

ABANDON NATURE AND YOU ABANDON
YOUR SENSE OF THE DIVINE

KALLE LASN, *CULTURE JAMMING*

Q SEARCH: Lyrebird

UNIQUE PHOTO OF A MALE LYRE-
BIRD AS HE TURNS HIS TAIL TO
THE CAMERA. AUSTRALIA'S SONG
BIRD AND WONDER MIMIC.

Date(s) of creation: [n.d.] negative:
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STATE LIBRARY OF VICTORIA FOUNDATION

ABOUT THE FOUNDATION

The State Library of Victoria Foundation supports the strategic objectives of the State Library of Victoria.

The State Library of Victoria Foundation's principal aims are to:

- attract, manage and retain for the State Library the continuing interest, goodwill and financial support of the Victorian community
- engage and build mutually beneficial relationships with the corporate and philanthropic sectors, with a view to procure funds necessary to promote the State Library's critical role in the information age as well as its core activities
- continue to build its capital fund and raise additional monies to assist the Library with both specific and general projects and activities including:
 - to obtain, maintain, develop, improve and exhibit, both physically and online, its collection of literary and historical artefacts and materials
 - to provide educational services, training programs and public programs, research and publication of materials from the Library's collections and the exhibition and display of materials from the Library's collections both physically and online

FUNDRAISING

The Foundation has continued to generate substantial cash and in-kind sponsorships and philanthropic donations to assist the State Library to deliver a range of programs, exhibitions and educational services, and fund innovative multimedia and digitisation projects, including Experimedia.

Significant support was provided by Sun Microsystems and Panasonic for state-of-the-art technology for Experimedia. The strategic partnerships developed with leading organisations such as these and others, are instrumental in delivering a range of innovative programs and school services.

The John T Reid Charitable Trusts, Hanimex, Baulderstone Hornibrook, La Trobe University and the Victorian University Libraries contributed to the *Treasures of the State Library of Victoria* publication to mark the Library's 150th Anniversary.

The Age shares its 150th Anniversary with the State Library and has generously supported a joint exhibition, *The Age of Cartooning*, in the Keith Murdoch Gallery.



The Cowen Gallery was named after benefactors Alan and Mavourneen Cowen, in recognition of their generous gift to the State Library of Victoria. Photography: John Gollings

Philanthropic support for the State Library continues to grow with donations from The Trust Company for School Services projects, The Gandel Charitable Trust for the Australian Centre for Youth Literature, the AGL Shaw Trust, the Sachs Goldman JB Were Foundation and Ciba Specialty Chemicals.

Robin and Suzanne Hunt, the Sunshine Foundation and the Australian Garden History Society generously supported the *Gardenesque* exhibition, scheduled to open in October 2004 in the Keith Murdoch Gallery.

The Agnes Robertson Trust provided substantial funds for the future production of a book on the Library's paintings collection, a catalogue for the Cowen Gallery and associated cards and posters.

The Foundation gratefully acknowledges the continuing support of its major naming-rights donors, Sir Keith Murdoch's children and grandchildren, and Alan and Mavourneen Cowen. Their support continues to be vital to the Library.

Memberships and bookplate members have increased by more than 100 since the last financial year and benefits of membership have been greatly enhanced with the support of QV on Lonsdale Street and Reader's Feast. Your Place in Our History donations continue to attract interest, particularly since the reopening of the La Trobe Reading Room.

The Foundation has established a named bequest group, The Redmond Barry Society, which will be the lasting legacy of the Library's 150th Anniversary.



The State Library of Victoria Foundation is most grateful for the generous support of our sponsors, pictured above with The Hon. Steve Bracks, MP, Premier of Victoria, from left: Deputy Lord Mayor Susan Reilly (City of Melbourne); Robert Parcell (Optus); Premier Steve Bracks; Michael Kay (AAMI); Mary Delahunty, MP, Minister for the Arts

150TH ANNIVERSARY PROGRAM

The Foundation was instrumental in securing substantial sponsorship to underwrite the entire cost of the Library’s 150th Anniversary Program. The generous support of Principal Sponsor AAMI and Sponsors Optus and City of Melbourne have been vital in the Library’s capacity to deliver a comprehensive range of programs throughout the anniversary year, both here at the Library and throughout regional Victoria, including:

Travelling Treasures

State Library *Wordfest*

150 years—150 books—150 words program, in collaboration with *The Age*

digiTall Stories competition, in collaboration with the *Herald Sun*

A series of public forums and lectures

State Library Expo

THE FOUNDATION DEVELOPMENT FUND

The Foundation contributed \$210k to the Library from its Capital Fund. This supported:

- printing and distribution of the *State Library of Victoria News*
- Fujitsu *Telentice* technology for the Keith Murdoch Gallery
- technology and other support for Experimedia

Balance of funds will be transferred to the 2004–05 Development Fund.

PRINCIPAL PATRON

Dame Elisabeth Murdoch, AC, DBE

VOLUNTEERS

The Foundation gratefully acknowledges the contribution of volunteers who serve on its Executive, Relationships Committee and La Trobe Journal Committee listed below, and in particular, the Chairman of the Foundation, Mr Stephen Kerr; its Bookplate volunteers, Mrs Claire Baillieu and Mrs Heather Anne Field, and its pro bono legal advisors, Freehills.

FOUNDATION EXECUTIVE

- Mr Stephen Kerr (CHAIRMAN)
Mr Martin Armstrong
Mr John Arnold
Prof John Barnes
Mr David Bennett
Mrs Janet Calvert-Jones, AM
Mr John Chalmers
Mr Danny Choo
Dr Anne Colman
Mr Andrew Coloretti
Mrs Julie Ann Cox
Mrs Kerry Gillespie
Mrs Elisabeth Gillies (RETIRED DECEMBER 2003)
Mr Gary Graco
Ms Sue Hurley (FROM JUNE 2004)
Ms Libby Kingdon
Mr Robert Lang
Mr Sam Lipski, AM
Mr John Mortimore
Mrs Maria Myers
Ms Dorothy Pizzey, AM
Mr Kevin Quigley
Ms Susie Reece Jones

SLV REPRESENTATIVE
Ms Anne-Marie Schwirtlich

SLV REPRESENTATIVE
Mr Shane Carmody

EXECUTIVE DIRECTOR
Mr Jack Moshakis

SPONSORSHIP MANAGER
Ms Kathy Lane

MEMBERSHIPS
Ms Bobby Krisohos

RELATIONSHIPS COMMITTEE

- Mr Andrew Coloretti
Mrs Julie Ann Cox
Mr Robert Lang
Mr John Mortimore
Mrs Maria Myers

FOUNDATION EXECUTIVE DIRECTOR
Mr Jack Moshakis

SLV REPRESENTATIVE
Ms Shelley Roberts

SLV REPRESENTATIVE
Ms Bobby Krisohos

LA TROBE JOURNAL COMMITTEE

- Prof John Barnes (EDITOR)
Mr John Arnold
Mrs Sandra Burt (ASSISTANT EDITOR)
Mrs Yvonne Hurley
Assoc Prof Wallace Kirsop

SLV REPRESENTATIVE
Mr Shane Carmody

FOUNDATION EXECUTIVE DIRECTOR
Mr Jack Moshakis

STATE LIBRARY FOUNDATION SPONSORS AND DONORS

- AAMI
Alan (AGL) Shaw Charitable Trust
Baulderstone Hornibrook
Bendigo Bank
Clayton Utz
A & M Cowen
Ciba Specialty Chemicals Pty Ltd
City of Melbourne
Freehills
Hanimex
Robin and Suzanne Hunt
La Trobe University
Law Foundation
Network Ten
Optus
Panasonic Australia
Sir Keith Murdoch’s children and grandchildren
Sun Microsystems Australia
Taltarni Vineyards
The Agnes Robertson Trust
The Age
The Gandel Charitable Trust
The Garden History Society
The Herald & Weekly Times Ltd
The John T Reid Charitable Trusts
The Sunshine Foundation
Trust Company of Australia
Victorian University Libraries
774 ABC Melbourne

150TH ANNIVERSARY PROGRAM PRINCIPAL SPONSOR



SPONSORS





LEARNING IS NOT COMPULSORY...
NEITHER IS SURVIVAL

W. EDWARDS DEMING (1900–1993)

THE FIRST CLASS OF 24 EX-RAAF
MEN STARTED TRAINING AT THE
MARCONI SCHOOL OF WIRELESS
THIS MORNING

Date(s) of creation: [c. 1945]
photograph: gelatin silver
17.0 x 25.0 cm. approx
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SEARCH: Training

PEOPLE AT THE STATE LIBRARY OF VICTORIA

LIBRARY BOARD AND CORPORATE GOVERNANCE

Functions and Powers of the Library Board of Victoria

The affairs of the State Library of Victoria are governed by the Library Board of Victoria. The Board is a statutory body corporate established under section 16 of the *Libraries Act 1988*. The relevant Minister is Mary Delahunty, MP, Minister for the Arts.

