

Public Interest Disclosure Guidelines

A. Commitment

The Shire of East Pilbara does not tolerate corrupt or other improper conduct, including the mismanagement of public resources, in the exercise of the public functions of the Shire of East Pilbara and its officers, employees and contractors.

The Shire of East Pilbara is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). It recognises the value and importance of contributions of employees to enhance administrative and management practices and strongly supports disclosures being made by employees as to corrupt or other improper conduct.

The Shire of East Pilbara does not tolerate any of its officers, employees or contractors engaging in acts of victimisation or reprisal against those who make public interest disclosures.

The persons responsible for receiving disclosures of public interest information designated under s. 23(1)(a) of the PID Act will abide by the [PID Code of conduct and integrity](#) in performing their duties.

The Shire of East Pilbara is also committed to responding to the disclosure thoroughly and impartially. We will treat all people in the disclosure process fairly, including those who may be the subject of a disclosure.

The Shire of East Pilbara will provide as much information as possible to people considering making a public interest disclosure. These internal procedures are accessible to all employees and contractors. Copies are available from the designated person appointed as the proper authority (Public Interest Disclosure (PID) Officer) and will be kept in the Document Centre on the S Drive.

General information about public interest disclosures and how the Shire of East Pilbara will manage a disclosure is available for external clients and members of the community on our website www.eastpilbara.wa.gov.au.

While these procedures focus on public interest disclosures, we are committed to dealing with all reports of suspected wrongdoing. We encourage people to report, if they witness any such behaviour. The Shire of East Pilbara will consider each matter under the appropriate reporting pathway and make every attempt to protect staff members making reports from any reprisals.

B. Purpose

The Shire of East Pilbara is required to prepare and publish these internal guidelines under s23(1)(e) of the PID Act.

These guidelines outline how we will meet our obligations under the PID Act. They cover the roles and responsibilities of the Shire of East Pilbara, the person designated as the proper authority in accordance with s23(1)(a) and s5(3)(h) referred to in this document as the PID Officer, the discloser and the subject of the disclosure.

These guidelines should be read in conjunction with the PID Act and the *Public Interest Disclosure Regulations 2003*.

C. Scope and application

These guidelines apply to all people involved in the public interest disclosure process, including PID Officer(s), employees of the Shire of East Pilbara and/or any person making a public interest disclosure and any subject(s) of a disclosure.

These guidelines provide for the manner in which:

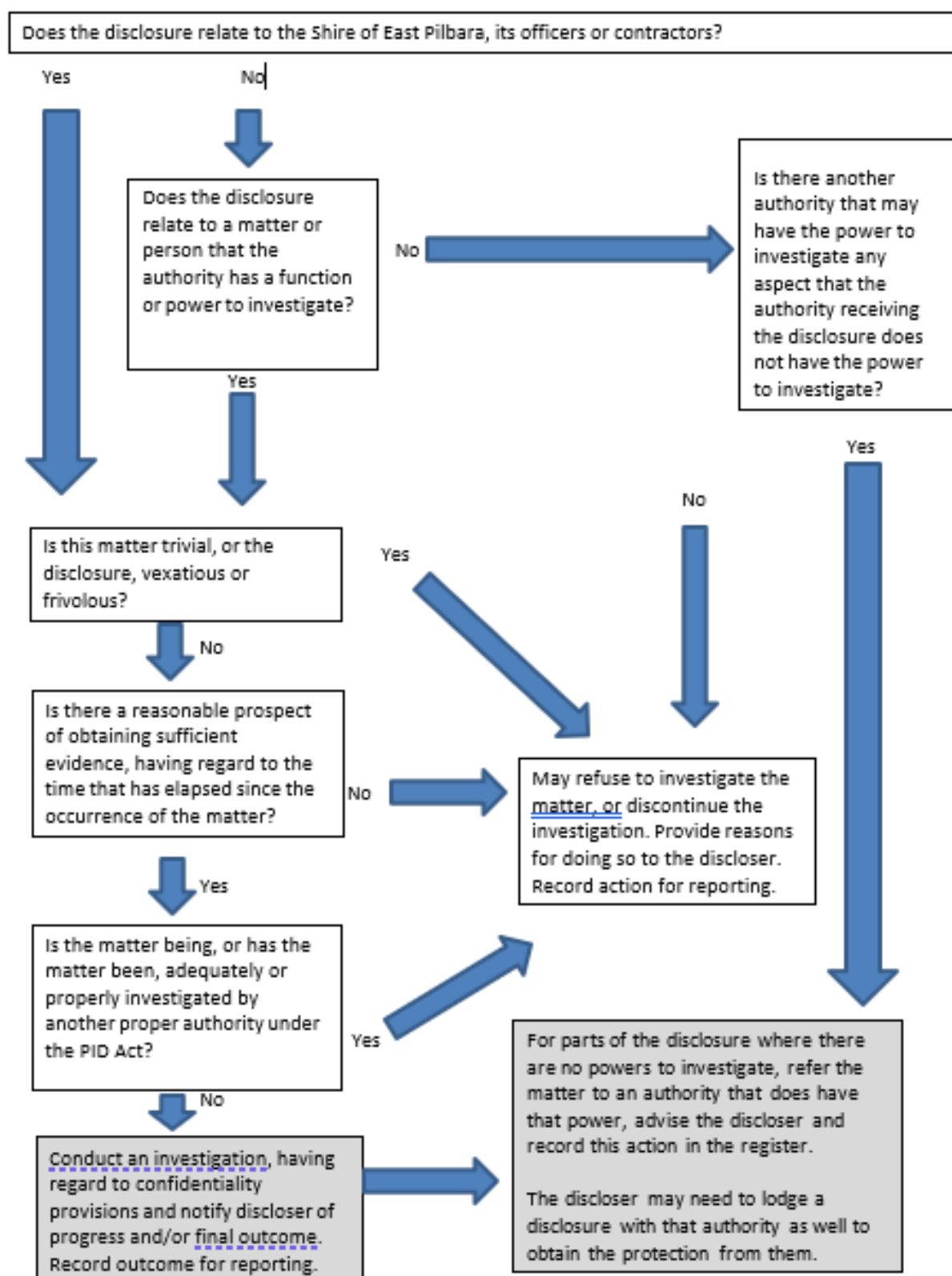
- Disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer);
- The PID Officer shall investigate the information disclosed, or cause that information to be investigated;
- The PID Officer may take action following the completion of the investigation;
- The PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence;
- The confidentiality of the discloser, and any person who may be subject of a public interest disclosure, shall be maintained; and
- Records as to public interest disclosures shall be maintained and reporting obligations complied with.

The behaviour of all employees involved in the public interest disclosure process must accord with our Code of conduct at all times. A breach of the Code of conduct may result in disciplinary action.

D. Review

These guidelines shall be reviewed biennially to ensure compliance with relevant legislation.

