and police misconduct. We do this by:

- investigating serious corruption and police misconduct
- informing the public sector, police and the community about the risks and impacts of corruption and police misconduct, and ways in which it can be prevented.

To report corruption now, visit www.ibac.vic.gov.au or call **1300 735 135**.

If you need help with translation, call Translating and Interpreting Service on **13 14 50** or visit www.ibac.vic.gov.au/general/accessibility/tr

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