The functions of the Board are set out in Section 18 of the Libraries Act 1988 and include the following:

- Ensuring the maintenance, preservation and development of a State Collection of Library material, including a comprehensive collection of Library material relating to Victoria and the people of Victoria.
- Ensuring that the Library material in the State Collection is available to such persons and institutions, and in such manner and subject to such conditions as the Board determines with a view to the most advantageous use of the State Collection.
- Ensuring the availability of such other services and facilities in relation to Library matters and Library material (including bibliographical services) as the Board determines.
- Arranging the publication and sale of reproductions of any Library material in the State Collection.
- Overseeing the exhibition of material from the State Collection for information, education and entertainment.
- Oversee cooperation in programs with libraries and information organisations to promote access to Library and information services and resources.
- Exercise leadership and promote high standards in the provision of Library and information services.
- Provide advice and information to the Minister on any matter concerning libraries and information organisations.
- Perform any other functions appropriate to the Board as the Minister may approve.

In carrying out its functions, the Board must endeavour to ensure that through the variety and breadth of the Library’s services, programs, events, exhibitions and activities, the institution contributes to the enrichment of the cultural, educational, social and economic life of the people of Victoria, and has power to do all things necessary or convenient in connection with the performance of its functions.

Board Members

The Library Board of Victoria consists of up to 11 members, appointed by the Governor in Council on the recommendation of the Minister. Members represent interests in academia, business, local government, information technology and the humanities.

Members are appointed for terms of up to three years and are eligible for reappointment.

2003–04 Membership

- Mr Sam Lipski, AM (PRESIDENT)
- Dr Terry Cutler (TO OCTOBER 2003)
- Ms Catherine Dale
- Ms Susan Halliday
- Mr Greg Hywood
- Ms Hilary McPhee, AO
- Mr Glenn Mescher
- Ms Patricia O’Donnell
- Mr Kevin Quigley
- Mr Julian Stock (DEPUTY PRESIDENT)
- Dr Vicki Williamson

- CHIEF EXECUTIVE OFFICER
- Ms Anne-Marie Schwirtlich
- EXECUTIVE OFFICER
- Ms Kate Brown

The Library Board of Victoria met on 11 occasions during the period July 2003 to June 2004.

Pecuniary Interests

Declarations of pecuniary interests were duly completed by all Board members and relevant officers.



Dr Terry Cutler

Dr Terry Cutler is an industry consultant and strategy advisor specialising in the information and communications technology sector; he was appointed to the Library Board of Victoria in June 2002. The author of numerous reports and papers, Dr Cutler has served on a range of government boards and advisory bodies. These include Chairman of the Australia Council; director of Cinemedia, Opera Australia and the Council of the Victorian College of the Arts; Chairman of Australia’s Information Policy Advisory Council; and Deputy Chairman of the Australian Information Economy Advisory Council. Dr Cutler resigned from the Board in October 2003.

About Board Members



Sam Lipski, AM, President

Sam Lipski, initially appointed as the 21st President of the Library Board of Victoria in June 2000, was re-appointed for a second term in 2003. Sam Lipski is Chief Executive of The Pratt Foundation, the philanthropic trust of the Pratt family and the Visy Group of companies, a position which he has held since 1988.

A highly distinguished journalist, Mr Lipski’s career has spanned more than 40 years in television, radio, newspapers and magazines. In addition to his journalism, Sam Lipski has contributed essays and articles to a variety of books and international publications, scripted award-winning television documentaries, and developed a mini-series for television as an associate producer. He was recognised as National News Commentator of the Year in 1982 and in 1992 he was the Edward Wilson Visiting Fellow in Journalism at Deakin University, Victoria. In 1993 he became a Member of the Order of Australia (AM) for his services to the media. Mr Lipski has held a wide range of positions in advisory, community and voluntary associations.



Catherine Dale

Catherine Dale was appointed to the Library Board of Victoria in June 2002. Ms Dale is the Chief Executive Officer for the Nillumbik Shire Council; her previous appointments include Director of Planning and Development, City of Boroondara, and Manager of Corporate Projects, City of Frankston. Ms Dale brings valuable experience in local government to the Board.



Julian Stock, Deputy President

Julian Stock was appointed to the Library Board of Victoria in 1997, and is Deputy President. He is the former Chief Commissioner of the City of Banyule and Chairman of the Board of the Yarra Plenty Regional Library Service. He has worked in the accounting and finance fields in companies such as Arthur Young & Co (Ernst & Young) and Mobil Oil. Mr Stock is a member of the Australian Shareholders’ Association and the Australian Accounting Standards Board, Consultative Group.



Susan Halliday

Susan Halliday is a management and employment consultant who was first appointed to the Board in September 2001 and was reappointed, for three years, in 2004. Ms Halliday maintains an active involvement in community and professional associations as Chairperson of the Victorian Institute of Teaching, and Director of Australians Against Child Abuse; Ambassador for the National Breast Cancer Foundation; and Member of the Women Chiefs of Enterprise and Business and Professional Women's organisations.



Greg Hywood

Greg Hywood was appointed to the Library Board of Victoria in May 2003. As Publisher and Editor-in-Chief of *The Age* between 2001 and 2003, Mr Hywood has had a distinguished national and international career in journalism, which includes the Walkley Award for journalism in 1980.



Glenn Mescher

Glenn Mescher joined the Library Board of Victoria in February 2003 and was reappointed, for three years, in 2004. Mr Mescher has a background in information technology and is a Fellow of the Australian Computer Society. Mr Mescher has worked for a number of large corporations and currently holds the position of Executive Programme Director—ISI at the National Australia Bank Group.



Hilary McPhee, AO

Hilary McPhee was initially appointed to the Library Board of Victoria in June 2000 and was reappointed for a second term in 2003. Following a distinguished career in publishing, Ms McPhee took up the inaugural position of Vice-Chancellor's Fellow at the University of Melbourne in 1997. Ms McPhee contributes widely to public debate and policy formulation for the Arts, culture and the humanities, multimedia content, broadcasting and publishing. Ms McPhee holds a number of board and advisory positions across the arts, cultural and education sectors. These include Senior Advisor to the Council of Asia–Australia Institute; Member Advisory Board of the Interactive Information Institute, Royal Melbourne Institute of Technology; Centre for Cross-Cultural Research, Australian National University; The Europe–Australia Institute, Victoria University; Board Member, Ian Potter Museum of Art, University of Melbourne; Board Member, Melbourne Community Foundation; and Council Member, Victorian College of the Arts. Ms McPhee was admitted to the Order of Australia in 2001.



Patricia O'Donnell

Patricia O'Donnell was first appointed to the Library Board of Victoria in May 1999 and re-appointed in June 2002. Ms O'Donnell has worked as a teacher and educational psychologist, and was the owner and manager of Mietta's Queenscliffe, 1978–2002. Ms O'Donnell has had an active involvement in a number of community and government bodies, including Lifeline and Citizens Advice Bureau; the Melbourne Tourist Authority Board; Abbotsford Convent Implementation Group; and the Queenscliffe Carnival of Words.



Kevin Quigley

Kevin Quigley was appointed to the Library Board of Victoria in June 2002. Mr Quigley is a Chartered Accountant with diverse skills and experience in public policy development, management information systems and risk management. Mr Quigley is the Director of BDO Consulting, a division of BDO Accountants and Advisers, and specialises in health management and government consulting. He is a member of the Committee of Management of the Athenaeum Library, Melbourne; a member of the Audit Committee of the Council of the University of Ballarat; and Secretary of the Veteran Car Club of Australia (Vic).



Dr Vicki Williamson

Dr Vicki Williamson is the Pro-Vice-Chancellor (Administrative & Academic Support), University of Ballarat. Dr Williamson was appointed to the Library Board of Victoria in February 2002 and was reappointed, for three years, in 2004. Dr Williamson holds academic and professional qualifications in the Arts, information technology and education; she has held positions in higher-education management, communication and information technology, quality processes and strategic planning. Dr Williamson is a Fellow of the Australian Institute of Management and a Member of the Board of Editors of *Library and Information Science Research*.