E. Process



F. Overview of roles and responsibilities of parties involved in the disclosure process

Person / role	Responsibilities
Principal Executive Officer (s. 23) (Chief Executive Officer)	<ul style="list-style-type: none"> Designates the occupant of a specified position (a PID Officer) to receive public interest disclosures related to the Shire of East Pilbara (s. 23(1)(a)). Provides protection from detrimental action or the threat of detrimental action for any employee of the Shire of East Pilbara who makes a public interest disclosure (s. 23(1)(b)). Ensures the Shire of East Pilbara complies with the PID Act and the code of conduct and integrity established by the Public Sector Commissioner (ss. 23(1)(c) and (d)). Prepares and publishes internal procedures, consistent with those prepared by the Public Sector Commission, detailing how the Shire of East Pilbara will meet its obligations under the PID Act (s. 23(1)(e)). Provides information (s. 23(1)(f)) to the Public Sector Commissioner on the: <ul style="list-style-type: none"> number of disclosures received by the Shire of East Pilbara; results of any investigations conducted as a result of the disclosures; and action, if any taken, as a result of each disclosure <p>any matters as prescribed.</p> <ul style="list-style-type: none"> May have a role in enabling an investigation to be undertaken or taking disciplinary action against individuals under functions and powers separately from the PID Act.

Person / role	Responsibilities
PID Officer(s 23(1)(a)):	<ul style="list-style-type: none"> As is designated by ss. 5(3)(a-g) or by the Chief Executive Officer of the Shire of East Pilbara, under s. 23(1)(a) the PID Officer is to receive disclosures related to the Shire of East Pilbara. Provides information to potential disclosers about their rights and responsibilities consistent with the Code of conduct and integrity established under s. 20(1). Receives and manages public interest disclosures in accordance with the PID Act (s. 5(3)). Notifies the discloser within three months of the disclosure being made about what action is planned in dealing with the disclosure (s. 10(1)). Where appropriate, investigates, or causes an investigation of, the matters in the disclosures (s. 8(1)). Where appropriate, provides information to subjects of a disclosure about their rights, responsibilities, duties and potential offences (s. 9(2), s. 14, s. 15, s. 16 and s. 24). Where appropriate, takes such action as is necessary and reasonable, within their functions and powers in accordance with s. 9. Maintains confidentiality of the identity of the discloser and subject(s) of disclosures, in accordance with the requirements of the PID Act (s. 11 and s. 16). Provides progress reports where requested and a final report to the discloser in accordance with s. 10. Creates and maintains proper and secure records in relation to the disclosures in accordance with the Code of conduct and integrity established under s. 20(1) and the <i>State Records Act 2000</i>.

Person / role	Responsibilities
	<ul style="list-style-type: none"> • Completes a PID Register for each disclosure lodged (s. 23(1)(f)). • Acts in accordance with the rules of natural justice (s. 9(2) and s. 16(1)(b)). • Acts in accordance with the code of conduct and integrity established by the Public Sector Commissioner (s. 20(1)) and any authority- specific code of conduct established separately from the PID Act.

Person / role	Responsibilities
The discloser:	<ul style="list-style-type: none"> • Makes a public interest disclosure to our PID Officer if the matter relates to the Shire of East Pilbara (s. 5(1)). • Believes on reasonable grounds the information in their disclosure is, or may be, true (s. 5(2)). • Does not disclose information subject to legal professional privilege (s. 5(6)). • Does not knowingly and recklessly make a false or misleading disclosure (s. 24(1)). • Maintains confidentiality of the information disclosed and the identity of the person(s) to whom the information relates, in accordance with the requirements of the PID Act (s. 16 and s. 17(1)(b)). • Assists any person investigating the matter to which the disclosure relates by supplying the person with any information requested (s. 17(1)(a)).

The subject of the disclosure (person about whom disclosure is made):

- Is afforded the opportunity to make a submission, either orally or in writing, in relation to the matter before preventative or disciplinary action is taken (s. 9(2)).
- Maintains confidentiality of the identity of the discloser, in accordance with the requirements of the PID Act (s. 16(1)).
- Is to be treated in accordance with the rules of natural justice (s. 16(1)(b)).
- Does not take or threaten to take detrimental action (defined in s. 3) against a person because they have made or intend to make a disclosure (s. 14(1)).
- Does not incite another person to take detrimental action against another because they have made or intend to make a disclosure (s. 14(2)).
- Does not commit an act of victimisation by taking or threatening to take detrimental action against the person making or intending to make a disclosure (s. 15(1)).

An investigating officer:

- May investigate matters of public interest information on behalf of a PID Officer of the Shire of East Pilbara, in accordance with the terms of reference given to them.
- Maintains confidentiality of the identity of the disclosure and any persons subject to the disclosure, in accordance with s. 16.
- Makes, and keeps secure, comprehensive records of any investigation undertaken.

G. Overarching requirements of the *Public Interest Disclosure Act 2003*

The PID Act has some overarching requirements for handling disclosures. These requirements separate the public interest disclosure process from other reporting or complaint handling processes. The PID Act does not, however, displace the notification or reporting requirements of the *Corruption, Crime and Misconduct Act 2003*, which are paramount. The following section outlines how we will meet these requirements, as well as expectations of you, as a discloser, and any subject(s) of your disclosure.

What is 'public interest information'?

The PID Act only applies to disclosures of public interest information (defined in s. 3). Public interest information means information that:

- relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act); and
- shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in improper conduct; or
- an act or omission that constitutes an offence under a written (State) law; or
- substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or
- an act done or omission that involves a substantial and specific risk of injury to public health; or
- prejudice to public safety; or
- harm to the environment; or
- a matter of administration that can be investigated under section 14 of the *Parliamentary Commissioner Act 1971* by the Parliamentary Commissioner (Ombudsman Western Australia).

Confidentiality

Maintaining confidentiality is an important part of managing a disclosure. The confidentiality requirements of the PID Act (s. 16) not only protects the discloser, but also any other people affected by the disclosure.

The confidentiality requirements do not apply to all information in a disclosure, although, we are committed to maintaining confidentiality around:

- any information that may identify the discloser or any person who may be the subject of a disclosure, including the fact a disclosure has been made; and
- information relating to a disclosure that, if known, may cause detriment.

Throughout the disclosure process and after its completion, the PID Act provides for the disclosers identity and the identity of any persons, that is, any subject of the disclosure to be kept confidential, except in certain circumstances. Disclosing information which might identify, or tend to identify the disclosers s. 16(1)) or any person, that is, the subject(s) (s. 16(3)) of your disclosure, except in accordance with the PID Act, is an offence punishable with a penalty of a \$24 000 fine or imprisonment for two years.

Confidentiality regarding the discloser

Maintaining confidentiality is an important part of protecting the discloser, from any detrimental action in reprisal for making or intending to make a disclosure.

If the discloser consents to having their identity revealed to assist us in dealing with the disclosure, our PID Officer will record this using the Consent to disclosure of identifying information form (**Appendix 2 refers**).

