

Protected Disclosure Procedure

1. V/LINE'S STATEMENT OF SUPPORT

V/Line Pty Ltd (V/Line) is committed to the aims and objectives of the *Protected Disclosure Act 2012* (Act). It does not tolerate improper conduct by employees or the taking of reprisals against those who come forward to disclose such conduct. V/Line encourages employees and members of the public to report corrupt conduct, conduct involving a substantial mismanagement of public resources or conduct involving a substantial risk to public health and safety or the environment.

2. WHAT IS A PROTECTED DISCLOSURE?

The Act creates a framework to enable people to make disclosures about improper conduct by public officers and public bodies. The Act also provides protection to people who make such disclosures and ensures certain information is kept confidential. These disclosures are called 'protected disclosures' (a process commonly known as whistleblowing). A protected disclosure can also be made about detrimental action against a person by public bodies or public officers in reprisal for the making of a protected disclosure.

You may make a protected disclosure about information that shows or tends to show, or that you believe on reasonable grounds shows or tends to show, that a public officer or public body is engaging in, or proposing to engage in:

- Improper conduct includes corrupt conduct, the dishonest performance of public functions, knowingly or recklessly breaching public trust, misuse of information, substantial mismanagement of public resources or conduct involving substantial risk to public health or safety, or to the environment; and/or
- Detrimental action is actual or threatened adverse treatment of a person because the person made or intends to make a disclosure, or has cooperated, or intends to cooperate, with an investigation of a disclosure.

3. MAKING A PROTECTED DISCLOSURE

Any individual person can make a protected disclosure about improper action engaged in, or detrimental action taken by, V/Line or one of its employees. This includes employees and members of the public.

V/Line is not able to receive a protected disclosure under the Act. If you wish to make a protected disclosure about V/Line or any V/Line employee, you must make the disclosure directly to the Independent Broad-based Anti-corruption Commission (IBAC) either:

In person: IBAC Victoria, Level 1, North Tower,
459 Collins St, Melbourne VIC 3000
By mail: IBAC Victoria, GPO Box 24234, Melbourne, VIC 3001
By phone: 1300 735 135
By email: www.ibac.vic.gov.au

If you are deaf or have a hearing or speech impairment, you can contact IBAC through the National Relay Service (NRS) - go to www.ibac.vic.gov.au for details.

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You may make a disclosure anonymously. However, you should bear in mind that it may be more difficult for IBAC to investigate and substantiate disclosures that are made anonymously.

For more information and guidance on making a protected disclosure, including the IBAC complaint form, go to IBAC's website at: www.ibac.vic.gov.au.

4. IBAC ASSESSMENT AND PROTECTIONS

IBAC is responsible for identifying, managing and investigating a protected disclosure.

If IBAC determines that your disclosure is a protected disclosure, it must decide to either:

- a) dismiss your disclosure,
- b) investigate your disclosure; or
- c) refer your disclosure to another body for investigation such as Victoria Police or Ombudsman.

The Act sets out the protections provided to persons who make the disclosure in accordance with the Act. For more information regarding the scope of the protections see: www.ibac.vic.gov.au.

5. WELFARE MANAGEMENT

IBAC will only notify V/Line of a protected disclosure made about V/Line if it decides it is necessary. If IBAC does notify V/Line of the identity of a discloser, or someone cooperating with an investigation, such notifications are confidential. V/Line will then take all reasonable steps to look after your welfare and protect you from detrimental action.

Where relevant, V/Line will consider appointing a welfare manager when a person has made a protected disclosure or is cooperating, or intending to cooperate, with an investigation of a protected disclosure. V/Line may appoint an internal person as welfare manager or engage a contractor to provide welfare services. V/Line will also consider referring an employee to its Employee Assistance Program (EAP).

6. CONFIDENTIALITY

IBAC will take all reasonable steps to keep your identity confidential. Anyone who receives information (including information about your identity) as part of the investigation process will also be obliged to take steps to protect that information.

If V/Line is advised by IBAC that it is assessing whether a disclosure is a protected disclosure or investigating a protected disclosure, then V/Line having been made aware of the identity of a person will keep that information confidential at the request of IBAC.

All employees must respect the confidentiality of protected disclosures and investigations under the Act, and should, where possible, protect the identity of a person they know or suspect to be a discloser or a person assisting in the investigation of a Protected Disclosure.

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7. CRIMINAL OFFENCES

There are a number of criminal offences set out in Act relating to breaches of the requirements of the Act, including:

- taking detrimental action against another person in reprisal for a protected disclosure;
- disclosing information about the content of the protected disclosure or disclose information likely to lead to the identification of the person who made that disclosure unless permitted to by the Act;
- knowingly provide false information intending that the information be acted on as a protected disclosure; claiming that a matter is the subject of a protected disclosure knowing the claim to be false, or falsely claiming that a matter is the subject of a disclosure that IBAC has determined to be a protected disclosure complaint; and
- disclose that a disclosure has been notified to IBAC unless permitted to do so by the Act.

8. ALTERNATIVES TO MAKING A PROTECTED DISCLOSURE

This procedure is designed to complement usual methods of submitting complaints to V/Line. You are encouraged to contact V/Line with any complaints or concerns about V/Line and its employees as follows:

- members of the public may call **Customer Feedback Line** on **1800 800 007** or call **V/Line's hotline on 03 9619 5070**
- employees are encouraged to raise matters at any time with their supervisors and managers or call the **V/Line's hotline on 03 9619 5070**

IBAC will notify you if it determines that your disclosure is not deemed to be a protected disclosure complaint. You are then welcome to advise V/Line regarding the complaint as set out above.

9. REVIEW

This procedure is reviewed regularly to ensure it meets the objectives of the Act and are consistent with IBAC's guidelines.

10. FURTHER INFORMATION

If you have any questions or concerns about this Procedure, the Act or your responsibilities, please contact:

Executive General Manager – Enterprise Governance & Risk
V/Line Pty Limited
Level 9, 750 Collins Street
Docklands, VIC 3008
Tel: 03 9619 5900