Standing Committees

The Library Board of Victoria has a number of standing committees.

State Library of Victoria Foundation Committee

The Foundation Committee assists the Board by attracting and retaining interest and financial support for the Library and developing, maintaining and promoting the State Collection. In addition, the Foundation committee advises the Board on and oversees the affairs of the Foundation.

2003–04 Membership

Mr Stephen Kerr (CHAIR)
Mr Martin Armstrong
Mr John Arnold
Professor Emeritus John Barnes
Mr David Bennett
Mrs Janet Calvert-Jones, AM
Mr John Chalmers
Mr Danny Choo
Dr Anne Colman
Mr Andrew Coloretti
Mrs Julie Ann Cox
Mrs Kerry Gillespie
Ms Elizabeth Gillies (TO DECEMBER 2003)
Mr Gary Graco
Ms Sue Hurley (FROM JUNE 2004)
Ms Libby Kingdon
Mr Robert D. Lang
Mr Sam Lipski, AM
Mr John Mortimore
Mrs Maria Myers
Ms Dorothy Pizzey, AM
Mr Kevin Quigley
Ms Susie Reece-Jones

SLV REPRESENTATIVE

Ms Anne-Marie Schwirtlich
Mr Shane Carmody

EXECUTIVE DIRECTOR

Mr Jack Moshakis

SPONSORSHIP MANAGER

Ms Kathy Lane

EXECUTIVE OFFICER

Ms Sabrina Boucher (TO AUGUST 2003)

Finance and Risk Management Committee (to December 2003)

The Finance and Risk Management Committee advised the Board on the most appropriate and cost-effective way in which the Board may discharge its financial responsibilities and statutory reporting obligations on financial matters.

In carrying out its functions, the Committee held regular meetings to consider risk management, including the implementation of all internal audit recommendations and the adequacy of risk-management policies.

2003–04 Membership

Mr Julian Stock (CHAIR)
Mr Kevin Quigley
Mr Glenn Mescher
Mr Wayne Grant
Ms Julie Shepherd

SLV REPRESENTATIVES

Ms Alison Coe
Mr Paul Read

EXECUTIVE OFFICER

Mr Tony Pignatelli

Writers and Readers Committee

The Writers and Readers

Committee advises the Board on all matters pertaining to the relationship between the State Library of Victoria and the literary community of Victoria.

2003–04 Membership

Ms Hilary McPhee, AO (CHAIR)
Ms Patricia O'Donnell
Mr Shane Maloney
Dr Anne Galbally
Ms Louise Adler
Mr Joel Becker

SLV REPRESENTATIVE

Mr Shane Carmody

EXECUTIVE OFFICER

Mr Barry Scott

Audit Committee (from January 2004)

The Audit Committee advises the Board on the most appropriate and cost-effective way in which the Board may discharge its custodial responsibilities and statutory reporting obligations on financial matters.

In carrying out its functions, the Committee holds regular meetings to consider risk management, including the implementation of all internal audit recommendations and the adequacy of risk-management policies.

2003–04 Membership

Mr Kevin Quigley (CHAIR)
Mr Glenn Mescher
Ms Catherine Dale
Ms Julie Shepherd

SLV REPRESENTATIVE

Ms Anne-Marie Schwirtlich

EXECUTIVE OFFICER

Ms Kate Brown

Executive Appointments and Remuneration Committee

The Government Sector Executive Remuneration Panel is responsible for determining the Library's policy and practice relating to executive remuneration and individual remuneration packages for executives.

2003–04 Membership

Mr Sam Lipski, AM
Ms Susan Halliday
Ms Hilary McPhee, AO
Mr Julian Stock

Collections Committee

The Collections Committee advises the Board on issues concerning the acquisitions, maintenance and promotion of the State Collection.

2003–04 Membership

Ms Patricia O'Donnell (CHAIR)
Ms Kay Craddock
Dr Terry Cutler (TO OCTOBER 2003)
Ms Bridget McDonnell (TO NOVEMBER 2003)
Mr Ian Renard
Dr Dianne Reilly (EX-OFFICIO MEMBER)
Mr Julian Stock (FROM NOVEMBER 2003)
Dr Richard Travers (TO NOVEMBER 2003)
Dr Vicki Williamson (FROM NOVEMBER 2003)

SLV REPRESENTATIVE

Mr Shane Carmody

EXECUTIVE OFFICER:

Ms Margaret Smith (TO JANUARY 2004)
Ms Leneve Jamieson (FROM FEBRUARY 2004)

Project Control Group (to December 2003)

The Project Control Group advises the Minister for the Arts and the Minister for Planning on the progress of the Library's redevelopment project.

2003–04 Membership

Mr Sam Lipski, AM (CHAIR)
Mr Dennis Carmody
Mr John Weston

SLV REPRESENTATIVES

Ms Anne-Marie Schwirtlich
Ms Alison Coe
Mr Stuart Pickering

EXECUTIVE OFFICER

Ms Kate Brown

Advisory Committee on Public Libraries

The Advisory Committee on Public Libraries acts as an advisory group to the Board and a communication link between the Board and public libraries.

2003–04 Membership

Dr Vicki Williamson (CHAIR)
Cr Rod Fyffe
Mr Greg Hywood
Ms Barbara Horn
Ms Adele Keneally
Mrs Lynne Makin
Ms Chris Payne

SLV REPRESENTATIVES

Ms Anne-Marie Schwirtlich
Mr Michael Bertie
Mr Brendan Fitzgerald

EXECUTIVE OFFICER

Ms Debra Rosenfeldt

Finance Committee (from January 2004)

The Finance Committee advises the Board on the most appropriate and cost-effective way in which the Board may discharge its financial management obligations.

2003–04 Membership

Mr Julian Stock (CHAIR)
Mr Greg Hywood
Mr Wayne Grant

SLV REPRESENTATIVES

Ms Alison Coe
Mr Paul Read

EXECUTIVE OFFICER

Mr Tony Pignatelli

LIBRARY EXECUTIVE

Under the direction of the Library Board of Victoria, the State Library of Victoria executive is responsible for the effective management of the Library and its collections, services, programs and responsibilities. The executive comprises the Chief Executive Officer and State Librarian, Anne-Marie Schwirtlich, and three executive officers, each of whom head one of the Library's three departments.

Chief Executive Officer

ANNE-MARIE SCHWIRTLICH is the Chief Executive Officer. She has overall responsibility for ensuring that the Board's directions are implemented, for sound corporate governance, the management of the State Collection and the operations of the Library.



Anne-Marie Schwirtlich

Staff who provide direct support to the Chief Executive Officer are the Corporate Secretary/Senior Legal Officer, an executive assistant, a policy and research officer and an office assistant. The three departmental heads report to the Chief Executive Officer, as does the Executive Director of the State Library of Victoria Foundation.

Library Directors

The Library has three departments: Collections and Services, Information Management and Planning and Resources.

SHANE CARMODY is the Director, Collections and Services. He is responsible for the State Collection, information services, collection conservation, storage, retrieval and reformatting and public programs. The Director, Collections and Services provides executive support to the Board's Collections Committee.



Shane Carmody

MICHAEL BERTIE is the Director, Information Management. He is responsible for information and communications technology; VICNET; acquisitions, digitisation and cataloguing; and the Library's relationship with the statewide network of public libraries through the Public Libraries Unit. The Director, Information Management provides executive support to the Board's Advisory Committee on Public Libraries.



