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## PUBLIC INTEREST DISCLOSURE POLICY

### APPROVALS

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<b>CATEGORY</b>	Management Policy
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<b>POLICY OWNER</b>	Governance and Corporate Services
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<b>APPROVAL DATE</b>	28 May 2019	<b>RESOLUTION NUMBER</b>	6054
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## OBJECTIVE

Objective of this Policy is to demonstrate Council's commitment to receiving, assessing and responding to any Public Interest Disclosures (PIDs) under the *Public Interest Disclosure Act 2010* (PID Act). It aims to:

- Promote the public interest by facilitating PIDs of wrongdoing in Council; and
- encourage internal reporting of wrongdoing as defined in the PID Act; and
- ensure that PIDs are properly assessed, and when appropriate, properly investigated and dealt with; and
- protect the rights of persons who are the subject of a PID; and
- manage the risk of reprisal associated with a public interest disclosure; and
- ensure the PID process is managed in accordance with the PID Act and appropriate confidentiality is maintained.

## SCOPE

This policy applies to

- All Council Personnel including all councillors, employees, contractors or volunteers; and
- Any person (i.e. member of the public) who makes a Public Interest Disclosure in accordance with the *Public Interest Disclosure Act 2010* (PID Act).

## DEFINITIONS

### TERM / ACRONYM

### MEANING

PID Coordinator	The Senior Governance Officer (via this Policy) has been delegated the authority to accept a PID on behalf of the Chief Executive Officer
Public Interest Disclosure (PID)	A public interest disclosure is a disclosure under chapter 2, part 1, section 11 of the <i>Public Interest Disclosure Act 2010</i> and includes all information and help given by the discloser to a proper authority for the disclosure.

## POLICY STATEMENT

Council is committed to implementing and promoting, in the public interest, a management program to facilitate the detection and prevention of wrongdoing.

Under the PID Act, any person can make a disclosure about a:

- substantial and specific danger to the health or safety of a person with a disability
- the commission of an offence, or contravention of a condition imposed under a provision of legislation mentioned in Schedule 2 of the PID Act, if the offence or contravention would be a substantial and specific danger to the environment

- reprisal because of a belief that a person has made, or intends to make a disclosure.

In addition, public sector officers can make a disclosure about the following public interest matters:

- corrupt conduct by another person
- maladministration that adversely affects someone's interests in a substantial and specific way
- a substantial misuse of public resources
- a substantial and specific danger to public health or safety
- a substantial and specific danger to the environment.

This Policy establishes procedures for:

- (a) persons wishing to make a PID to Council in accordance with the *Public Interest Disclosure Act 2010*; and
- (b) the receipt, assessment and management of a PID; and
- (c) assisting public officers (i.e. discloser and subject officer) affected by a PID.

Council's organisational commitment to the management and reporting of PIDs will be demonstrated by:

- (a) organisational commitment to encouraging and supporting PIDs as part of an ethical culture;
- (b) arrangements for PID awareness/training for Councillors, staff and managers;
- (c) appointment of an officer or specialist unit to be responsible for PID Management;
- (d) commitment to ensuring PID outcomes inform improvements; and
- (e) providing a mechanism for regular evaluation and monitoring of the effectiveness of PID policies and procedures.

If a PID is substantiated, Council will ensure that appropriate actions and penalties are implemented and the investigation outcomes reported to the appropriate authorities.

The Public Interest Disclosure Procedure & Management Program forms part of this Policy and sets out the associated procedures in relation to:

- (a) who can make a PID;
- (b) How a PID is made;
- (c) Who is responsible for receiving and managing PIDs; and
- (d) PID reporting.

The Chief Executive Officer has delegated authority to make administrative amendments to the Public Interest Disclosure Procedure & Management Program.

## LEGISLATIONS AND RELATED GUIDELINES

- *Crime and Corruption Act 2001*
- *Local Government Act 2009*
- *Public Interest Disclosure Act 2010*
- Public Interest Disclosure Standard/s

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## REFERENCES

<b>TYPE</b>	<b>DOCUMENT ID/NAME</b>
<b>POLICY</b>	Code of Conduct Administrative Complaints Policy Complaints Management Process Policy
<b>PROCEDURE</b>	Public Interest Disclosure Procedure & Management Program
<b>FORMS</b>	Administrative Access Complaints Form Public Interest Disclosure Assessment Form