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## PUBLIC INTEREST DISCLOSURE POLICY

### APPROVALS

<b>POLICY NUMBER</b>	GOV-POL-054	<b>DOC.ID</b>	3219741
<b>CATEGORY</b>	Management Policy		
<b>POLICY OWNER</b>	Governance and Corporate Services		
<b>APPROVAL DATE</b>	28 October 2021	<b>RESOLUTION NUMBER</b>	7551

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## OBJECTIVE

The 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 *Public Interest Disclosure Act 2010* 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;
- e. providing a mechanism for regular evaluation and monitoring of the effectiveness of PID policies and procedures; and
- f. reporting of PIDs to the Queensland Ombudsman as the oversight agency for the *Public Interest Disclosure Act 2010*.

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*
- *Human Rights Act 2019*
- Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Program
- Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures
- Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting

## REFERENCES

ID	NAME
CORP-POL-079	Code of Conduct Policy
CGFS-117	Administrative Action Complaints Policy
PECS-034	Complaints Management Process Policy
CORP-PRO-052	Public Interest Disclosure Procedure and Management Plan
CORP-FRM-190	Public Interest Disclosure Assessment Form
CORP-FRM-056	Administrative Action Complaints Form