



Submission No 61

M.R.

Australian Government
Department of Immigration and Citizenship

SECRETARY

17 October 2008

Dr Anna Dacre
Committee Secretary
Standing Committee on Legal and Constitutional Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

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BY: LACA

Dear Dr Dacre

**Inquiry into whistleblowing protections
within the Australian Government public sector**

Thank you for your letter of 30 September 2008 inviting me to participate in a proposed "roundtable discussion" as part of the House of Representatives Standing Committee on Legal and Constitutional Affairs into whistleblowing protections within the Australian Government public sector.

The Department is happy to assist the Committee both by outlining in writing some of the Department's work in this very important area and, if desired by the Committee, expanding on the outline below by appearing before it to give evidence. My preference would be to assist in those ways rather than by attending the roundtable discussion.

This letter thus allows me to outline some of the department's work in this very important area.

The department is shortly about to launch our revised whistleblower procedures, which are currently undergoing the final processes of development and quality assurance. The primary aim of the review of our procedures is to further improve our processes for the management of public interest disclosures in the Department. The approach is centred on mitigating risks to the Department, the whistleblower and the person subject to the allegation of misconduct. The impetus for this new program has stemmed from our participation in the Australian Research Council Linkage Project – Whistle While They Work, for which I volunteered our input in 2005.

Further to this, we have been actively working to encourage an environment in the Department that is supportive of whistleblowers, as I strongly believe in the intrinsic value of employees coming forward to report instances of wrongdoing.

people our business

This includes strengthening the role and increasing the size of our Values and Conduct Section, which is a dedicated section within the Department responsible for receiving, investigating and managing allegations of criminal behaviour, fraud and breaches of the APS Values and Code of Conduct by onshore and overseas based employees.

This Section is also responsible for encouraging staff members to come forward to make public interest disclosures or 'blow the whistle'. For example, we have ensured that the importance of whistleblowing is covered in the Department's Code of Conduct training; mandatory training which all departmental employees are obliged to undertake every two years. Whistleblowing is also encouraged through a number of departmental policies including the *DIAC Whistleblower Policy and Procedures* and the recently revised *DIAC Code of Conduct Guidelines*.

Furthermore, the Department's Immigration Dilemmas: Ethics, APS Values and Leadership (IDEAL) toolkit has been designed in order to assist in creating and sustaining cultural change within the Department. IDEAL is available to all employees and supports the key strategic themes of the Department: an open and accountable organisation, well trained and supported staff, and fair and reasonable dealing with clients. The primary aim of the program is to encourage a culture of appropriate ethical behaviour by employees, a key aspect of which is their responsibility to report and disclose any behaviour they observe which may constitute either criminal behaviour or a breach of the APS Values and Code of Conduct.

Finally, I regularly emphasise the central themes of the above mechanisms in my twice weekly messages to all staff, stressing the value and importance of coming forward with any problems and concerns, and highlighting how this leads to a stronger, more positive and open culture. Based on the regular flow of emails to me from throughout the department, I am confident that staff are comfortable in raising issues directly with me, without fear of reprisal, and without a need to communicate through a hierarchy.

I understand that the Australian Public Service Commission (APSC), as the key policy owner and stakeholder in the WWTW project, will make a comprehensive contribution to the Committee's roundtable discussion on behalf of APS agencies.

Yours sincerely

(Andrew Metcalfe)