



## ELM17 ANONYMOUS COMMUNICATIONS POLICY

Aim	This policy outlines how the Shire of Ashburton will act upon information contained in anonymous letters and other anonymous communications
Application	All Staff
Statutory Environment	<i>Local Government Act 1995 Section 3.58(3)(b)</i>
Principles	Strategic Community Plan 2017 – 2027 (Desktop Review 2019) Goal 05 Inspiring Governance Objective 4 Exemplary team and work environment
Approval Date	OMC 17 December 2019 (MINUTE: 722/2019)

### AIM

To provide a consistent approach to dealing with anonymous letters and communications.

### POLICY STATEMENT

#### Background and Existing Communication Pathways

Shire of Ashburton (the Shire) takes allegations of irregularities very seriously and welcomes comments and suggestions about how our services could be improved. The Shire has developed Policies and internal Procedures to provide individuals and groups with the opportunity and channels to voice concerns in a safe manner. The Shire strongly encourages that such policies and procedures are followed as appropriate to the circumstances.

These existing policies are:

ADM09 Complaints Management Policy

EMP16 – Grievance Investigation and Resolution and EMP01 – Equal Employment.

These policies provide confidential pathways in recognition of the potentially sensitive nature of the concerns being raised and allow for the withholding of identities within legal constraints. These do ask that individuals or groups identify themselves and put their names to allegations to senior or independent persons at the levels in the organisational structures chain where they feel safe and secure in doing so.



### **Anonymous Communications**

On occasions however, individuals and groups choose not to disclose their identity and submit anonymous letters. The purpose of this policy is to explain how the Shire of Ashburton will act on information contained in anonymous letters and other anonymous communications.

### **DEFINITION OF ANONYMOUS LETTER OR OTHER ANONYMOUS COMMUNICATION**

A letter or communication giving no name, identity, address or identifying factors of the sender.

### **INITIAL CONSIDERATIONS**

Any member of staff receiving an anonymous letter or communication should without delay refer the matter to their line manager or to an appropriate senior manager. The manager will without delay refer the matter to the Chief Executive Officer.

### **SHIRE OF ASHBURTON DISCRETION**

It is considered that all submissions made to the Shire, including anonymous submissions, should be considered by council. However, the Shire reserves the right to edit from the letter those parts it deems to be offensive, an attack on a person's character or inappropriate and have no direct relevance to the proposal.

- The Shire reserves the right to exercise its discretion whether to investigate anonymous disclosures.
- The Shire reserves the right to take each allegation on its own merits and invoke procedures as necessary.
- The Shire reserves the right to take no action.

The exceptions to these approaches will be any anonymous letters which allege criminal offence, fraud or irregularity, abuse of an elected or staff member or, are accompanied by, or there exists supporting information which suggests the allegation can be substantiated.

### **WHEN DECIDING WHAT ACTION TO TAKE, THE FOLLOWING WILL BE CONSIDERED**

- Seriousness of the issues raised criminal and legal implications.
- Credibility of the concern.
- Whether sufficient information is provided to corroborate the allegation(s) and enable an investigation to be carried out.
- Fraud and any other irregularities detrimental to the Shire.

### **VEXATIOUS AND MALICIOUS ANONYMOUS LETTERS**

Letters, or any form of communication considered to be vexatious and malicious will be forwarded to the appropriate authorities and the Shire of Ashburton will



provide full support for those authorities to carry out their investigation. Should staff members of the Shire be found to have written vexatious and malicious anonymous letters, disciplinary action will be taken up to and including dismissal.

### **ANONYMOUS COMMUNICATIONS - IMPLICATION OF THE PRESIDENT OR CHIEF EXECUTIVE OFFICER (CEO)**

Should anonymous communications be received against the President or the CEO, the

- President will consider any such communications against the CEO and report the matter to the Public Sector Commission or the Crime and Corruption Commission; and
- CEO will consider any such communications against the President and report the matter to the Crime and Corruption Commission.

Referral to the Public Sector Commission or the Crime and Corruption Commission is not an accusation of guilt or innocence but rather referral is a matter of appropriate investigation.