

SESLHD POLICY COVER SHEET



Health
South Eastern Sydney
Local Health District

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EXECUTIVE SPONSOR or EXECUTIVE CLINICAL SPONSOR	Director, Internal Audit
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FUNCTIONAL GROUP(S)	Corporate Governance, Conduct and Ethics
KEY TERMS	Public Interest Disclosures, Fraud, Corruption, Prevention, Internal Reporting, External Reporting, Management Control, ICAC
SUMMARY	Outlines the internal and external reporting processes for SESLHD.

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SESLHD POLICY

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1. POLICY STATEMENT

SESLHD is committed to ethical conduct and will not tolerate any form of wrongdoing. Staff who report wrongdoing are assisting to promote the organisational values and SESLHD is committed to supporting and protecting those staff.

In the interests of maintaining a simple and accessible reporting mechanism to encourage staff to report matters of concern, SESLHD has established a single reporting system for suspected fraud and corrupt conduct as well as Public Interest Disclosures (PIDs).

The following documents should be read in conjunction with this policy:

- NSW Ministry of Health Policy Directive PD 2016_027 outlines the application of the Public Interest Disclosures Act 1994 to all NSW Health entities. The policy defines PIDs, outlines the responsibilities of staff and the procedures for making, receiving and investigating a PID.
- NSW Ministry of Health Policy Directive PD2016_029 - Corrupt Conduct reporting to the Independent Commission against Corruption (ICAC). The policy outlines the responsibilities of staff and requirements for reporting matters to the ICAC.
- SESLHDPD/267 outlines SESLHD’s approach to suspected fraud and corruption.

2. AIMS

The purpose of this policy is to establish reporting channels for suspected fraud and corrupt conduct as well as Public Interest Disclosures.

3. TARGET AUDIENCE

All SESLHD staff members (refer to NSW Health PD2016_027 for definition of staff members).

4. DEFINITIONS

The definitions contained within NSW Health PD2016_027 - Public Interest Disclosures, Section 1.2 and SESLHDPD/267 - Fraud and Corruption Prevention Strategy, Section 4 are applicable to this policy.

5. RESPONSIBILITIES

Principal Officer	The Chief Executive is SESLHD’s Principal Officer for the purpose of this and related policies. The Principal Officer has responsibilities as outlined in NSW Health PD 2016_027, 2016_029 and SESLHD PD 267.
Disclosures Co-ordinator	The Director Internal Audit is SESLHD’s Disclosures Co-ordinator for the purpose of this and related policies. The Disclosures Co-ordinator has responsibilities as outlined in Section 1.2 of NSW Health PD2016_027 and Section 5.4 of SESLHDPD/267.

	The Disclosures Co-ordinator is also responsible for assessing all reports of corrupt conduct or fraud (whether or not a PID), determining an appropriate investigative strategy, maintaining a register of all reported instances and facilitating reporting to the Ministry of Health, NSW Ombudsman, NSW Police and the ICAC (as required by NSW Health PD2016_027).
Disclosures Officers	Disclosures Officers for the purposes of this policy are available at Appendix 1. The responsibilities of Disclosures Officers are as outlined in Section 3.4 of NSW Health PD2016_027. It is the expectation of SESLHD that Disclosures Officers will apply the principles in this section to all reports of corrupt conduct or fraud (whether or not a PID).
Investigating Officers	The responsibilities of staff involved in conducting investigations are as outlined in Section 3.5 of NSW Health PD2016_027. It is the expectation of SESLHD that investigating officers will apply the principles in this section to all reports of corrupt conduct or fraud (whether or not a PID).
Managers and supervisors	<p>The responsibilities of managers and supervisors are as outlined in Section 3.6 of NSW Health PD2016_027. It is the expectation of SESLHD that managers and supervisors will apply the principles in this section to all reports of corrupt conduct or fraud (whether or not a PID).</p> <p>In addition, matters relating to fraud and corruption brought to attention as a result of management control and monitoring, rather than allegations received, should be reported to the Disclosures Co-ordinator using the Reporting Form at Appendix 3.</p>
All Staff	The responsibilities of staff are as outlined in Section 3.7 of NSW Health PD2016_027. It is the expectation of SESLHD that staff will apply the principles in this section to all reports of corrupt conduct or fraud (whether or not a PID). The reporting form located at Appendix 2 can be used to facilitate reporting through the internal reporting channel.

