

Council Policy CP047 Public Interest Disclosure Policy			
<b>Officer</b>	Manager Corporate Services	<b>Owner</b>	Director Corporate & Commercial Services
<b>Review frequency</b>	Triennially	<b>Next review</b>	April 2018
<b>Council resolution number and date</b>			
<b>Mayor</b>		<b>Chief Executive Officer</b>	

## 1 OBJECTIVE

The purpose of this policy is to provide guidelines in relation to the receipt and investigation of Public Interest Information made under the Public Interest Disclosure Act 2003.

## 2 SCOPE

This policy applies to all City employees, contractors, the Mayor and Councillors.

## 3 DEFINITIONS

**Public Interest Information** means information that tends to show that , in relation to its performance of a public function ( either before or after the commencement of the PID Act 2003), a public authority, a public officer, or a public sector contractor is , has been or proposes to be , involved in-

- (a) improper conduct; or
- (b) an act or omission that constitutes and offence under a written law; or
- (c) a substantial unauthorised or irregular use of , or substantial mismanagement of, public resources;
- (d) an act done or omission that involves a substantial and specific risk of –
  - (i) Injury to public health : or
  - (ii) prejudice to public safety; or
  - (iii) harm to the environment
 or
  - (iv) a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971;

**Public Officer** means a member, officer or employee of a public authority.

**Public Sector Contractor** means a person who, other than as an employee contracts with a public authority to;

- (a) supply goods or services to or on behalf of the authority as directed in accordance with the contract ;

- (b) to perform a public function;
- (c) a subcontractor or employee of the person referred to in (a) or (b) and each person who contracts with another person for the execution of the whole or part of the requirements of a contract.

**Public Interest Disclosure Officer** means the designated officer who is responsible for receiving disclosures of public interest information relating to matters falling within the sphere of responsibility of the City of Greater Geraldton.

**Public Authority** means the City of Greater Geraldton.

**City** means the City of Greater Geraldton.

**Councillor** means a person who holds the office of Councillor on the Council.

**Mayor** means the Mayor elected by electors of the district of the City of Greater Geraldton.

**CEO** means the Chief Executive Officer of the City.

**Employee** means a person employed by the City under section 5.36 of the LGA.

## 4 POLICY

### 4.1 Support for Employees who make public interest disclosures

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

The City is committed to the aims and objectives of the Public Interest Disclosure Act 2003. (PID Act). It recognizes 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 City will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

The City will take all reasonable steps to provide protection to employees who make such disclosures from any detrimental action in reprisal for the making of a public interest disclosure.

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

### 4.2 Purpose of the Policy

The City must comply with its obligations under the Public Interest Disclosure Act 2003 and produce guidelines for the manner in which:

- 4.2.1 Disclosures of public interest information may be made to the City.
- 4.2.2 Disclosures of public interest information shall be made to the Public Interest Disclosure Officer (PID Officer).

- 4.2.3 A written record is to be made of the information disclosed, clearly identifying the disclosure as a public interest disclosure made under the Act to which the protection and confidentiality provisions apply.
- 4.2.4 The PID Officer shall investigate the information disclosed, or cause that information to be investigated.
- 4.2.5 The PID Officer may take action following the completion of the investigation.
- 4.2.6 The PID Officer shall report to the discloser as to the progress and outcome of that investigation and the action taken as a consequence.
- 4.2.7 The confidentiality of the discloser, and any person who may be the subject of a public interest disclosure, shall be maintained.
- 4.2.8 Records as to public interest disclosures shall be maintained and reporting obligations complied with, including an annual report to the Commissioner of Public Sector Standards on the number of disclosures made.

#### **4.3 Object of the PID Act**

The PID Act commenced operation on 1 July 2003. The object of the PID Act is to:

- facilitate the disclosure of public interest information.
- provide protection for those who make disclosures
- provide protection for those who are the subject of a disclosure.

This is achieved by:

- protecting the person making the disclosure from legal or other action.
- providing for the confidentiality of the identity of the person making the disclosure and a person which is the subject of disclosure.
- providing remedies for acts of reprisal and victimisation that occur substantially because the person has made a disclosure.

#### **4.4 Designation of Public Interest Disclosure Officer**

A person from time to time employed in a position within the Corporate Services team will be designated as the Public Interest Disclosure Officer (PID Officer) of the City. The PID officer is responsible for receiving disclosures of public interest information relating to matters falling within the sphere of responsibility of the City.

## **5 ROLES AND RESPONSIBILITIES**

The Manager Corporate Services is responsible for implementing and maintaining this policy.

## **6 WORKPLACE INFORMATION/REFERENCES**

Public Interest Disclosure Act 2003