Sometimes we may need to identify the discloser, without the discloser's consent s. 16(1)(b)-(f) but only where:

- it is necessary to do so having regard to the rules of natural justice; or
- it is necessary to do so to enable the matter to be investigated effectively; or
- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence; or
- we are required by ss.152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

Before we identify the discloser for any of the reasons above, our PID Officer will take all reasonable steps to inform the discloser that this will happen and the reasons why. Our PID Officer will use the Notification of disclosure of identifying information form to do this (**Appendix 3 refers**).

If we need to provide information about the identity of the discloser to another person for the reasons above, our PID Officer will inform the other person that further disclosure to a third person may put them at risk of committing an offence.

Our PID Officer will also consider whether it is necessary to inform any external investigator about the identity of the discloser. Where it is necessary to provide this identifying information, our PID Officer will notify as described above.

Confidentiality regarding the person, that is, the subject of the disclosure

The subject of a disclosure may consent to having their identity revealed to assist with the disclosure process s. 16(3)(a). Our PID Officer will use the Consent to disclosure of identifying information form to record this (**Appendix 2 refers**).

Additionally, we may need to reveal identifying information about the subject(s) of a disclosure without their consent, ss. 16(3)(b)-(g) where:

- it is necessary to do so to enable the matter to be investigated effectively
- it is necessary to do so in the course of taking action under s. 9;
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property ;
- we are ordered by a court or any other person or body having authority to hear, receive or examine evidence; or
- we are required by ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

There is no obligation to advise the subject of a disclosure that identifying information will be released.

Protections

The PID Act provides a range of protections for disclosers (Part 3). It also requires that our Chief Executive Officer provides protection for any employees who make disclosures (s. 23(1(b))).

'Don't be afraid to speak up' contains general information about the protections provided by the PID Act. Our PID Officer will be able to expand on this information specific to the Shire of East Pilbara.

We are committed to ensuring that no detrimental action, including workplace reprisals by managers or other employees, occurs as a result of a person making a disclosure. If any of the above does occur, the discloser can request that we take action to protect them. Tell the PID Officer who is handling the disclosure immediately.

The PID Act also provides that the discloser may lose the protections provided in s. 13 in some circumstances, including where they on-disclose information or fail, without reasonable excuse, to assist any person investigating the matters of the disclosure.

Notification requirements

The Coordinator Governance will ensure that we complete all reporting in accordance with the legislative and administrative requirements of the PID Act.

Provided it is not an anonymous disclosure, our PID Officer will provide the following reports:

- within three months of making a disclosure, the action taken, or propose to take, in relation to the disclosure (s. 10(1)); and
- when the disclosure process has concluded, the outcome of the investigation and the reasons for taking any action following the investigation (s. 10(4)).
- Our PID Officer may also provide a progress report during any investigation, either on their initiative or upon your request (ss. 10(2) and (3)).
- Our PID Officer has some limits on what they can include in their reports. Section 11 prevents provision of information that would be likely to adversely affect:
 - any person's safety s(1)(a); or
 - the investigation of an offence or possible offences s(1)(b); or
 - confidentiality as to the existence or identity of any other person who made a public interest disclosure s(1)(c).

Our PID Officer is also prevented from giving any information they must not disclose under

ss. 151, 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

Record keeping

During the investigation our PID Officer may make comprehensive and contemporaneous records of any discussions and interviews. These records along with any other documentation or files relating to the disclosure, whether paper or electronic, will be stored securely and only accessed by authorised persons.

H. How to make a public interest disclosure

1. Before you make a disclosure

We strongly encourage anyone thinking about making a public interest disclosure to seek advice from our PID Officer ('proper authority') before they do so. A disclosure must be made to a proper authority for it to be covered by the PID Act.

A number of other requirements apply to the discloser, so it is important to understand the rights and responsibilities in the process. This information is outlined generally in [Don't be afraid to speak up](#), available from the Public Sector Commission website at www.publicsector.wa.gov.au.

At the Shire of East Pilbara the occupant(s) of the following designated position(s) are specified with the authority as the person(s) responsible for receiving disclosures of public interest information in

accordance with s. 23(1)(a). For the purposes of this procedure a PID Officer(s) is the proper authority designated under s. 5(3)(h) for dealing with information that falls within the sphere of responsibility for Shire of East Pilbara.

Their name and contact details are:

Position	Name of PID Officer	Contact details
Manager Governance, Risk and Procurement	Joshua Brown	mg@eastpilbara.wa.gov.au 0498 467 447

Initial discussions between the discloser and the PID Officer should be general in nature and should not discuss the specific details of the disclosure until the discloser understands their rights and responsibilities under the PID Act. Our PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously – we will never force a person to make a disclosure. This is because they cannot withdraw the disclosure once it is made. Once we receive your disclosure, our PID Officer is obliged to take action and we may continue to look into the matters within your disclosure irrespective of your continued approval.

These initial discussions with our PID Officer may help in deciding whether to make a public interest disclosure and also enable the PID Officer to ascertain if the information would be covered by the PID Act. If the information appears not to be the type covered by the PID Act, our PID Officer will discuss other mechanisms through which issues may be made, for example, our general complaints or grievance resolution process.

Our PID Officer will be able to provide more detailed information about the Shire of East Pilbara's disclosure process and what people can expect from it.

You can also contact the Public Sector Commission Advisory Line on (08) 6552 8888 (or 1800 676 607 for country callers) for general information about the disclosure process.

Under s. 5(3)(h) the PID Officer for an authority can receive information relating to a matter which falls within the 'sphere of responsibility' for their public authority. 'Sphere of responsibility' is not defined in the PID Act but may include:

- matters that relate to the Shire of East Pilbara; or
- a public officer or public sector contractor of the Shire of East Pilbara; or
- a matter or person that the Shire of East Pilbara has a function or power to investigate.
- The proper authority to which you need to make the disclosure depends on the type of disclosure information. Where the information is outside of our PID Officer's sphere of responsibility, it may need to be made to another proper authority for it to be considered as a public interest disclosure and for the discloser to receive the protections of the PID Act. A list of proper authorities and the information they can receive is covered in [Don't be afraid to speak up](#).

When the disclosure is related to.....	The proper authority is.....
The sphere of responsibility of a public authority (eg matters about the public authority or its officers, or which the public authority has the function of investigating)	The Public Interest Disclosure Officer (PID Officer) of the Public Authority
Offences under State law	A police officer or the Corruption and Crime Commission
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	The PID Officer of the public authority concerned or the Auditor General
Matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman	The PID Offer of the public authority concerned or the Ombudsman
A police officer	The Commissioner of Police or the Corruption and Crime Commission
A Member of the Legislative Council	The President of the Legislation Council
A Member of the Legislative Assembly	The Speaker of the Legislative Assembly
A judicial officer	The Chief Justice
A public officer who is not a member of Parliament, a Minister, a Judicial Officer or a Commissioned or other officer specified in schedule 1 of the <i>Parliamentary Commissioner Act 1971</i>	The PID Officer of the public authority concerned, the Ombudsman or the Public Sector Commissioner
A person or a matter or a prescribed class	A person declared by the regulations to be a proper authority

2. Making the disclosure

A discloser needs to clearly identify that they are making a public interest disclosure. For the purposes of accountability and certainty, persons wishing to make a disclosure of public interest information under the PID Act are encouraged to do so in writing. As we expect that most disclosures will be made in writing the Shire of East Pilbara has developed a form which can be used for the purpose of making such a disclosure (**Appendix 4 refers**).

