
Procedure Owner: Governance and Legal
Contact Person: Executive Manager Governance and Legal
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1. Policy Supported

Nil

2. Related Documents and/or Forms

P.I.D. Code of Conduct and Integrity (Attachment 1)
Public Interest Disclosure Lodgement Form (Attached 2)

Internal Use only:-

Checklist/Summary of Information for Discussion with Potential Disclosers (16/290616)
Public Interest Disclosure Assessment and Case Management Form (16/290323)
Public Interest Disclosure Notification of Disclosure of Identifying Information Form (16/290330)
Public Interest Disclosure Consent to Disclose Identity Information Form (16/290321)
Public Interest Disclosure Register (16/290296)

3. Purpose

The City of Wanneroo's (**the City**) Chief Executive Officer must prepare and publish internal procedures under s. 23(1)(e) of the Public Interest Disclosures Act 2003 (**PID Act**).

These procedures outline how we will meet our obligations under the PID Act. The procedures are to be read in conjunction with the PID Act, *Public Interest Disclosure Regulations 2003* and *Don't be afraid to speak up: Guide for Disclosers*™ brochure on the Public Sector Commission's [website](#).

The PID Act aims to ensure openness and accountability in government by encouraging people to speak up about public interest information without fear of reprisal. The PID Act provides a system for matters disclosed to be investigated and for appropriate action to be taken. It does not provide public authorities with any additional powers to investigate or take action in relation to public interest disclosures. The PID Act provides protections for people who make disclosures.

4. Scope and application of internal procedures

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

PID Officers must comply with the Public Sector Commission's Code of Conduct and Integrity (**the Code**) at all times (**Attachment 1**). A breach of the Code may result in disciplinary action.

A public authority can receive many different types of complaints. These can range from workplace disputes, harassment, bullying or occupational health concerns through to allegations of improper conduct or corruption. Not all of these disclosures will be a PID to which the Act will apply. If your information is not covered by the Act you can still make your disclosure to the City using its grievance process (if you are or were an employee at the time the incident occurred) or its complaints management process (if you are a member of the public).

5. Overview of roles and responsibilities of parties involved in the disclosure process at the City of Wanneroo

Person / role	Responsibilities
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<p>Principal Executive Officer (Chief Executive Officer)</p>	<ul style="list-style-type: none"> • Designates the occupant of a specified position (a PID Officer) to receive public interest disclosures related to the City (s. 23(1)(a)). • Provides protection from detrimental action or the threat of detrimental action for any employee of the City who makes a public interest disclosure (s. 23(1)(b)). • Ensures the City complies with the PID Act and the Code 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 City 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 City; – results of any investigations conducted as a result of the disclosures; – action, if any taken, as a result of each disclosure; – any matters as prescribed. • 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.
<p>The Proper Authority (s. 5(3), s. 7 and s. 18) or PID Officer(s 23(1)(a)):</p>	<ul style="list-style-type: none"> • As is designated by ss. 5(3)(a-g) or by the City’s CEO, under s. 23(1)(a) the PID Officer is to receive disclosures related to the City. • Provides information to potential disclosers about their rights and responsibilities consistent with the Code 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).

	<ul style="list-style-type: none"> • 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 established under s. 20(1) and the State Records Act 2000. • 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 established by the Public Sector Commissioner (s. 20(1)) and any authority-specific code of conduct established separately from the PID Act.
<p>The discloser:</p>	<ul style="list-style-type: none"> • Makes a public interest disclosure to a proper authority or the City's PID Officer if the matter relates to the City. (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)).

<p>The subject of the disclosure (person about whom disclosure is made):</p>	<ul style="list-style-type: none"> • 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)).
<p>An investigating officer:</p>	<ul style="list-style-type: none"> • May investigate matters of public interest information on behalf of the City 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.

6. Managing public interest disclosures

The following procedures describe how the City will manage the PID process.

6.1 Overarching requirements of the Public Interest Disclosure Act 2003

The PID Act sets out overarching requirements for handling disclosures. These requirements separate the PID 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 the City will meet these requirements, as well as expectations of a discloser, and any subject(s) of a disclosure.

6.2 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 e.g corruption, bribery, fraud or theft; or
 - an act or omission that constitutes an offence under a written 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).

6.3 Confidentiality

Maintaining confidentiality is an important part of managing a PID. 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
- 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.

6.4 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 the City in dealing with the disclosure, the PID Officer will record this using the Consent to Disclosure of Identifying Information Form.

Sometimes there may be the 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
- ordered by a court or any other person or body having authority to hear, receive or examine evidence; or
- required by ss.152 or 153 of the *Corruption, Crime and Misconduct Act 2003*.

Before the City identifies 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. The PID Officer will use the Notification of Disclosure of Identifying Information Form to do this.

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

The 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, the PID Officer will notify as described above.

6.5 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). the PID Officer will use the Consent to Disclosure of Identifying Information Form to record this.

Additionally, the City 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;
- ordered by a court or any other person or body having authority to hear, receive or examine evidence; or,
- 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.

6.6 Protections

The PID Act provides a range of protections for disclosers. It also requires that the CEO provides protection for any employees who make disclosures (s. 23(1)(b)).

The "Don't be afraid to speak up" brochure contains general information about the protections provided by the PID Act. The PID Officer will be able to expand on this information specific to the City.

The City is 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 the City take action to protect them.

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.

6.7 Notification requirements

The PID Officers will ensure that the City completes all reporting in accordance with the legislative and administrative requirements of the PID Act.

