

Guidelines on NSWNMA Branch Officials regarding involvement in Protected Disclosures

Re-endorsed by Annual Conference 2013

This guideline is an accompanying document to the NSW Nurses and Midwives' Association (NSWNMA) "Guidelines on Whistleblowing and Nursing" endorsed by NSWNMA Annual Conference 2012 and is intended to clarify the position of Branch Officials if they become aware of whistleblowing matters.

In the capacity of representing an NSWNMA member:

If a Branch Official in his/her capacity of representing a member becomes aware which the member intends to or has decided to make a disclosure, the Branch Official should:

- (a) inform the member that the NSWNMA has a guidelines covering these issues which the member should read before taking any further actions; and that these guidelines are available to download at www.nswnma.asn.au; and
- (b) advise the member that they should telephone the NSWNMA to seek further advice after reading these guidelines as in many cases legal advice is desirable.

The NSWNMA Rules do not impose any obligation on the Branch Official to become involved in any such matter. Further, the Branch Official should not seek to become involved, because any disclosure to him/her will **not** be 'protected' under the legislation unless the Branch Official is also one of the people referred to in s 8 (1) of the Act, which in all probability they will not be. [See the NSWNMA "Guidelines on Whistleblowing and Nursing" for more detail on this point.]

In their capacity as an employee:

If a Branch Official in his/her capacity as an employee wishes to make a protected disclosure they should follow the same approach as detailed above. The issues relating to the protected disclosure do not relate to their role as a Branch Official and therefore the Branch Official should seek advice from the NSWNMA in their capacity as a member.

If a Branch Official becomes aware of matters that he/she thinks should be the subject of disclosure, exactly the same processes and rules apply as those applicable to all employees.

Note:

These guidelines should be read in conjunction with the Association's Guidelines on Whistleblowing and Nursing.