There is no requirement to use the form. The form will help to define the details of the disclosure. A discloser may fill out the form themselves or our PID Officer may complete the form if they are speaking with the discloser and then have them sign the form to acknowledge they are making a disclosure voluntarily and consciously.

We must accept anonymous disclosures, but if a discloser decides to make an anonymous disclosure they should understand that it may be more difficult for our PID Officer to investigate or take action about the disclosure. This is because they cannot come back to seek any further information. We are also not required to provide any reports about the progress or final outcome of the disclosure, if the discloser chooses to remain anonymous.

An anonymous disclosure may not prevent the discloser from being identified during an investigation. Additionally, if our PID Officer does not know who made the disclosure, it will be difficult for them to ensure the discloser is protected and to prevent any reprisal or detrimental action.

On completion of this form, the PID Officer should create a separate file for the Public Interest Disclosure, with the following text clearly marked on the front of the file.

“CONFIDENTIAL”

The material in this file relates to a public interest disclosure made under the Public Interest Disclosure Act 2003

Disclosure of information that might identify or tend to identify either the discloser or a person in respect of whom the disclosure has been made is an offence, unless the disclosure occurs in accordance with the Act.

Penalty: \$24,000 or imprisonment for two years

The making of the public interest disclosure should also be recorded in the Public Interest disclosure Register by the PID Officer and maintained in a secure location (**Appendix 5 refers**).

3. Determining whether your matter is an appropriate disclosure

Once our PID Officer has received the disclosure they will assess whether it meets the requirements under the PID Act. It may be that our PID Officer undertakes initial inquiries and decides not to take the matter any further, as it does not constitute an appropriate public interest disclosure.

If the disclosure is not one to which the PID Act applies, our PID Officer will let the discloser know the reasons for their decision (unless you made an anonymous disclosure) and make proper and adequate records about it. Some matters raised within the disclosure may not be matters to which the PID Act applies and the PID Officer may discuss with the discloser other pathways to report these matters.

If the disclosure is one to which the PID Act applies, our PID Officer will ensure proper and adequate records are made and will communicate with the discloser further, unless it is an anonymous disclosure.

Our PID Officer will notify the discloser within three months about what we plan to do in dealing with the disclosure, unless it is an anonymous disclosure.

4. Determining whether your public interest disclosure will be investigated

After assessing the disclosure as one to which the PID Act applies, our PID Officer will consider whether it will be investigated, guided by the requirements in s. 8. The reasons a PID Officer may not investigate the disclosure include:

- the matter is trivial
- the disclosure is vexatious or frivolous
- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the matter(s) occurred
- the matter is being or has been adequately or properly investigated by another proper authority, s. 5(3).

Our PID Officer will make proper and adequate records of their decision and reasons about whether to investigate or not.

5. Referring public interest matters

Where our PID Officer assesses the disclosure as one to which the PID Act applies, but they do not have the functions or power to investigate one or more matters within the disclosure, they will refer the information to the appropriate authority for investigation as provided for under the PID Act. Alternatively, a discloser may also be able to make a disclosure directly to this new authority, if they wish to receive reports from them about the disclosure. For example, our PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

6. Investigating the disclosure

Our PID Officer will investigate, or cause to be investigated, any matters in the disclosure within the sphere of responsibility. Our PID Officer may cause the disclosure to be investigated by engaging a suitably skilled staff member within the Shire of East Pilbara or an externally contracted investigator.

If causing the disclosure to be investigated, our PID Officer will ensure that the person undertaking the investigation understands the requirements of the PID Act, in particular the confidentiality requirements and protections for disclosers. Our PID Officer will only provide the name of the discloser and that of the subject of the disclosure to the investigator in accordance with s. 16 of the PID Act.

When investigating the disclosure, our PID Officer or investigator is limited by the functions and powers derived from our operating legislation. The PID Act does not provide for any additional investigative powers.

If you are an employee, you are expected to cooperate with any investigation into the disclosure to maintain the protections under the PID Act. A discloser is also expected to act in accordance with our Code of conduct at all times.

Employees who are the subject of the disclosure can clarify the process and what to expect with our PID Officer.

Our PID Officer may also decide to discontinue an investigation, in accordance with s. 8(2). If this happens, they will give the discloser reasons for their decision in accordance with

s. 8(3), unless they made an anonymous disclosure. The PID Officer may also notify any subject(s) of the disclosure, if they discontinue the investigation.

To ensure the disclosure is adequately and properly investigated our PID Officer, or other investigator, will be guided by the procedures below.

7. Internal investigate procedure

In conducting an investigation, the following procedure shall be followed by our PID Officer:

- Drawing up terms of reference, which should clarify the key issues identified by the disclosure;
- Specifying a date by which the investigation should be completed;
- Ensuring the objectives of the investigation include collecting and collating information relating to the disclosure, considering the information collected and drawing conclusions objectively and impartially;
- Maintaining procedural fairness for the person who is the subject of this disclosure;
- Giving information to the person who is the subject of the disclosure about their rights and obligations under the PID Act, the Shire of East Pilbara Code of Conduct, and the law;

- The investigator making contemporaneous notes of discussions and interviews and, where practicable and appropriate, recording discussions and interviews on audio or videotape; and
- Ensuring strict security with all investigations, so as to maintain the confidentiality requirements of the PID Act.

A disclosure once properly made, cannot be withdrawn. A proper authority may still continue to investigate the issues raised.

8. What are your responsibilities if you are the subject of a disclosure?

A subject of a disclosure is a person of interest about whom an allegation of a public interest disclosure has been made.

We will treat the person fairly and impartially throughout the process, and inform them of their rights and obligations. We will generally keep the parties involved informed during any investigation, although we cannot release any information to the person that may prejudice our investigation. As an employee it is expected that they will act in accordance with our Code of conduct at all times.

The PID Act provides the person with some rights and obligations as a person subject to a disclosure. Firstly, the subject has a right to have their identity kept confidential under s. 16(3), unless one of the following conditions apply:

- you consent to your identity being disclosed;
- it is necessary to enable the matter to be investigated effectively;
- it is necessary to do so in taking action within s. 9;
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property;
- is made in accordance with a court order or other body having authority to hear evidence; or
- it is made in accordance with ss. 152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

We will also provide appropriate natural justice. This means that, before we take any disciplinary or other action against the person under s. 9, we will give you the opportunity to:

- be informed of the substance of the allegations; and
- make a submission either verbally or in writing in relation to the matter.