6. REPORTING CHANNELS

All employees should note that in order to gain protection under the Public Interest Disclosures Act, the staff member making the report must honestly believe on reasonable grounds that the information shows, or tends to show, wrongdoing. Similarly, staff members making a report of fraud or corrupt conduct where the protection of the PID Act is not sought should make the report based on a reasonable suspicion. Proof is not necessary however a report or a public interest disclosure cannot be based on unsupported allegations.

Employees are encouraged not to make reports anonymously. Anonymous reports may be difficult to pursue where further information is required and may also prevent report-back to the complainant.

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Where possible employees are encouraged to make reports and/or PIDs in writing, as this provides an accurate record, avoids confusion and facilitates the inclusion of supporting documentation.

For additional information in relation to Public Interest Disclosures please refer to NSW Health PD2016_027.

Employees can make reports through two channels (see below).

6.1 Internal Reporting Channels

The reporting form located at Appendix 2 can be used to facilitate reporting through the internal reporting channel by staff members wishing to make a disclosure.

Generally disclosures should be made to one of the Disclosure Officers relevant to the SESLHD facility the employee is attached to. (Refer Section 5 and Appendix 1).

Alternatively, when an employee has concerns about reporting to a Disclosure Officer at their facility, even where the disclosure does not involve that officer, disclosures may be made directly to:-

- Another Disclosures Officer from the list contained at Appendix 1.
- Any staff member of the Internal Audit Unit (all of whom are Disclosures Officers). The Internal Audit intranet page contains a link to facilitate reporting to the Internal Audit Unit.
- The Disclosures Co-ordinator:

Director Internal Audit SESLHD
Prince of Wales Hospital,
Level 1, Diabetes Centre,
Avoca Street,
Randwick NSW 2031
Phone: 9382 8325
Fax: 9382 8329
Email: alan.ngo@health.nsw.gov.au

Chief Executive
SESLHD District Executive
Locked Mail Bag 21
TAREN POINT NSW 2229
Phone: 9382 7853
Fax: 9540 8757
Email: seslhd-mail@health.nsw.gov.au

In addition, matters relating to fraud and corruption brought to attention as a result of management control and monitoring, rather than allegations received, should be reported to the Disclosures Co-ordinator using the Reporting Form at Appendix 3.

6.2 External Reporting Channels

SESLHD employees may choose to make a report or public interest disclosure directly to one of the following:

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NSW Ministry of Health

The Associate Director
Corporate Governance and Risk Management
NSW Ministry of Health
Locked Bag 2030
St Leonards NSW 1590
Phone: 9391 9654

OR

The Secretary
NSW Ministry of Health
Locked Bag 2030
St Leonards NSW 1590
Phone: 9391 9000
officeofthesecretary@health.nsw.gov.au

6.3 External Investigating Authorities

6.3.1 The Independent Commission against Corruption

For issues involving suspected corrupt conduct, the Commission may become involved if the conduct involves a criminal or disciplinary offence, or the conduct is serious enough to warrant dismissal. ICAC may be contacted using the following methods:

- Phone: 8281 5999 or Freecall 1800 463 909 (callers outside Sydney)
- Mail: GPO Box 500, SYDNEY NSW 2001
- Fax: 9264 5364
- Online: Use this [link](#)
- Email: icac@icac.nsw.gov.au

6.3.2 The Auditor-General

For issues related to serious and substantial waste, the Auditor-General may be contacted by:

- Mail: Audit Office of NSW, GPO Box 12, SYDNEY NSW 2001
- Phone: 9275 7100

6.3.3 The NSW Ombudsman

For issues relating to serious maladministration the NSW Ombudsman may be contacted by:

- Mail: NSW Ombudsman, Level 24, 580 George Street, SYDNEY NSW 2000
- Fax: 92832911
- Phone: 9286 1000 or Toll free (outside Sydney metro): 1800 451 524
- Online: Use this [link](#)
- Email: nswombo@ombo.nsw.gov.au

The NSW Ombudsman is also responsible for promoting public awareness and understanding of the PID Act and monitoring its operation.

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6.3.4 Information and Privacy Commissioner

For disclosures about breaches of the *Government Information Public Access Act 2009 (GIPA Act)*:

- Mail: Information and Privacy Commissioner, Level 17, 201 Elizabeth Street, SYDNEY NSW 2000
- Phone: 1800 472 679
- Email: ipcinfo@ipc.nsw.gov.au

6.4 MEMBERS OF PARLIAMENT AND JOURNALISTS

In some circumstances a Public Interest Disclosure can be made to a Member of Parliament or a journalist. Please refer to NSW Health PD2016_027 for the specific circumstances under which a disclosure can be made.