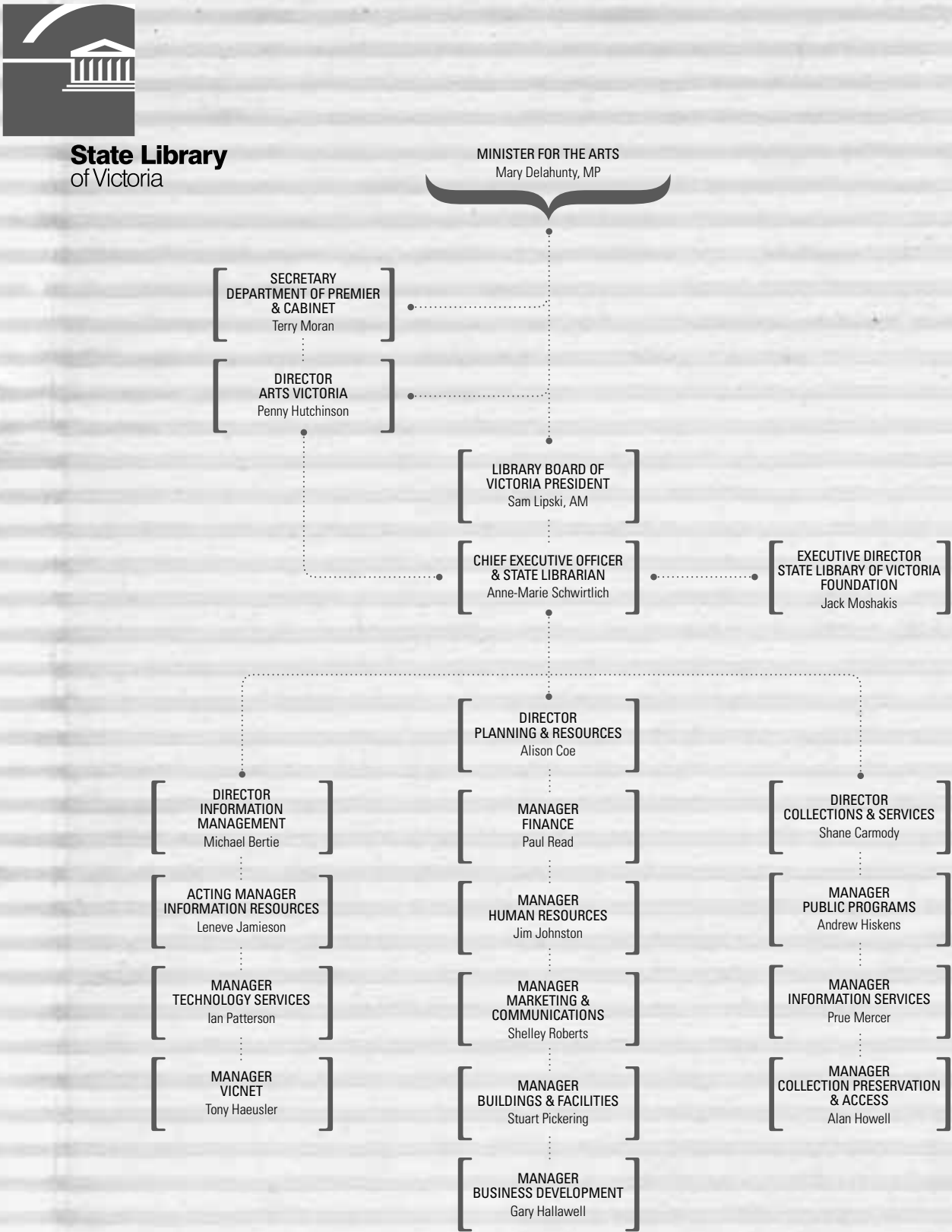
Michael Bertie

ALISON COE is the Director, Planning and Resources. She is responsible for financial management, the building redevelopment project, marketing and communications, strategic and business planning, human resources and industrial relations. The Director, Planning and Resources provides executive support to the Board's Finance and Audit Committee, in conjunction with the Corporate Secretary.



Alison Coe

ORGANISATIONAL CHART



RECONCILIATION OF EXECUTIVE OFFICERS

NUMBER OF EXECUTIVE OFFICERS CLASSIFIED INTO 'ONGOING' AND 'SPECIAL PROJECTS'						
Class	All		Ongoing		Special Projects	
	No.	Var	No.	Var	No.	Var
EO-1	-	-	-	-	-	-
EO-2	1	0	1	-	-	-
EO-3	3	0	3	0	-	-
Total	4	0	4	0	-	-

BREAKDOWN OF EXECUTIVE OFFICERS INTO GENDER FOR 'ONGOING' AND 'SPECIAL PROJECTS'									
Class	Ongoing					Special Projects			
	Male		Female		Vacancies	Male		Female	
	No.	Var	No.	Var	No.	No.	Var	No.	Var
EO-1	-	-	-	-	-	-	-	-	-
EO-2	-	-	1	-	-	-	-	-	-
EO-3	2	-	1	-	-	-	-	-	-
Total	2	-	2	-	-	-	-	-	-

RECONCILIATION OF EXECUTIVE NUMBERS		
	2004	2003
Responsible Persons with remuneration over \$100,000 (note 32 {a})	1	2
Executives with remuneration over \$100,000 (note 33)	3	2
Executive employed with total remuneration below \$100,000		1
Add	-	-
Vacancies (table 2)	-	-
Less		
Separations	-	-1
Total executive numbers as at 30 June 2004	4	4

STATEMENT OF WORKFORCE DATA

Employment type	Female	Male	Grand Total	2003–04
				Variation from 02–03
Casual	12	15	27	5
Fixed	24	14	38	3
Ongoing	179	130	309	1
Total	215	159	374	9
Grand Total*	188.96	141.35	330.31	4.18

* Grand Total figures are Equivalent Full Time (EFT) positions. All other figures are actual number of employees (headcount).

OCCUPATIONAL HEALTH AND SAFETY PERFORMANCE MEASURES

The Library continued to build on its Occupational Health and Safety commitment during 2003–04. In March 2003, the Library conducted a safety-map audit of its procedures to enable it to identify its strategic OHS priorities to 2006–07. A major goal in the OHS area is for the Library to achieve safety map accreditation (level 1) across all divisions.

A designated OHS officer was formally appointed in November to develop and implement an organisation-wide OHS strategy. Other significant projects initiated in the OHS arena included formalising terms of reference for working relationships between Library management and the OHS representatives in the Library, refining the Library's OHS manual and policies, and establishing a reporting and monitoring framework to ensure organisational KPIs were met.

CONSULTANCIES

There was one consultancy exceeding \$100,000 with \$179,550 paid to New Focus Pty Ltd for the Libraries Building Communities Research and Development project. In addition, a further 47 consultancies where the total fees payable to the consultant was less than \$100,000 were engaged during the financial year at a total cost of \$448,724.

ENVIRONMENTAL PERFORMANCE

The State Library of Victoria is aware of and compliant with the Government's 15 percent energy reduction target, and is currently monitoring and tracking energy usage.

MAJOR CONTRACTS

The State Library of Victoria had no major contracts in excess of \$3 million during 2003–04.

OTHER FINANCIAL INFORMATION

Material revenues arising from exchange of goods or services

THERE WERE NO TRANSACTIONS OF THIS NATURE.

Intangible assets

THE LIBRARY HAS NO RECORDED INTANGIBLE ASSETS.

Bank Loans, bills payable, promissory notes, debentures and other loans

THERE WERE NO TRANSACTIONS OF THIS NATURE.

Issued Capital

THE LIBRARY HAS NO ISSUED CAPITAL.

Ex-gratia payments

THERE WERE NO TRANSACTIONS OF THIS NATURE.

Charges against assets

THERE ARE NO CHARGES AGAINST ASSETS RECORDED BY THE LIBRARY.

Events Subsequent to Balance Date

Voluntary Departure Packages were finalised for a number of staff in VICNET in August 2004. The cost of the departures will have a \$565,000 impact on the Library’s financial performance for the 2004–05 reporting year.

EMPLOYMENT AND CONDUCT PRINCIPLES

Managing Diversity

Goal: To develop and sustain an organisational culture in which policies, practices and services are adapted to the needs of a diverse and evolving community.

Training and development programs based on training needs are conducted with staff as part of the performance management process.

The Library aims to encourage a process of continued improvement by regularly reviewing policies, practices and services to ensure they meet the needs of its diverse customer base.

Recruitment processes are designed to encourage a diverse field of suitably qualified applicants.

Grievance processes exist in order to provide a consistent avenue for identifying issues related to managing the Library’s diverse workforce.

Equal Employment Opportunity (EEO)

Goal: To ensure the diversity of the organisational work-force reflects the labour market and its customer base.

Study leave provisions for approved studies are available to all staff.

Training and development initiatives are tailored to ensure all staff have equal opportunities to obtain access to training.

Job design processes take into account EEO considerations and, where appropriate, remove any factors which may discriminate against a recognised group.

The grievance process is open to all staff.

The performance management system provides a consistent and equitable method of managing performance and remuneration.

Anti-discrimination

Goal: To ensure the workplace is free from policies and practices that discriminate unlawfully against staff or potential job seekers.

Staff regularly involved in recruitment and selection receive information and education on legislative requirements and anti-discrimination issues.

The formation of selection panels must take into consideration and, where necessary, take action to reduce the potential for discrimination.

The grievance policy provides a clear mechanism for dealing with allegations of discrimination.