If you are the subject of a disclosure, you must not identify or tend to identify the identity of the discloser or a person who they think might be the discloser, as they also have rights to confidentiality under the PID Act. It is an offence under s. 16 to identify or tend to identify any person who has made a disclosure under the PID Act.

Also, you must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action on your behalf because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person you believe has made the disclosure even if they were not the individual who actually made the disclosure. This is an offence under s. 14(1) of the PID Act.

9. Taking Action Following an Investigation

Our PID Officer will take action where he or she forms the opinion that a person may be, or has been or may in the future be, involved in improper conduct. Usually, our PID Officer will form this opinion at the conclusion of an investigation, although there may be instances where they need to take immediate action and the PID Act enables them to do this.

Action our PID Officer may take under s 9 includes:

- Preventing the matter to which the disclosure relates from continuing or occurring;
- Referring the matter to the Western Australian Police or other appropriate body, or
- Taking disciplinary action against a person responsible for the matter.

The options above are not mutually exclusive. Our PID Officer may take more than one action depending on the circumstances. For example, our PID Officer may seek to terminate the employment of an employee caught stealing and refer the matter to the Western Australia Police.

Before taking any action, the person against whom the action is to be taken is to be given the opportunity to make written or oral submissions.

In taking that action the PID Officer remains limited by the powers and function that are conferred by the legislation under which the PID Officer operates. The PID Act does not give the PID Officer additional powers to take action.

Maintaining Confidentiality when Taking Action

When taking action, the confidentiality of identifying information must be maintained, unless its disclosure is authorised by the PID Act.

The only additional exception, beyond those identified in relation to investigations, is where disclosure of the identity of a person who is the subject of a public interest disclosure is necessary in taking action following the investigation.

Recording Action Taken

In addition to keeping other records, the PID Officer shall complete Part 5 of the Assessment Form for Public Interest Disclosures (**Appendix 1**) and record summary of the action taken in the Public Interest Disclosure Register (**Appendix 5**). All reporting requirements to the Public Sector Commissioner required under the PID Act will be based on extracts from this Register.

10. Reporting to a Discloser on the Progress and Outcome of an Investigation

Where the PID Officer decides not to investigate information disclosed under the PID Act, or discontinues an investigation, the PID Officer must give the person who made the disclosure reasons for doing so.

Within three months of the disclosure being made, the PID Officer must notify the discloser of the action taken or proposed to be taken in relation to the disclosure.

A discloser may also request a progress report.

In an investigation is complete, the PID Officer must provide a final report to the discloser, stating the outcome of the investigation and the reasons for taking action following the investigation.

11. After the public interest disclosure process has been finalised

The PID Act places no further obligations on the Shire of East Pilbara or our PID Officers after the disclosure process is complete. The confidentiality requirements of the PID Act, however, continue to apply to you and all other people involved with the disclosure.

The PID Act does not provide for you to appeal the outcome of the disclosure process. You may be able to make another disclosure to another proper authority, if the information relates to their functions or

sphere of responsibility (s. 5). See [Don't be afraid to speak up](#) for the correct proper authority for your disclosure.

However, this 'new' proper authority may be able to decline to investigate the disclosure under s. 8, if they consider the matter(s) has already been properly or adequately investigated (as a public interest disclosure).

12. Making a disclosure to a journalist

The PID Act provides for certain circumstances where a discloser may be able to make a protected disclosure to a journalist s. 7A(d). These circumstances apply where the discloser has first made a disclosure to the PID Officer or another proper authority named in the PID Act (outlined in s. 5 or [Don't be afraid to speak up](#)).

Importantly, the PID Act states that to attract the privileges and protections of the PID Act when disclosing to a journalist, the discloser must disclose information that is substantially the same as what was disclosed in the original disclosure and the PID Officer that received the original disclosure:

- did not notify the discloser within three months of making the disclosure about actions they propose to take or have already taken or
- refused to investigate, or discontinued the investigation of, a matter raised in the disclosure or
- did not complete an investigation within six months of the discloser making the disclosure or
- completed an investigation but did not recommend that action be taken or
- did not provide the discloser with a report stating the outcome of any investigation or any action proposed or taken and the reasons for those actions.

We are committed to ensuring that we provide the notifications required under the PID Act and that the discloser understands the reasons for our decisions and actions. If a discloser is considering making a disclosure to a journalist because they believe their circumstances meet one or more of the requirements outlined above, we would encourage the discloser to discuss this with the PID Officer prior to disclosure to a journalist.

It is also recommended that the discloser seek their own legal advice before taking any action in relation to matters that have been disclosed under the PID Act.

If a discloser makes an anonymous disclosure they may not be able to demonstrate they meet the above requirements and we are not obliged to provide the discloser with any notifications about what happens to the disclosure.

13. Contact details and further information

These guidelines shall be made available for access by all employees of the Shire of East Pilbara and members of the public. Copies of these guidelines are available from the PID Officer's, the Shire's Document Centre (S Drive) and/or the Shire's website.

Appendix 1 – Assessment Form for Public Interest Disclosures

Part 1: Receiving the disclosure: Assessment of whether the information is a valid disclosure for the purposes of the PID Act		
Assessment of disclosure	Decision	Notes
Does the disclosure relate to a public authority, a public officer or a public sector contractor? (s. 8)	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information relate to the performance of a public function? (s. 8)	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information show or tend to show matters of public interest information? ¹ (s. 3)	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the information show or tend to show public interest information for which the person receiving the information is the proper authority (Public Interest Disclosure (PID Officer))? (s. 5(3)(h) and s. 23(1)(a))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the discloser believe on reasonable grounds that the information is, or may be, true? (s. 5(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
After being informed of the consequences does the discloser wish to disclose the information under the PID Act, that is, make a public interest disclosure? (s. 5(1))	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Note for proper authority/PID Officer: If any of the ‘No’ boxes have been ticked, then the disclosure is unlikely to be one to which the PID Act applies. Make proper and secure records about your determination of whether the disclosure is a valid public interest disclosure under the PID Act. Inform the discloser of your determination and reasons (s. 10).

¹ Matter to which public interest information can relate:

- improper conduct
- an offence against State law
- a substantial unauthorised or irregular use of public resources
- a substantial mismanagement of public resources
- conduct involving a substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment
- conduct relating to a matter of administration affecting someone in their personal capacity that falls within the jurisdiction of the Ombudsman.

Confirmation

I [insert name], the proper authority (Public Interest Disclosure Officer) for the Shire of East Pilbara, confirm that the disclosure made to me on [insert date] by [insert discloser's name, if appropriate] shows or tends to show that the matters described are public interest information. I have registered these matters as a disclosure under the PID Act in the public interest disclosure register of the Shire of East Pilbara with the registered number [insert number].

