

Public Interest Disclosure

Version: 1.1 | Version effective: 25/05/2025

Contents

Audience	2
Function area.....	2
Purpose	2
Policy statement	2
Principles	2
Requirements	3
1. Assess, investigate and deal with public interest disclosures	3
2. PID management program	3
3. Designated roles and responsibilities	3
4. Confidentiality	5
5. Training and communication	5
6. Non-compliance	6
7. PID management review	6
Definitions.....	6
Legislation and Standards	8
Delegations/Authorisations.....	8
Policies and procedures in this group	8
Supporting information for this policy	8
Other resources	8
Key data	9
Document history.....	9
Approval	9

Audience

Public

Function area

Corporate

Purpose

This policy outlines the Office of the Queensland Integrity Commissioner's (OQIC) commitment to appropriately reporting and managing disclosures made under the *Public Interest Disclosure Act 2010* (PID Act).

Policy statement

A public interest disclosure (PID) is a disclosure about certain types of wrongdoing in the public sector which is recognised by the PID Act, including corrupt conduct, maladministration, misuse of public resources, danger to public health and safety, danger to the health and safety of a person with a disability, danger to the environment and reprisal. These disclosures are made following specific procedures outlined in legislation designed to protect the discloser from any form of reprisal or detriment.

An effective PID system contributes to the integrity of the OQIC and increases community trust.

Employees and others who are prepared to speak up about public sector misconduct, wastage of public funds, suspected unlawful activity or danger to health, safety or the environment can be the most important sources of information to identify and address problems in public sector administration.

OQIC supports the disclosure of information about wrongdoing because:

- implementing systems for reporting and dealing with wrongdoing contributes to the integrity of OQIC
- the outcomes of PIDs can include improvements to systems that prevent fraud and other economic loss to OQIC
- the community's trust in public administration is strengthened by having strong processes in place for reporting wrongdoing.

Principles

Principle	What this means for OQIC
Ethical responsibility to report	Every employee has an ethical responsibility to report suspected corrupt conduct, maladministration, wasting of public funds, substantial and specific danger to public health and safety, the environment or a person with a disability, and reprisal action.
Natural justice	The principles of natural justice (procedural fairness) will apply to all investigations of matters which are the subject of PIDs.
Fairness	OQIC is committed to treating PIDs appropriately and making the process fair for both the discloser and the person who is the subject of the disclosure.
Protection	The rights of any person who discloses, is subject to, or is in some way associated with, a PID will be safeguarded.

Principle	What this means for OQIC
Awareness	Supervisors are to ensure employees are aware of their responsibilities in making a PID and can advise other persons of the appropriate reporting process.

Requirements

1. Assess, investigate and deal with public interest disclosures

The PID Act requires OQIC to establish procedures to ensure:

- public officers of the entity who make PIDs are given appropriate support
- public officers are offered protection from reprisals
- there is a management program for PIDs, in accordance with the Public Interest Disclosure standards
- PIDs made to the entity are properly assessed and investigated
- appropriate action is taken in relation to any wrongdoing that is the subject of a PID.

The OQIC procedure to assess, investigate and deal with PIDs in line with the Public Interest Disclosure Standard No. 2/2019 - Assessing, Investigating and Dealing with Public Interest Disclosures as outlined in the OQIC Public Interest Disclosure Procedure.

The OQIC Public Interest Disclosure Policy (this document) and OQIC Public Interest Disclosure Procedure are publicly available at www.integrity.qld.gov.au.

2. PID management program

OQIC has a requirement in the PID Act to develop, implement and maintain a PID management program.

The OQIC PID management program encompasses:

- commitment to encouraging the internal reporting of wrongdoing
- Executive Leadership Team (ELT) endorsement of the value of PIDs and the proper management of PIDs to OQIC
- a communication strategy to raise awareness among employees about PIDs and OQIC's PID procedure
- a training strategy to give employees access to training about how to make a PID, information on the support available to a discloser, and advice on how PIDs will be managed
- specialist training and awareness about PIDs for ELT and other staff who may receive or manage PIDs, disclosers or workplace issues relating to PIDs
- the appointment of a specialist officer to be responsible for issues related to the management of PIDs (PID Coordinator)
- ensuring effective systems and procedures are in place so issues and outcomes from PIDs inform improvements to service delivery, business processes and internal controls
- regular review of the PID procedure and evaluation of the effectiveness of the PID management program.