Industrial Grievances

Goal: To ensure that staff have access to a fair and efficient grievance review process that addresses breaches of merit and equity. The Library has a clear grievance process, which enables conciliation, resolution or referral of grievances.

FREEDOM OF INFORMATION

This section of the State Library’s Annual Report contains information required to be published annually under Part II of the *Freedom of Information Act 1982* (‘the Act’).

Categories of Documents

Documents that are maintained in the possession of the agency include:

- documents prepared for briefing the Minister
- internal working papers of the Library
- correspondence from Ministers and Members of Parliament, government departments and agencies, members of the public and private sector
- records relating to accounts
- personnel and salary records
- organisation and accommodation records.

Access Arrangements

Handling the requests for access to documents under the *Act* is the responsibility of the Library’s Freedom of Information Officer:

Mr Tim O’Grady
State Library of Victoria
328 Swanston Street
Melbourne 3000

Access to documents may only be obtained through written request. Applications should be as specific as possible to enable the Freedom of Information Officer to identify relevant documents as quickly and efficiently as possible. A \$20.00 FoI Application Fee should accompany each request. From 1 July 2004 this fee increases to \$20.50. As required by the *Act*, all reasonable steps are taken to enable the applicant to be notified of a decision concerning the release of documents as soon as practicable, and not later than 45 days after the day on which the request is received by the Library.

Requests in 2003–04

During 2003–04 there were four Freedom of Information requests received.

Literature Available by Subscription or Free Mailing Lists

Literature available from the Library by subscription or free mailing lists includes:

- *State Library of Victoria News*
- *The La Trobe Journal*



Availability of Additional Information

Information available to the relevant Minister, Members of Parliament and the public upon request is as follows:

- a statement that declarations of pecuniary interests have been duly completed by all relevant officers
- details of shares held by a senior officer as nominee or held beneficially in a statutory authority or subsidiary
- details of publications produced by the Library about the Library and the places where the publication can be obtained
- details of changes in prices, fees, charges, rates, and levies charged by the Library
- details of any major external reviews carried out on the Library
- details of any major research and development activities undertaken by the Library
- details of any overseas visits undertaken including a summary of the objectives and outcomes of each visit
- details of major promotional, public relations and marketing activities undertaken by the Library to develop community awareness of the Library and the services it provides
- details of assessments and measures undertaken to improve the occupational health and safety of employees
- a general statement on industrial relations within the Library and details of time lost through industrial incidents and disputes
- a list of major committees sponsored by the Library, the purposes of each committee and the extent to which the purposes have been achieved.

National Competition Policy

An internal review of all fees and charges commenced during the reporting period with the aim of ensuring all fees and charges comply with the necessary costing policy.

The Library’s internal auditor also conducted a review of fees and charges applying to photocopying and publications. The implementation of an activity-based costing model is being implemented for the Library’s VICNET operations which, if successful, may be utilised for other trading operations.

DIVERSITY AND ACCESS

The State Library of Victoria has a long tradition of engaging the community, providing skills for life and fostering social cohesion through the provision of equitable access to information and resources. The Library’s adoption of emerging technologies has ensured that the principle of equity has been transferred to the online environment. The range and depth of resources and information services provided by the State Library of Victoria support the government’s *Growing Victoria Together* goals. In particular, targeted services and lifelong learning programs for culturally diverse groups, women, youth and the indigenous community provide a vital contribution to the development of a cohesive and socially inclusive society.

Services for Culturally Diverse Groups

The State Library of Victoria has continued to build its collection of materials in non-English languages in accordance with the information needs of Victoria’s culturally diverse groups and stated *Collection Development Policy* objectives. The Library’s current emphasis is to increase collections from the Asia-Pacific and South East Asian regions.

Major contributions made by the Library to Victoria’s culturally diverse community over the past year:

- Ten percent of community websites developed and/or hosted by VICNET met the needs of the multicultural sector.
- Enhanced development of the Open Road website which provides access to online resources in twelve major community languages, including Arabic, Turkish, Greek, Vietnamese and Chinese.
- Provision of technical support for public libraries and emerging groups such as African communities.
- Contribution to the World Wide Web Consortium’s development of international guidelines for culturally diverse groups.
- Hosting of a range of international visits including official delegations from Shanghai and Nanjing.
- Participation in a national project to assist diverse cultural groups to manage and preserve their unpublished documentary heritage.

Services for Women

Information resources and services provided by the Library attract a high number of female users. Market research indicates that 55 percent of all Library users were female.

Additional activities for women included:

- Ten percent of community websites developed and/or hosted by VICNET met the needs of women
- Women artists were strongly represented in *Hothouse: The Flower in Contemporary Art* free exhibition, held in the Keith Murdoch Gallery.

Services for Youth

The State Library of Victoria is widely used by Victoria’s youth: 34 percent of all Library users are full-time students, and 34 percent of Library users are under 25 years of age.

Additional specialist programs and services over the last financial year include:

- Thirty-seven thematic literary events, most with a live performance—these events were managed by the Australian Centre for Youth Literature.
- A range of topical learning programs and workshops, which attracted more than 6000 school children.
- *Writers on the Road*—a travelling author program with a strong youth focus, run in partnership with the Victorian public library network, which undertook 72 tours and reached an audience of 2500 participants.
- \$15,000 awarded to Premier’s Literary Award Prize for Young Adult Fiction to encourage and promote youth literature.
- Ten percent of community websites developed and/or hosted by VICNET met the needs of youth.
- Initiation of a Middle Years Information Literacy Project to develop partnerships between public libraries, schools and community-based literacy advocates.



Services for the Indigenous Community

The State Library of Victoria collects extensively in all aspects relating to the culture, history and biography of Victoria’s indigenous community. Materials are collected in all formats—ranging from print, audio and online through to pictorial works.

Highlights over the past 12 months include:

- Approximately 6 percent of community websites developed and/or hosted by VICNET met the needs of indigenous communities.
- Skills.net projects.
- Acquisition of photographs of Lake Tyers Aboriginal youth and elders for the Pictures Collection.
- A broader liaison with indigenous community groups, including the Koorie Heritage Trust, to promote understanding and information-sharing.
- Support and partial implementation of Aboriginal and Torres Strait Islander Commission Protocols for Libraries, Archives and Information Services.

Australian Centre for Youth Literature events included a Bookgig featuring writer Elizabeth Honey (below), and Words Out West (below left), featuring writers Julia Lawrinson and Leigh Hobbs, pictured with students from Ilm College in Dallas, Victoria



Argus Newspaper Collection of Photographs, State Library of Victoria



WHISTLEBLOWERS PROTECTION ACT

Disclosures Made in 2003–04

The number and types of disclosures made to the State Library during the year

THERE WERE NO DISCLOSURES OF THIS KIND.

The number of disclosures referred during the year by the State Library to the Ombudsman for determination as to whether they are public interest disclosures

THERE WERE NO DISCLOSURES OF THIS KIND.

The number and types of disclosed matters referred to the State Library during the year by the Ombudsman

THERE WERE NO DISCLOSURES OF THIS KIND.

The number and types of disclosed matters referred during the year by the State Library to the Ombudsman to investigate

THERE WERE NO DISCLOSURES OF THIS KIND.

The number and types of investigations of disclosed matters taken over by the Ombudsman from the State Library during the year

THERE WERE NO DISCLOSURES OF THIS KIND.

The number of requests made under Section 74 during the year to the Ombudsman to investigate disclosed matters

THERE WERE NO DISCLOSURES OF THIS KIND.

The number and types of disclosed matters that the State Library has declined to investigate during the year

THERE WERE NO DISCLOSURES OF THIS KIND.

The number and types of disclosed matters that were substantiated on investigation and the action taken on completion of the investigation

THERE WERE NO DISCLOSURES OF THIS KIND.

Any recommendations of the Ombudsman under this Act that relate to the State Library

THERE WERE NO DISCLOSURES OF THIS KIND.

SYDNEY'S AIR RAID SIRENS

Date(s) of creation: [c. 1940]
photograph: gelatin silver
17.0 x 22.0 cm, approx
Reproduction rights:
State Library of Victoria
Accession Number: H99.201/4026

Internal Procedures Relating to the Whistleblowers Protection Act 2001

1 Statement of support to whistleblowers

The State Library of Victoria (the Library) is committed to the aims and objectives of the Whistleblowers Protection Act 2001 (the Act). It does not tolerate improper conduct by its employees, officers or members, nor the taking of reprisals against those who come forward to disclose such conduct.