Signed (proper authority)		Date	
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Case Management note for the proper authority/PID Officer	Decision
I have created a case file which complies with the recordkeeping plan of the Shire of East Pilbara, as required by the <i>State Records Act 2000</i> .	<input type="checkbox"/> Yes <input type="checkbox"/> No
I have notified the discloser of the proposed action to be taken or the action taken in relation to the disclosure in accordance with s. 10(1) of the PID Act (if applicable, at this point of the enquiry).	<input type="checkbox"/> Yes <input type="checkbox"/> No
This has been in accordance with the requirements of s. 11 and s. 16 of the PID Act.	<input type="checkbox"/> Yes <input type="checkbox"/> No
I have recorded the action(s) in the public interest disclosure register.	<input type="checkbox"/> Yes <input type="checkbox"/> No

OFFICE USE ONLY

Register No: #

Date: / /

Part 2: Assessment of whether the disclosure should be investigated

Assessment of disclosure	Decision	Notes
Does the disclosure relate to the public authority, its officers or contractors? (s. 5(3) and s. 8(1))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the disclosure relate to a matter or person that you or your public authority has a function or power to investigate? (s. 5(3)(h) and s. 8(1))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there a reasonable prospect of obtaining sufficient evidence, having regard to the time that has elapsed since the occurrence of the matter? (s. 8(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Note for proper authority/PID Officer: If any of the 'No' boxes have been ticked, then the disclosure is unlikely to be one that the PID Act requires you to investigate (or cause to investigate). Ensure you make proper and secure records of the reason(s) for which you will not be investigating and provide these reasons to the discloser.

Assessment of disclosure	Decision	Notes
Is the matter trivial? (s. 8(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the disclosure vexatious? (s. 8(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the disclosure frivolous? (s. 8(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the matter being, or has the matter been, adequately or properly investigated by another proper authority under the PID Act? (s. 8(2))	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Note for proper authority/PID Officer: If any of the 'Yes' boxes have been ticked, then the disclosure is unlikely to be one that the PID Act requires you to investigate (or cause to investigate). Ensure you make proper and secure records of the reason(s) for which you will not be investigating and provide these reasons to the discloser.

Confirmation

I [insert name], the proper authority (Public Interest Disclosure Officer) for the Shire of East Pilbara, confirm that the public interest disclosure registered number [insert number] made to me on [insert date] by [insert discloser's name if appropriate] in my opinion meets/does not meet (delete as appropriate) the requirements of the PID Act for a public interest disclosure to be investigated.

I also confirm that I have recorded my opinion in the public interest disclosure register of the Shire of East Pilbara.

Signed (proper authority)		Date	
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Case Management note for the proper authority/PID Officer	Decision
I have notified the discloser of the proposed action to be taken, or the action taken in relation to the disclosure in accordance with s. 10(1) (if not previously provided) or I have provided a progress report to the discloser on the current progress on dealing with the matter in accordance with ss. 10(2) or (3). This is consistent with the requirements of s. 11 and s. 16.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
I have recorded the action(s) in the public interest disclosure register.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Part 3: Engaging an external investigator to investigate the public interest disclosure

Investigating officer's name	
Normal designation of investigating officer	
Address	
Telephone number	
Email address	
Details of authorisation and scope of investigation	
Date investigation was authorised by the proper authority	
Procedures and guidelines provided to external investigator	

The investigation process is not prescribed under the PID Act but the following table is a useful checklist for an investigation.

Assessment of disclosure	Decision	Notes
Have the documents used in the assessment of the disclosure been reviewed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was an investigation plan developed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were terms of reference developed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were people interviewed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was confidentiality maintained (s. 16): <ul style="list-style-type: none"> • of the discloser's identity • of the information disclosed • of the identity of the subject(s) of the disclosure? 	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Were the rules of natural justice followed? (s. 9 and s. 16)	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Was a report prepared?	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Have all documents/evidence/reports been provided to the proper authority?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Recommendation

I recommend that the proper authority (PID Officer)/public authority form the opinion that

I **insert name**, the investigating officer appointed by the Shire of East Pilbara to investigate the public interest disclosure registered number **[insert number]**, confirm that the above is a summary of my investigation undertaken as a result of a disclosure made in accordance with the PID Act.

Signed (investigating officer for public authority)		Date	
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Case Management note for the proper authority/PID Officer

Decision

I have provided a progress report to the discloser on the current progress on dealing with the matter in accordance with ss. 10(2) or (3).

☐ Yes ☐ No

This is consistent with the requirements of s. 11 and s. 16.

☐ Yes ☐ No

I have recorded the action(s) in the public interest disclosure register.

☐ Yes ☐ No

Part 4: Taking action

Assessment of disclosure	Decision	Notes
Where the matters have been investigated by an external investigator, do you (the proper authority) accept the recommendation contained in Part 3?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Note for proper authority/PID Officer: If you have ticked the 'yes' box, please indicate below the action you will take.

Assessment of disclosure	Decision	Notes
Take action that is necessary, reasonable and within your functions and powers to prevent the matter continuing or occurring.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Refer the matter to another person, body or organisation with the power to investigate.	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Take disciplinary action, or commence disciplinary proceedings, against the person involved, within your powers and functions.	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Note for proper authority/PID Officer: Report to the discloser on the outcome of the investigation and any action taken or proposed to be taken (s. 10), consistent with the requirements of the PID Act (particularly sections 11 and 16). Record the action(s) in the public interest disclosure register.

Details of the actions taken

I recommend that the proper authority (PID Officer)/public authority form the opinion that

Confirmation

I [insert name], the proper authority (Public Interest Disclosure Officer) for the Shire of East Pilbara, confirm that the above action was taken or will be taken following the public interest disclosure registered number [insert register number]. I confirm that I have recorded the outcome of the investigation and the action taken or to be taken in the public interest disclosure register of the Shire of East Pilbara.

Signed (proper authority)		Date	
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Case Management note for the proper authority/PID Officer	Decision
I have provided a final report to the discloser on the current progress on dealing with the matter in accordance with s. 10(4).	<input type="checkbox"/> Yes <input type="checkbox"/> No
This is consistent with the requirements of s. 11 and s. 16.	<input type="checkbox"/> Yes <input type="checkbox"/> No
The final report details the outcome of the investigation, any action taken, or proposed to be taken, and the reasons for taking those actions (s. 10(4)).	<input type="checkbox"/> Yes <input type="checkbox"/> No
I have recorded the action(s) in the public interest disclosure register.	<input type="checkbox"/> Yes <input type="checkbox"/> No

Appendix 2 – Consent to disclosure of identifying information

Public Interest Disclosure Act 2003

Personal details		
Family name		
Given name		
Disclosure No.		(to be completed by proper authority/Public Interest Disclosure (PID) Officer)

Consent	
Consent to disclosure of identifying information by discloser I consent to the disclosure of information that might identify or tend to identify me as a person who has made an appropriate disclosure of public interest information under section 16(1)(a) of the <i>Public Interest Disclosure Act 2003</i> .	<input type="checkbox"/>
Consent to disclosure of identifying information by subject I consent to the disclosure of information that might identify or tend to identify me as a person in respect of whom a disclosure of public interest information has been made (subject) under section 16(3)(a) of the <i>Public Interest Disclosure Act 2003</i> .	<input type="checkbox"/>

Limitations on consent	
This consent only applies to disclosures made to the following persons	
This consent only applies to the following information	

Authorisation	
Signature of discloser/subject: (delete as appropriate)	
Date	
Signature of proper authority/PID Officer	
Date	

Appendix 3 – Notification of disclosure of identifying information

Public Interest Disclosure Act 2003

To					
Title	<input type="checkbox"/> Mr	<input type="checkbox"/> Ms	<input type="checkbox"/> Mrs	<input type="checkbox"/> Dr	<input type="checkbox"/> Other:
Given name					
Family name					
Provided by	<input type="checkbox"/> email	<input type="checkbox"/> mail	<input type="checkbox"/> in person		

I intend to make a disclosure of information that might identify or tend to identify you as a person who has made an appropriate disclosure of public interest information under section 16 of the *Public Interest Disclosure Act 2003*.