3. Designated roles and responsibilities

The Integrity Commissioner has overall responsibility for ensuring OQIC develops, implements and maintains a PID management program.

The Integrity Commissioner delegates the following roles and responsibilities in managing PIDs at OQIC:

Role	Responsibilities	Officer
PID Coordinator	<ul style="list-style-type: none"> • principal contact for PID issues • receives delegated authority and direct access to the Integrity Commissioner • document, manage and implement PID management program • review PID procedure annually • maintain and update internal records of PIDs received retaining confidentiality • report data on PIDs to Queensland Ombudsman • assess PIDs received and seek appropriate delegate approval • provide acknowledgment of receipt of PID to discloser • undertake risk assessments in consultation with disclosers and other relevant officers • liaise with other agencies about referral of PIDs • allocate investigator and support officer to PID matters where required • liaise with delegated decision maker on requests for review of decisions to not investigate or deal with as a PID. 	<p>Manager, Corporate Services (07) 3003 2812 krystal.petersen@integrity.qld.gov.au</p>
PID Support Officer	<ul style="list-style-type: none"> • provide advice and information to discloser on OQIC's PID procedure • provide support and referral to other advice or support as required • facilitate updates on progress of investigation • proactively contact discloser throughout PID management process. 	<p>Appointed by Integrity Commissioner or PID Coordinator on case-by-case basis.</p>
Investigator	<ul style="list-style-type: none"> • conduct investigation of PID in accordance with terms of reference • prepare report for delegated decision-maker. 	<p>An appropriate internal or external investigator will be appointed depending upon the type of disclosure and other relevant considerations.</p>

Role	Responsibilities	Officer
Delegated decision maker	<ul style="list-style-type: none"> review PID assessment and proposed actions and approve as delegate review investigation report and determine whether alleged wrongdoing is substantiated. 	Integrity Commissioner or Deputy Integrity Commissioner.

4. Confidentiality

OQIC will make every attempt to protect confidential information throughout the PID process. A discloser's identity may need to be disclosed to provide natural justice to subject officers or respond to a court order, legal directive, or court proceedings.

OQIC will ensure that communication with all parties involved will be arranged discreetly to avoid identifying the discloser wherever possible. Whilst OQIC will make every attempt to keep disclosers details confidential, it cannot guarantee that others will not deduce their identity.

Affected parties have obligations to maintain confidentiality under s65 of the PID Act except in the limited circumstances provided in the Act including under the principles of natural justice.

OQIC can make a record or disclose confidential information in the following circumstances:

- for the purpose of administering the PID Act;
- for a proceeding in court or a tribunal;
- if the person to whom the confidential information relates provides written consent to the disclosure;
- if it is not reasonable to obtain the person's consent, and making the record or disclosing the confidential information is unlikely to harm the interests of the person and is reasonable in all the circumstances (for example, to refer a PID to another proper authority to action);
- if the disclosure of the confidential information is necessary to provide for the safety or welfare of a person; or
- to comply with another Act.

The following people at OQIC, when necessary and appropriate, will have access to PIDs including the information in the PID register:

- PID Coordinator;
- appointed PID Support Officer;
- Integrity Commissioner;
- Deputy Integrity Commissioner.

Other dedicated officers may have access to PID information where the discloser's prior consent has been obtained or where required by law.

5. Training and communication

OQIC recognises the importance of providing training to employees on PID matters and ensuring ongoing training is provided. OQIC ensures that employees have access to regular training about how to make a PID, information on the support available to a discloser, and advice on how PIDs will be managed.

OQIC employees who have designated responsibility in relation to PIDs attend specific PID training provided by the Queensland Ombudsman.

OQIC will communicate with the discloser throughout the process, ensuring they are informed and receive the information required under the PID Act and PID standards including:

- acknowledge receipt of disclosure
- the action taken in response to the PID
- the protections under the PID Act
- confidentiality obligations of OQIC and the discloser
- support arrangements.

6. Non-compliance

OQIC employees have an obligation to act in accordance with OQIC policies. Any employee in breach of the PID policy may be subject to disciplinary action.

If, as a result of a PID, wrongdoing is substantiated, appropriate action will be taken. In this instance, the PID Coordinator will advise the discloser in writing of the action taken and the results of the action. Actions may include one or more of the following:

- stopping the conduct or preventing it from recurring (e.g. providing training and awareness, introducing new technology);
- implementing or changing policies, procedures or practices;
- offering mediation or conciliation;
- taking disciplinary action in accordance with relevant policies against a person responsible for the conduct; and/or
- referring the conduct to the Queensland Police Service or another person, organisation or entity that has the jurisdiction to take further action (e.g. initiating legal proceedings against those involved in criminal activity).