The Library recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

The Library will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also afford natural justice to the person who is the subject of the disclosure.

2 Purpose of these procedures

These procedures establish a system for reporting disclosures of improper conduct or detrimental action by the Library or its employees. The system enables such disclosures to be made to the protected disclosure coordinator or to the nominated protected disclosure officer. Disclosures may be made by employees or by members of the public.

These procedures are designed to complement normal communication channels between supervisors and employees. Employees are encouraged to continue to raise appropriate matters at any time with their supervisors. As an alternative, employees may make a disclosure of improper conduct or detrimental action under the Act in accordance with these procedures.

3 Objects of the Act

The Whistleblowers Protection Act 2001 commenced operation on 1 January 2002. The purpose of the Act is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies. The Act provides protection to whistleblowers who make disclosures in accordance with the Act, and establishes a system for the matters disclosed to be investigated and rectifying action to be taken.

4 Definitions of key terms

Three key concepts in the reporting system are improper conduct, corrupt conduct and detrimental action. Definitions of these terms are set out below.

4.1 Improper conduct

A disclosure may be made about improper conduct by a public body or public official. ‘Improper conduct’ means conduct that is corrupt, a substantial mismanagement of public resources, or conduct involving substantial risk to public health or safety or to the environment. The conduct must be serious enough to constitute, if proved, a criminal offence or reasonable grounds for dismissal.

Examples

A Library staff member accesses or uses collection material and/or items for personal gain or benefit.

A Library staff member accesses or uses privileged information gained through his/her role at the Library for personal gain and/or advantage.

A Library staff member allocates work to external consultants or agencies on the basis of a personal relationship which fails to meet the Library’s contract or project management processes and protocols.

A Library staff member inappropriately uses public funds for personal purposes such as travelling and/or other personal expenses.

See 4.2 below for specific examples of corrupt conduct.

4.2 Corrupt conduct

Corrupt conduct means:

- conduct of any person (whether or not a public official) that adversely affects the honest performance of a public officer’s or public body’s functions;
- the performance of a public officer’s functions dishonestly or with inappropriate partiality;
- conduct of a public officer, former public officer or a public body that amounts to a breach of public trust;
- conduct by a public officer, former public officer or a public body that amounts to the misuse of information or material acquired in the course of the performance of their official functions; or
- a conspiracy or attempt to engage in the above conduct.

Examples

A public officer takes a bribe or receives a payment other than his or her wages or salary in exchange for the discharge of a public duty.

A public officer favours unmeritorious applications for jobs or permits by friends and relatives.

A public officer sells confidential information.

4.3 Detrimental action

The Act makes it an offence for a person to take detrimental action against a person in reprisal for a protected disclosure. Detrimental action includes:

- action causing injury, loss or damage;
- intimidation or harassment; and
- discrimination, disadvantage or adverse treatment in relation to a person’s employment, career, profession, trade or business, including the taking of disciplinary action.

Examples

A public body refuses a deserved promotion of a person who makes a disclosure.

A public body demotes, transfers, isolates in the workplace or changes the duties of a whistleblower due to the making of a disclosure.

A person threatens, abuses or carries out other forms of harassment directly or indirectly against the whistleblower, his or her family or friends.

A public body discriminates against the whistleblower or his or her family and associates in subsequent applications for jobs, permits or tenders.

5 The reporting system

5.1 Contact persons within the State Library of Victoria

Disclosures of improper conduct or detrimental action by the Library or its employees, may be made to the following officers:

- The protected disclosure officer: Kate Brown, Executive Assistant, CEO’s Office. Tel: 8664 7505

All correspondence, phone calls and emails from internal or external whistleblowers will be referred to the protected disclosure coordinator.

Where a person is contemplating making a disclosure and is concerned about approaching the protected disclosure

coordinator or a protected disclosure officer in the workplace, he or she can call the relevant officer and request a meeting in a discreet location away from the workplace.

5.2 Alternative contact persons

A disclosure about improper conduct or detrimental action by the Library or its employees, may also be made directly to the Ombudsman:

The Ombudsman Victoria

Level 22, 459 Collins Street

Melbourne Victoria 3000

(DX 210174)

Internet: www.ombudsman.vic.gov.au

Email: ombudvic@ombudsman.vic.gov.au

Tel: 9613 6222

Toll Free: 1800 806 314

Ombudsman: Mr George Brouwer

Tel: 9613 6202

The following table sets out where disclosures about persons other than employees of the Library should be made.

Person who is the subject of the disclosure	Person/body to whom the disclosure must be made
Employee of a public body	That public body or the Ombudsman
Member of Parliament (Legislative Assembly)	Speaker of the Legislative Assembly
Member of Parliament (Legislative Council)	President of the Legislative Council
Councillor	The Ombudsman
Chief Commissioner of Police	The Ombudsman or Deputy Ombudsman
Member of the police force	The Ombudsman, Deputy Ombudsman or Chief Commissioner of Police or Chief Commissioner of Police

6 Roles and responsibilities

6.1 Employees

Employees are encouraged to report known or suspected incidences of improper conduct or detrimental action in accordance with these procedures.

All employees of the Library have an important role to play in supporting those who have made a legitimate disclosure. They must refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a disclosure. Furthermore, they should protect and maintain the confidentiality of a person they know or suspect to have made a disclosure.

6.2 Protected disclosure officers

Protected disclosure officers will:

- be a contact point for general advice about the operation of the Act for any person wishing to make a disclosure about improper conduct or detrimental action;
- make arrangements for a disclosure to be made privately and discreetly and, if necessary, away from the workplace;
- receive any disclosure made orally or in writing (from internal and external whistleblowers);

- commit to writing any disclosure made orally;
- impartially assess the allegation and determine whether it is a disclosure made in accordance with Part 2 of the Act (that is, ‘a protected disclosure’);
- take all necessary steps to ensure the identity of the whistleblower and the identity of the person who is the subject of the disclosure are kept confidential; and
- forward all disclosures and supporting evidence to the protected disclosure coordinator.

6.3 Protected disclosure coordinator

The protected disclosure coordinator has a central ‘clearinghouse’ role in the internal reporting system. He or she will:

- receive all disclosures forwarded from the protected disclosure officers;
- receive all phone calls, emails and letters from members of the public or employees seeking to make a disclosure;
- impartially assess each disclosure to determine whether it is a public interest disclosure;
- refer all public interest disclosures to the Ombudsman;
- be responsible for carrying out, or appointing an investigator to carry out, an investigation referred to the public body by the Ombudsman;
- be responsible for overseeing and coordinating an investigation where an investigator has been appointed;
- appoint a welfare manager to support the whistleblower and to protect him or her from any reprisals;
- advise the whistleblower of the progress of an investigation into the disclosed matter;
- establish and manage a confidential filing system;
- collate and publish statistics on disclosures made;
- take all necessary steps to ensure the identity of the whistleblower and the identity of the person who is the subject of the disclosure are kept confidential; and
- liaise with the Chief Executive Officer of the Library.

6.4 Investigator

The investigator will be responsible for carrying out an internal investigation into a disclosure where the Ombudsman has referred a matter to the public body. An investigator may be a person from within an organisation or a consultant engaged for that purpose.

6.5 Welfare manager

The welfare manager is responsible for looking after the general welfare of the whistleblower. The welfare manager will:

- examine the immediate welfare and protection needs of a whistleblower who has made a disclosure and seek to foster a supportive work environment;
- advise the whistleblower of the legislative and administrative protections available to him or her;
- listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making disclosure; and
- ensure the expectations of the whistleblower are realistic.

7 Confidentiality

The Library will take all reasonable steps to protect the identity of the whistleblower. Maintaining confidentiality is crucial in ensuring reprisals are not made against a whistleblower.

The Act requires any person who receives information due to the handling or investigation of a protected disclosure, not to disclose that information except in certain limited circumstances. Disclosure of information in breach of section 22 constitutes an offence that is punishable by a maximum fine of 60 penalty units (\$6000) or six months imprisonment or both.

The circumstances in which a person may disclose information obtained about a protected disclosure include:

- where exercising the functions of the public body under the Act;
- when making a report or recommendation under the Act;
- when publishing statistics in the annual report of a public body; and
- in criminal proceedings for certain offences in the Act.

However, the Act prohibits the inclusion of particulars in any report or recommendation that is likely to lead to the identification of the whistleblower. The Act also prohibits the identification of the person who is the subject of the disclosure in any particulars included in an annual report.