The disclosure of this information

Is necessary, having regard to the rules of natural justice (section 16(1)(b))

☐

Is necessary to enable the matter to be investigated effectively (section 16(1)(c))

☐

The reason(s) why the disclosure of this information is necessary is (specify reason(s))

Important: A person making an identifying disclosure for these reasons must take all reasonable steps to provide this information to the discloser within a reasonable time before making the disclosure in accordance with section 16(2).

Authorisation

Signature of person proposing to make disclosure

Name

Position

Contact details

Date

Appendix 4 – Public Interest Disclosure Lodgement Form

Public Interest Disclosure Act 2003

The Shire of East Pilbara strongly encourages anyone thinking about making a public interest disclosure to seek out a nominated proper authority to discuss their issues first. Our proper authority(ies) (Public Interest Disclosure (PID) Officer(s)) are:

Position	
Name of PID Officer	
Contact details	

Ensure you understand your rights and responsibilities under the *Public Interest Disclosure Act 2003* (PID Act) before you sign this lodgement form. You may wish to seek external legal advice about those rights and responsibilities. Lodge your public interest disclosure form with the Shire of East Pilbara's proper authority (PID Officer), not the Public Sector Commission.

Personal details

Family name					
Given name					
Title	<input type="checkbox"/> Mr	<input type="checkbox"/> Ms	<input type="checkbox"/> Mrs	<input type="checkbox"/> Dr	<input type="checkbox"/> Other
Address					
Work phone					
Mobile					
Email					

☐

I wish to make an anonymous public interest disclosure. I understand that:

- I will not receive any information about what happens to this disclosure
- it may be more difficult for the proper authority to look into the matter(s) as they cannot come back to me for further information
- it may be more difficult for the proper authority/public authority to protect me
- this anonymous disclosure may not prevent me from being identified during any investigation or when action is being taken.

Categories of public interest information	Tick relevant box(es)
Improper conduct	<input type="checkbox"/>
An offence under written State law	<input type="checkbox"/>
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	<input type="checkbox"/>
Conduct involving a substantial and specific risk of injury to public health, or prejudice to public safety or harm to the environment	<input type="checkbox"/>
Administration matter(s) affecting you personally	<input type="checkbox"/>

Disclosure details	
Name of the public authority(ies) the disclosure relates to	
Do you work for a public authority?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, which public authority and what is your position title?
Does the disclosure relate to one or more individuals?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide name(s) and position(s) held by person(s) in the public authority
When did the alleged events occur?	
Summary of the matters to disclose	

Additional information	
Description of any documents provided or names of witnesses	
Have you reported this information to any other person or agency?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, did you report this information as a Public Interest Disclosure matter?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details

You should read the following information and sign this form prior to lodgement.

Acknowledgement

I believe on reasonable grounds that the information contained in this disclosure is or may be true.

I have been informed and I am aware that:

- I will commit an offence under section 24 of the PID Act, if I know that the information contained in this disclosure is false or misleading in a material particular, or I am reckless as to whether it is false or misleading in a material particular. **Penalty: \$12 000 or imprisonment for one (1) year.**
- I will forfeit the protection provided by section 13 of the PID Act, if I fail, without reasonable excuse, to assist a person investigating the matter by supplying requested information (s17).
- I will forfeit the protection provided by section 13 of the PID Act, if I subsequently disclose this information to any person other than a proper authority under the PID Act (s17).
- I will commit an offence, if I subsequently make a disclosure of information that might identify or tend to identify anyone as a person in respect of whom this disclosure has been made under the PID Act, except in accordance with section 16(3) of the PID Act. **Penalty: \$24 000 or imprisonment for two (2) years.**
- I cannot withdraw my disclosure after I have made it.

Authorisation	
Discloser's signature	
Date	

Appendix 5 – Public Interest Disclosure Register

Shire of East Pilbara

Public Interest Disclosure Register

The material in this register is collected by the Public Sector Commission (Commission) pursuant to sections 19 and 23(1)(f) of the *Public Interest Disclosure Act 2003* (PID Act); relates to public interest disclosures made under the PID Act; and is **highly confidential**.

Disclosure of information that might identify or tend to identify either the discloser or a person in respect of whom a disclosure has been made (subject of a disclosure) is an offence, unless the disclosure occurs in accordance with the PID Act. The penalty is \$24,000 or imprisonment for two years.

INSTRUCTIONS

- This register is to be completed and submitted to the Commission annually as part of the Commission's annual survey program.
- Please answer every question unless you are asked to skip it.
- Once the spreadsheet is saved under its new name, it is permanently password-protected and can only be opened by the Commission.
- Only complete and submit the register if a PID has been lodged and assessed as a PID.
- To save the spreadsheet, click the 'Secure & Save' button below. You will then be prompted to name the file. Please email completed PID registers to confidential.pids@psc.wa.gov.au.

1. Record numbers		
1.1	Unique register code	<i>Enter a unique register code (may include year and register number e.g. PID_14_01)</i>
1.2	File number	<i>Enter relevant file number (within your authority; for your records only)</i>

2. Person making the disclosure (discloser)			
2.1	What date was the disclosure received by the proper authority?	DD/MM/YYYY	
2.2	Was it an anonymous disclosure? <i>(If an anonymous disclosure is made, the public authority is relieved of its obligation to notify the discloser under section 10 of the PID Act).</i>		
2.3	What was the relationship of the discloser to the public authority about which the disclosure was made?		
2.4	Was the disclosure made to more than one proper authority? (section 5(4) of the PID Act)		DD/MM/YYYY
2.5	Where the disclosure was made to more than one proper authority, did those proper authorities enter into a written arrangement under regulation 3 ('joint action') of the Public Interest Disclosure Regulations 2003?		DD/MM/YYYY
2.6	Please provide a brief description of the arrangements	<i>Insert a brief description of the arrangements</i>	

3. First public authority about which the disclosure is made		
3.1	What is the name of the public authority to which the disclosure relates?	<i>Enter name</i>
3.2	What is the relationship of the subject of the disclosure to the public authority about which the disclosure is about?	