7. PID management review

The PID procedure and management program are reviewed annually and updated as required to ensure the requirements of the PID Act and the PID standards issued by the Queensland Ombudsman continue to be met.

Definitions

Term	Definition
Affected parties	Any person who may be affected by the disclosure of information. Includes the discloser, subject officer, witnesses and other affected third parties.
Corrupt conduct	<u>Section 15 of the <i>Crime and Corruption Act 2001</i></u> defines corrupt conduct.
Discloser	A person who makes a disclosure in accordance with the <u><i>Public Interest Disclosure Act 2010</i></u> .
Employees	Employees refers to employees and office holders of the OQIC including any contractors, volunteers, students of others engaged to deliver the services and performs any functions of the OQIC.

Term	Definition
Journalist	A person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.
Maladministration	<u>Schedule 4 of the <i>Public Interest Disclosure Act 2010</i></u> defines maladministration.
Natural justice	<p>Natural justice, also referred to as 'procedural fairness' applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected.</p> <p>The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are:</p> <ul style="list-style-type: none"> • avoid bias • give a fair hearing • act only on logically probative evidence.
Proper authority	A person or organisation that is authorised under the <u><i>Public Interest Disclosure Act 2010</i></u> to receive disclosures.
Public interest	Acting for the common good of the entire community — not the sum of individual interests nor the interest of a particular group.
Public officer	A public officer of a public sector entity is an employee, member or officer of the entity.
Reasonable belief	A view which is objectively fair or sensible.
Reprisal	<p>The causing, attempting to cause or conspiring to cause detriment to another in the belief they or someone else:</p> <ul style="list-style-type: none"> • has made or intends to make a disclosure; or • has been or intends to be involved in a proceeding under the PID Act against any person. <p>Reprisal under the <i>Public Interest Disclosure Act 2010</i> is a criminal offence and investigations may be undertaken by the Queensland Police Service.</p>
Subject officer	An officer who is the subject of allegations of wrongdoing made in a disclosure.
Substantial and specific	<p>Substantial means 'of a significant or considerable degree'. It must be more than trivial or minimal and have some weight or importance.</p> <p>Specific means 'precise or particular'. This refers to conduct or detriment that can be identified or particularised as opposed to broad or general concerns or criticisms.</p>

Legislation and Standards

- [Crime and Corruption Act 2001](#)
- [Ombudsman Act 2001](#)
- [Public Interest Disclosure Act 2010](#)
- [Public Records Act 2002](#)
- [Public Sector Ethics Act 1994](#)
- [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](#)

Delegations/Authorisations

- [Public Interest Disclosure Act 2010](#) - Proper authority
- OQIC Public Interest Disclosure Policy (this document) - Delegated decision maker/PID Coordinator

Policies and procedures in this group

- [OQIC Public Interest Disclosure Procedure](#)
- [OQIC Complaints about the Integrity Commissioner policy](#)
- [OQIC Complaints Management policy](#)

Supporting information for this policy

- [Public Interest Disclosure Assessment Guide](#)
- [Public Disclosure Risk Assessment and Risk Management Guide](#)
- [Managing Workplace Investigations: practical guide for the Queensland public sector](#)

Other resources

- [All agencies - Natural justice, disclosure, and privacy | OIC](#)
- [Applying for workplace investigation documents | OIC](#)
- [Applying for complaint documents | OIC](#)
- [Managing unreasonable complainant conduct | QO](#)
- [Assessing complaints of corrupt conduct: A guide for assessors and decision-makers | CCC](#)
- [When does workplace bullying reach the threshold for corrupt conduct? | CCC](#)

Key data

Item	Note/relevant information	As at [date]
Document owner	Manager, Corporate Services	25/05/2025
TRIM reference	QIC/25/5280	26/05/2025
Review period	2 years	25/05/2027
Keywords	Public interest disclosure, crime, corruption, whistleblower, complaint, PID	

Document history

Date	Version number	Author	Description of changes
21/11/2024	1.0	Cyrilla Eastwood	Draft PID policy to accompany reviewed PID procedure
2/12/2024	1.1	Cyrilla Eastwood	Incorporate feedback from Queensland Ombudsman

Approval

Role	Name	Position	Date
Approver	Linda Waugh	Integrity Commissioner	25/05/2025