The Library will ensure all files, whether paper or electronic, are kept in a secure room and can only be accessed by the protected disclosure coordinator, protected disclosure officer, the investigator or welfare manager (in relation to welfare matters). All printed material will be kept in files that are clearly marked as a Whistleblower Protection Act matter, and warn of the criminal penalties that apply to any unauthorised divulging of information concerning a protected disclosure. All electronic files will be produced and stored on a stand-alone computer and be given password protection. Backup files will be kept on floppy disk. All materials relevant to an investigation, such as tapes from interviews, will also be stored securely with the whistleblower files.

The Library will not email documents relevant to a whistleblower matter and will ensure all phone calls and meetings are conducted in private.

8 Collating and publishing statistics

The protected disclosure coordinator will establish a secure register to record the information required to be published in the annual report, and to generally keep account of the status of whistleblower disclosures. The register will be confidential and will not record any information that may identify the whistleblower.

The register will contain the following information:

- the number and types of disclosures made to public bodies during the year;
- the number of disclosures referred to the Ombudsman for determination as to whether they are public interest disclosures;
- the number and types of disclosed matters referred to the public body by the Ombudsman for investigation;
- the number and types of disclosures referred by the public body to the Ombudsman for investigation;
- the number and types of investigations taken over from the public body by the Ombudsman;
- the number of requests made by a whistleblower to the Ombudsman to take over an investigation by the public body;
- the number and types of disclosed matters that the public body has declined to investigate;
- the number and types of disclosed matters that were substantiated upon investigation and the action taken on completion of the investigation; and
- any recommendations made by the Ombudsman that relates to the public body.

9 Receiving and assessing disclosures

9.1 Has the disclosure been made in accordance with Part 2 of the Act?

Where a disclosure has been received by the protected disclosure officer or by the protected disclosure coordinator, he or she will assess whether the disclosure has been made in accordance with Part 2 of the Act and is, therefore, a protected disclosure.

9.1.1 Has the disclosure been made to the appropriate person?

For the disclosure to be responded to by the State Library, it must concern an employee, member or officer of the Library. If the disclosure concerns an employee, officer or member of another public body, the person who has made the disclosure must be advised of the correct person or body to whom the disclosure should be directed. (See the table in 5.2). If the disclosure has been made anonymously, it should be referred to the Ombudsman.

9.1.2 Does the disclosure contain the essential elements of a protected disclosure?

To be a protected disclosure, a disclosure must satisfy the following criteria:

- Did a natural person (that is, an individual person rather than a corporation) make the disclosure?
- Does the disclosure relate to conduct of a public body or public officer acting in their official capacity?
- Is the alleged conduct either improper conduct or detrimental action taken against a person in reprisal for making a protected disclosure?
- Does the person making a disclosure have reasonable grounds for believing the alleged conduct has occurred?

Where a disclosure is assessed to be a protected disclosure, it is referred to the protected disclosure coordinator. The protected disclosure coordinator will determine whether the disclosure is a public interest disclosure.

Where a disclosure is assessed not to be a protected disclosure, the matter does not need to be dealt with under the Act. The protected disclosure officer will decide how the matter should be responded to in consultation with the protected disclosure coordinator.

9.2 Is the disclosure a public interest disclosure?

Where the protected disclosure officer or coordinator has received a disclosure that has been assessed to be a protected disclosure, the protected disclosure coordinator will determine whether the disclosure amounts to a public interest disclosure. This assessment will be made within 45 days of the receipt of the disclosure.

In reaching a conclusion as to whether a protected disclosure is a public interest disclosure, the protected disclosure coordinator will consider whether the disclosure shows, or tends to show, that the public officer to whom the disclosure relates:

- has engaged, is engaging or proposes to engage in improper conduct in his or her capacity as a public officer; or
- has taken, is taking or proposes to take detrimental action in reprisal for the making of the protected disclosure.

Where the protected disclosure coordinator concludes that the disclosure amounts to a public interest disclosure, he or she will:

- notify the person who made the disclosure of that conclusion; and
- refer the disclosure to the Ombudsman for formal determination as to whether it is indeed a public interest disclosure.

Where the protected disclosure coordinator concludes that the disclosure is not a public interest disclosure, he or she will:

- notify the person who made the disclosure of that conclusion; and
- advise that person that he or she may request the public body to refer the disclosure to the Ombudsman for a formal determination as to whether the disclosure is a public interest disclosure, and that this request must be made within 28 days of the notification.

In either case, the protected disclosure coordinator will make the notification and the referral within 14 days of the conclusion being reached by the public body (the Library). Notification to the whistleblower is not necessary where the disclosure has been made anonymously.

10 Investigations

10.1 Introduction

Where the Ombudsman refers a protected disclosure to the Library for investigation, the protected disclosure coordinator will appoint an investigator to carry out the investigation.

The objectives of an investigation will be:

- to collate information relating to the allegation as quickly as possible. This may involve taking steps to protect or preserve documents, materials and equipment;
- to consider the information collected and to draw conclusions objectively and impartially;
- to maintain procedural fairness in the treatment of witnesses and the person who is the subject of the disclosure; and
- to make recommendations arising from the conclusions drawn concerning remedial or other appropriate action.

10.2 Terms of reference

Before commencing an investigation, the protected disclosure coordinator will draw up terms of reference and obtain authorisation for those terms by the Chief Executive Officer. The terms of reference will set a date by which the investigation report is to be concluded, and will describe the resources available to the investigator to complete the investigation within the time set. The protected disclosure coordinator may approve, if reasonable, an extension of time requested by the investigator. The terms of reference will require the investigator to make regular reports to the protected disclosure coordinator who, in turn, is to keep the Ombudsman informed of general progress.

10.3 Investigation plan

The investigator will prepare an investigation plan for approval by the protected disclosure coordinator. The plan will list the issues to be substantiated and describe the avenue of inquiry. It will address the following issues:

- What is being alleged?
- What are the possible findings or offences?
- What are the facts in issue?
- How is the inquiry to be conducted?

- What resources are required?

At the commencement of the investigation, the whistleblower should be:

- notified by the investigator that he or she has been appointed to conduct the investigation;
- asked to clarify any matters; and
- asked to provide any additional material he or she might have.

The investigator will be sensitive to the whistleblower's possible fear of reprisals and will be aware of the statutory protections provided to the whistleblower.

10.4 Natural justice

The principles of natural justice will be followed in any investigation of a public interest disclosure. The principles of natural justice concern procedural fairness and ensure a fair decision is reached by an objective decision maker. Maintaining procedural fairness protects the rights of individuals and enhances public confidence in the process.

The Library will have regard to the following issues in ensuring procedural fairness:

- The person who is the subject of the disclosure is entitled to know the allegations made against him or her and must be given the right to respond. (This does not mean the person must be advised of the allegation as soon as the disclosure is received or the investigation has commenced.)
- If the investigator is contemplating making a report adverse to the interests of any person, that person should be given the opportunity to put forward further material that may influence the outcome of the report and that person's defence should be fairly set out in the report.
- All relevant parties to a matter should be heard and all submissions should be considered.
- A decision should not be made until all reasonable inquiries have been made.
- The investigator or any decision maker should not have a personal or direct interest in the matter being investigated.
- All proceedings must be carried out fairly and without bias. Care should be taken to exclude perceived bias from the process.
- The investigator must be impartial in assessing the credibility of the whistleblowers and any witnesses. Where appropriate, conclusions as to credibility should be included in the investigation report.

10.5 Conduct of the investigation

The investigator will make contemporaneous notes of all discussions and phone calls, and all interviews with witnesses will be taped. All information gathered in an investigation will be stored securely. Interviews will be conducted in private and the investigator will take all reasonable steps to protect the identity of the whistleblower. Where disclosure of the identity of the whistleblower cannot be avoided, due to the nature of the allegations, the investigator will warn the whistleblower and his or her welfare manager of this probability.

It is in the discretion of the investigator to allow any witness to have legal or other representation or support during an interview. If a witness has a special need for legal representation or support, permission should be granted.

10.6 Referral of an investigation to the Ombudsman

The protected disclosure coordinator will make a decision regarding the referral of an investigation to the Ombudsman where, on the advice of the investigator:

- The investigation is being obstructed by, for example, the non-cooperation of key witnesses; or
- The investigation has revealed conduct that may constitute a criminal offence.

10.7 Reporting requirements

The protected disclosure coordinator will ensure the whistleblower is kept regularly informed concerning the handling of a protected disclosure and an investigation.