4. Second public authority about which the disclosure is made (if applicable, otherwise continue to 5.1)		
4.1	What is the name of the public authority to which the disclosure relates?	<i>Enter name</i>
4.2	What is the relationship of the subject of the disclosure to the public authority about which the disclosure is about?	

5. Type of disclosure		
5.1	What type of public interest information was contained in the disclosure? (section 3 of the PID Act)	
5.2	Please provide a brief description of the disclosure (Do not disclose information that might identify or tend to identify the discloser or the subject)	<i>Insert a brief description of the disclosure</i>

6. Communication with the discloser, the investigation process and action taken (Note: if an anonymous disclosure is made, the public authority is relieved of its obligation to notify the discloser under section 10 of the PID Act)			
6.1	Has it been decided whether the disclosure will be investigated?		<i>DD/MM/YYYY</i>
6.2	Was first advice of action taken or proposed to be taken in relation to the disclosure provided to the discloser within 3 months? (section 10 of the PID Act)		<i>DD/MM/YYYY</i>
6.3	Has the investigation commenced?		<i>DD/MM/YYYY</i>
6.4	What is the status of the investigation?		
6.5	What reason was provided to the discloser for refusing to investigate or discontinuing the investigation, and on what date were they notified? (section 8 of the PID Act)		<i>DD/MM/YYYY</i>
6.6	How many written progress reports have been/were provided to the discloser in total? (section 10 of the PID Act)	<i>Insert total number of progress reports provided to the discloser (If applicable)</i>	
6.7	Please provide a brief description of results of investigation	<i>Insert a brief description of results of investigation (If applicable)</i>	
6.8	Where the disclosure was found to have substance, please provide a brief description of the action taken (section 9 of the PID Act)	<i>Insert a brief description of action taken (If applicable)</i>	

6.9	Was a final report provided to discloser? (section 10 of the PID Act)		DD/MM/YYYY
6.10	Were any matters contained in the disclosure referred to another person or body with power to investigate and/or take action? (section 9 of the PID Act)		Insert details of the referral

7. Disclosure of identity of discloser			
7.1	Was the discloser's identity disclosed?		DD/MM/YYYY
7.2	Why was the discloser's identity disclosed? (section 16(1) of the PID Act)		
7.3	Was the discloser advised and given a reason before their identity was disclosed? (section 16 of the PID Act)		DD/MM/YYYY

8. Allegations of unlawful disclosure of discloser's identity			
8.1	Did the discloser raise any allegations of non- compliance with section 16 of the PID Act?		DD/MM/YYYY
8.2	Where were these allegations raised?		
8.3	Please provide a brief description of any action taken in relation to the allegations	Insert a brief description of any action taken in relation to the allegations (if applicable)	

9. Disclosure of identity of persons named in the disclosure (subject of the disclosure)			
9.1	Was the subject's identity disclosed?		DD/MM/YYYY
9.2	Why was the subject's identity disclosed? (section 16(3) of the PID Act)		

10. Allegations of unlawful disclosure of identity of person named in disclosure (subject of the disclosure)			
10.1	Did the subject raise any allegations of non- compliance with section 16 of the PID Act?		DD/MM/YYYY
10.2	Where were these allegations raised?		
10.3	Please provide a brief description of any action taken in relation to the allegations	Insert a brief description of any action taken in relation to the allegations (if applicable)	

11. Order or injunction application at Supreme Court			
11.1	Did the discloser apply for an order or injunction because of a belief that detrimental action had or may be taken? (section 15A of the PID Act)		DD/MM/YYYY
11.2	Please provide a brief description of the outcome of the application	Insert a brief description of outcome of application	

12. Request for relocation			
12.1	Did the discloser request relocation because of a belief that detrimental action had or may be taken? (section 15B of the PID Act)		DD/MM/YYYY
12.2	Please provide a brief description of the outcome of the request	<i>Insert a brief description of outcome of request for relocation</i>	

13. Allegations of victimisation			
13.1	Were allegations of victimisation raised by the discloser?		DD/MM/YYYY
13.2	Please provide a brief description of the nature of the victimisation allegations		
13.3	Which body were these allegations raised with?	<i>Insert a brief description of victimisation allegations</i>	
13.4	What was the outcome of allegations handled internally by the Proper Authority? (related to section 23 of the PID Act)	<i>Insert a brief description of outcome and any actions taken, then please continue to 14.1</i>	
13.5	What was the outcome of allegations dealt with as a tort by a court? (section 15 of the PID Act)	<i>Insert a brief description of outcome and any actions taken, then please continue to 14.1</i>	
13.6	What was the outcome of the complaint lodged with the Equal Opportunity Commission? (section 15 of the PID Act)	<i>Insert a brief description of outcome and any actions taken, then please continue to 14.1</i>	

14. Allegations of non-compliance with the PID Officer's Code of Conduct and Integrity			
14.1	Have there been allegations of non-compliance with the PID Officer's Code of Conduct and Integrity? (section 20 of the PID Act)		DD/MM/YYYY
14.2	Who made the allegations? (If selecting 'Other', please ensure you do not provide any information that may identify or tend to identify the discloser or subject of the disclosure in the free text space.)	<i>Please select all that apply:</i> <ul style="list-style-type: none"> • Discloser/s • Subject/s of Disclosures • Other (Please specify) 	(Other)
14.3	Please provide a brief description of any actions which occurred in relation to the allegations	<i>Insert a brief description of any actions taken</i>	

15. Allegations of non-compliance with the PID Act			
15.1	Have there been any allegations of non-compliance with the PID Act?		DD/MM/YYYY
15.2	Who made the allegations? (If selecting 'Other', please ensure you do not provide any information that may identify or tend to identify the discloser or subject of the disclosure in the free text space.)	<i>Please select all that apply:</i> <ul style="list-style-type: none"> • Discloser/s • Subject/s of Disclosures • Other (Please specify) 	(Other)
15.3	Please provide a brief description of any actions which occurred in relation to the allegations	Insert a brief description of any actions taken	

16. Disclosure to a journalist (if known)			
16.1	Has the discloser made a disclosure of substantially the same information to a journalist? (section 7A of the PID Act)		DD/MM/YYYY
16.2	Why was a disclosure of substantially the same information made to a journalist?	<i>Please select all that apply:</i> <ul style="list-style-type: none"> • Discloser/s • Subject/s of Disclosures • Other (Please specify) 	(Other)
16.3	Please provide a brief description of the disclosure to the journalist and any action that has occurred	Insert a brief description of any actions taken	

Authorisation Details

References:	<i>Public Interest Disclosure Act 2003</i>		
Authorised by:			
Date:	2014	Item No.	
Review/Amendment Date	27 May 2016	Item No.	
Review/Amendment Date	28 May 2018	Item No.	
Review/Amendment Date	22 May 2020	Item No.	
Review/Amendment Date		Item No.	
Next Review	Every two years		
Responsible Directorate	Executive Services		
Responsible Officer	Manager Governance, Risk & Procurement		
File No.			