7 RELATED POLICIES

- [NSW Ministry of Health PD2016_027 - Public Interest Disclosures](#)
- [NSW Ministry of Health PD2016_029 - Corrupt Conduct - Reporting to the Independent Commission Against Corruption \(ICAC\)](#)
- [SESLHDPD/267 - Fraud and Corruption Prevention Strategy](#)

8 DOCUMENTATION

- [SESLHD Reporting Form including Public Interest Disclosures – F337](#)
- [SESLHD Report of Matters arising from Management Control Activities – F338](#)

9 REFERENCES

- NSW Ombudsman – various resources
- [NSW Independent Commission Against Corruption – various resources](#)

10 REVISION AND APPROVAL HISTORY

Date	Revision No.	Author and Approval
June 2013	1	Kylie McRae, Director Internal Audit.
September 2013	2	Kylie McRae, Director Internal Audit.
November 2016	3	George Deletaris, Director Internal Audit.
February 2018	4	George Deletaris, Director Internal Audit.
February 2021	5	Alan Ngo, Director Internal Audit.
September 2021	6	Minor review. Changes to the contact details for The Associate Director and The Secretary in NSW Ministry of Health on page 5. Link to the new Nominated Disclosure Officer List on page 7. Approved by Executive Sponsor.

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APPENDIX 1:

NOMINATED DISCLOSURES OFFICERS

Please refer to the: [SESLHD List of Nominated Disclosures Officers](#)

APPENDIX 2:

SESLHD REPORTING FORM INCLUDING PUBLIC INTEREST DISCLOSURES

ESSENTIAL INFORMATION		
Do you work for a NSW Health agency (including as a volunteer, contractor or board member)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you work for another Public authority?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
REPORT		
Do you wish to make this report as a Public Interest Disclosure?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Where did the wrongdoing occur?		
What does the report of wrongdoing relate to? (You can tick more than one box)		
<input type="checkbox"/> Corrupt Conduct	<input type="checkbox"/> Serious/Substantial Waste Resources	<input type="checkbox"/> Grievance
<input type="checkbox"/> Maladministration	<input type="checkbox"/> Government information contravention	<input type="checkbox"/> Other
<p>Please provide a brief description of the matter you are reporting. Please include details as to :</p> <ul style="list-style-type: none"> • <i>SESLHD Facility/ Business Unit or other NSW Health agency involved</i> • <i>The name and position of the people involved</i> • <i>The name and position of any person who might have relevant information</i> • <i>The date and time-frame in which the wrongdoing occurred</i> • <i>Any other relevant information or supporting evidence which is available or should be sought</i> • <i>Any other information that you consider would assist with the assessment or investigation of this incident</i> <p>Please attach additional pages if the space provided below is insufficient</p>		
<p>Is there any other information which would assist in the assessment of this matter (witnesses, records etc) If so, please provide details? Please attach additional pages if the space provided is insufficient.</p>		

OPTIONAL INFORMATION	
❖ Personal Details	
Name:	
Postal Address:	
Phone No.	
Email address:	
Preferred contact method in relation to disclosure: <i>(phone/email/letter)</i>	
❖ Reporting Details	
Have you reported this to any other employee in your organisation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, what action been taken by that person?	
Have you reported this wrongdoing to another organisation? <i>(You can tick more than one box)</i>	
<input type="checkbox"/> ICAC	<input type="checkbox"/> The NSW Ombudsman <input type="checkbox"/> The NSW Auditor General
<input type="checkbox"/> The Information Commissioner	<input type="checkbox"/> Other (please state)
When did you make the report?	
Is your report being investigated?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know
Are you currently or have you been the subject of a disciplinary or criminal investigation in relation to the matter you are reporting?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What was the result of that disciplinary/criminal action?	
❖ Declaration	
I have made this report voluntarily. I honestly believe that the matter I am reporting shows (or tends to show) wrongdoing	
Signed:	Date:
Witness:	Date:

Appendix 3:**Report of Matters arising from Management Control Activities**

SECTION OR LOCATION	
KEY PERSONS	
ALLEGATIONS	
PROPOSED ACTIONS	
CURRENT STATUS	

Notified by:

Title

Name

Signature

Date

Internal Audit Reference

ICAC Reference