The protected disclosure coordinator will report to the Ombudsman about the progress of an investigation.

Where the Ombudsman or the whistleblower requests information about the progress of an investigation, that information will be provided within 28 days of the date of the request.

11 Action taken after an investigation

11.1 Investigator's final report

At the conclusion of the investigation, the investigator will submit a written report of his or her findings to the protected disclosure coordinator. The report will contain:

- the allegation/s;
- an account of all relevant information received and, if the investigator has rejected evidence as being unreliable, the reasons for this opinion being formed;
- the conclusions reached and the basis for them; and
- any recommendations arising from the conclusions.

Where the investigator has found that the conduct disclosed by the whistleblower has occurred, recommendations made by the investigator will include:

- the steps that need to be taken by the Library to prevent the conduct from continuing or occurring in the future; and
- any action that should be taken by the Library to remedy any harm or loss arising from the conduct. This action may include bringing disciplinary proceedings against the person responsible for the conduct, and referring the matter to an appropriate authority for further consideration.

The report will be accompanied by:

- the transcript or other record of any oral evidence taken, including tape recordings; and
- all documents, statements or other exhibits received by the officer and accepted as evidence during the course of the investigation.

Where the investigator's report is to include an adverse comment against any person, that person will be given the opportunity to respond and his or her defence will be fairly included in the report.

The report will not disclose particulars likely to lead to the identification of the whistleblower.

11.2 Action to be taken

If the protected disclosure coordinator is satisfied that the investigation has found that the disclosed conduct has occurred, he or she will recommend to the Chief Executive Officer the action that must be taken to prevent the conduct from continuing or occurring in the future. The protected disclosure coordinator may also recommend that action be taken to remedy any harm or loss arising from the conduct.

The protected disclosure coordinator will provide a written report to the Minister for the Arts, the Ombudsman and the whistleblower setting out the findings of the investigation and any remedial steps taken.

Where the investigation concludes that the disclosed conduct did not occur, the protected disclosure coordinator will report these findings to the Ombudsman and to the whistleblower.

12 Managing the welfare of the whistleblower

12.1 Commitment to protecting whistleblowers

The Library is committed to the protection of genuine whistleblowers against detrimental action taken in reprisal for the making of protected disclosures. The protected disclosure coordinator is responsible for ensuring whistleblowers are protected from direct and indirect detrimental action, and that the culture of the workplace is supportive of protected disclosures being made.

The protected disclosure coordinator will appoint a welfare manager to all whistleblowers who have made a protected disclosure. The welfare manager will:

- examine the immediate welfare and protection needs of a whistleblower who has made a disclosure and, where the whistleblower is an employee, seek to foster a supportive work environment;
- advise the whistleblower of the legislative and administrative protections available to him or her;
- listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making disclosure;
- keep a contemporaneous record of all aspects of the case management of the whistleblower including all contact and follow-up action; and
- ensure the expectations of the whistleblower are realistic.

All employees will be advised that it is an offence for a person to take detrimental action in reprisal for a protected disclosure. The maximum penalty is a fine of 240 penalty units (\$24,000) or two years imprisonment or both. The taking of detrimental action in breach of this provision can also be grounds for making a disclosure under the Act and can result in an investigation.

Detrimental action includes:

- causing injury, loss or damage;
- intimidation or harassment; and
- discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business (including the taking of disciplinary action).

12.2 Keeping the whistleblower informed

The protected disclosure coordinator will ensure the whistleblower is kept informed of action taken in relation to his or her disclosure, and the time frames that apply. The whistleblower will be informed of the objectives of an investigation, the findings of an investigation, and the steps taken by the Library to address any improper conduct that has been found to have occurred. The whistleblower will be given reasons for decisions made by the Library in relation to a protected disclosure. All communication with the whistleblower will be in plain English.

12.3 Occurrence of detrimental action

If a whistleblower reports an incident of harassment, discrimination or adverse treatment that would amount to detrimental action taken in reprisal for the making of the disclosure, the welfare manager will:

- record details of the incident;
- advise the whistleblower of his or her rights under the Act; and
- advise the protected disclosure coordinator or Chief Executive Officer of the detrimental action.

The taking of detrimental action in reprisal for the making of a disclosure can be an offence against the Act as well as grounds for making a further disclosure. Where such detrimental action is reported, the protected disclosure coordinator

will assess the report as a new disclosure under the Act. Where the protected disclosure coordinator is satisfied that the disclosure is a public interest disclosure, he or she will refer it to the Ombudsman. If the Ombudsman subsequently determines the matter to be a public interest disclosure, the Ombudsman may investigate the matter or refer it to another body for investigation as outlined in the Act.

12.4 Whistleblowers implicated in improper conduct

Where a person who makes a disclosure is implicated in misconduct, the Library will handle the disclosure and protect the whistleblower from reprisals in accordance with the Act, the Ombudsman's guidelines and these procedures. The Library acknowledges that the act of whistle blowing should not shield whistleblowers from the reasonable consequences flowing from any involvement in improper conduct. Section 17 of the Act specifically provides that a person's liability for his or her own conduct is not affected by the person's disclosure of that conduct under the Act. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

The Chief Executive Officer will make the final decision on the advice of the protected disclosure coordinator as to whether disciplinary or other action will be taken against a whistleblower. Where disciplinary or other action relates to conduct that is the subject of the whistleblower's disclosure, the disciplinary or other action will only be taken after the disclosed matter has been appropriately dealt with.

In all cases where disciplinary or other action is being contemplated, the Chief Executive Officer must be satisfied that it has been clearly demonstrated that:

- the intention to proceed with disciplinary action is not causally connected to the making of the disclosure (as opposed to the content of the disclosure or other available information);
- there are good and sufficient grounds that would fully justify action against any non-whistleblower in the same circumstances; and
- there are good and sufficient grounds that justify exercising any discretion to institute disciplinary or other action.

The protected disclosure coordinator will thoroughly document the process including recording the reasons why the disciplinary or other action is being taken, and the reasons why the action is not in retribution for the making of the disclosure. The protected disclosure coordinator will clearly advise the whistleblower of the proposed action to be taken, and of any mitigating factors that have been taken into account.

13 Management of the person against whom a disclosure has been made

The Library recognises that employees against whom disclosures are made must also be supported during the handling and investigation of disclosures. The Library will take all reasonable steps to ensure the confidentiality of the person who is the subject of the disclosure during the assessment and investigation process. Where investigations do not substantiate disclosures, the fact that the investigation has been carried out, the results of the investigation, and the identity of the person who is the subject of the disclosure will remain confidential.

The protected disclosure coordinator will ensure the person who is the subject of any disclosure investigated by or on behalf of a public body is:

- informed as to the substance of the allegations;
- given the opportunity to answer the allegations before a final decision is made;
- informed as to the substance of any adverse comment that may be included in any report arising from the investigation; and has

- his or her defence set out fairly in any report.

Where the allegations in a disclosure have been investigated, and the person who is the subject of the disclosure is aware of the allegations or the fact of the investigation, the protected disclosure coordinator will formally advise the person who is the subject of the disclosure of the outcome of the investigation.

The Library will give its full support to a person who is the subject of a disclosure where the allegations contained in a disclosure are clearly wrong or unsubstantiated. If the matter has been publicly disclosed, the Chief Executive Officer of the Library will consider any request by that person to issue a statement of support setting out that the allegations were clearly wrong or unsubstantiated.

14 Criminal offences

The Library will ensure officers appointed to handle protected disclosures and all other employees are aware of the following offences created by the Act:

- It is an offence for a person to take detrimental action against a person in reprisal for a protected disclosure being made. The Act provides a maximum penalty of a fine of 240 penalty units (\$24,000) or two years imprisonment or both.
- It is an offence for a person to divulge information obtained as a result of the handling or investigation of a protected disclosure without legislative authority. The Act provides a maximum penalty of 60 penalty units (\$6000) or six months imprisonment or both.
- It is an offence for a person to obstruct the Ombudsman in performing his responsibilities under the Act. The Act provides a maximum penalty of 240 penalty units (\$24,000) or two years imprisonment or both.
- It is an offence for a person to knowingly provide false information under the Act with the intention that it be acted on as a disclosed matter. The Act provides a maximum penalty of 240 penalty units (\$24,000) or two years imprisonment or both.

15 Review

These procedures will be reviewed annually to ensure they meet the objectives of the Act and accord with the Ombudsman's guidelines.

Whistleblowers Protection Act 2002:

Reporting Structure for the State Library of Victoria