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

- within three months of making a disclosure, the action taken, or proposed to be taken, in relation to the disclosure (s. 10(1))
- when the disclosure process has concluded, the outcome of the investigation and the reasons for taking any action following the investigation (s. 10(4)).

The PID Officers may also provide a progress report during any investigation, either on their initiative or upon request (ss. 10(2) and (3)).

PID Officers have 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).

The 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*.

6.8 Record keeping

During the investigation the 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.

6.9 PID Register

To assist with annual reporting to the Public Sector Commissioner the City will maintain a public interest disclosure register. We will assign a unique register number to each disclosure and record key information about the disclosure, any investigation and the outcome in the public interest disclosure register. This register (paper and/or electronic) is kept strictly confidential and maintained in a secure location.

7. How to make a public interest disclosure

7.1 Before you make a disclosure

The City strongly encourages anyone thinking about making a public interest disclosure to seek advice from the PID Officer ('proper authority') before they do. 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.

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 the City. At the City 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):

- Chief Executive Officer,
- Director Corporate Strategy and Performance,
- Executive Manager Governance and Legal,
- Manager People and Culture;
- Governance Specialist, and
- Coordinator Corporate Support

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.

The PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously. This is because the discloser cannot withdraw the disclosure once it is made. Once disclosed the PID Officer is obliged to take action and may continue to look into the matters disclosed irrespective of continued approval.

These initial discussions with the 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, the PID Officer will discuss other mechanisms through which issues may be made, for example, the general complaints or grievance resolution process.

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.

7.2 What is 'sphere of responsibility'?

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

- matters that relate to the City of Wanneroo; or
- a public officer or public sector contractor of the City of Wanneroo; or
- a matter or person that the City of Wanneroo has a function or power to investigate.

The proper authority to which a disclosure should be made 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*" brochure.

7.3 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.

Whilst there is no requirement to use the form, the form will help to define the details of the disclosure. Disclosers may fill out the form themselves or the 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.

The City must also accept anonymous disclosures, but if a discloser decides to make an anonymous disclosure they should understand that it may be more difficult for the PID Officer to investigate or take action about the disclosure. This is because they cannot come back to seek any further information. The City is 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 the 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.

7.4 Determining whether your matter is an appropriate disclosure

Once the PID Officer has received the disclosure they will assess whether it meets the requirements under the PID Act. It may be that the 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, the 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, the PID Officer will ensure proper and adequate records are made and will communicate with the discloser further, unless it is an anonymous disclosure.

The PID Officer will notify the discloser within three months about what action the City intends to take in dealing with the disclosure, unless it is an anonymous disclosure.

7.5 Determining whether your public interest disclosure will be investigated

After assessing the disclosure as one to which the PID Act applies, the PID Officer will consider whether it will be investigated, guided by the requirements in s.8 of the PID Act. 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; or
- the matter is being or has been adequately or properly investigated by another proper authority, s. 5(3).

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

7.6 Referring public interest matters

Where the 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, the PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

7.7 Investigating the disclosure

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

If causing the disclosure to be investigated, the 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. The 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, the PID Officer or investigator is limited by the functions and powers derived from the 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 the Code at all times.

Employees who are the subject of the disclosure can clarify the process and what to expect with the PID Officer. The 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 the PID Officer, or another investigator, will be guided by the procedures below.

7.8 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.

The City will treat the person fairly and impartially throughout the process, and inform them of their rights and obligations. The City will generally keep the parties involved informed during any investigation, although the City cannot release any information to the person that may prejudice the investigation. As an employee it is expected that they will act in accordance with the City's 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:

- consent to their 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;
- it is made in accordance with a court order or other body having authority to hear evidence;
- it is made in accordance with s. 152 or 153 of the Corruption, Crime and Misconduct Act 2003.

The City will also provide appropriate natural justice. This means that, before taking any disciplinary or other action against the person under s. 9, the City will provide the person with 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.

The subject of a disclosure 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 a person must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person that is believed to have 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.

7.9 Taking action

The PID Officer will take action where they form the opinion that a person may be, may have been or may in the future be involved in conduct which may be the subject of a public interest disclosure. Usually, the 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.

The PID Officer may take action under s. 9 and this includes, but is not limited to:

- preventing the matter disclosed from continuing or occurring;
- referring the matter to the Western Australia Police or other appropriate body; or
- cause disciplinary action to be taken against a person responsible for the matter.

The options above are not mutually exclusive. The PID Officer may take more than one action depending on the circumstances. For example, the PID Officer may refer the matter to the Western Australia Police as well as invoke the City's internal disciplinary procedures that may result in the termination of an employee.

In taking action the PID Officer and/or the City is limited by the powers and functions derived from the operating legislation. The PID Act does not provide for any additional powers to take action. The City will be guided by what is necessary and reasonable in the circumstances.

Before taking any action the City will give the person against whom the action is to be taken (the subject of the disclosure) an opportunity to respond, either verbally or in writing, to ensure procedural fairness.

7.9.1 Confidentiality and record keeping when taking action

The City will maintain confidentiality in accordance with the PID Act when taking action.

The PID Officer will keep appropriate records about any action taken, as well as recording a summary of this action in the public interest disclosure register.

8. After the public interest disclosure process has been finalised

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

The PID Act does not provide for an appeal of 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* brochure 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.

9. Making a disclosure to a journalist

The PID Act provides for certain circumstances where a discloser may make a protected disclosure to a journalist under 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.

The City is committed to ensuring that notifications required under the PID Act are provided and that the discloser understands the reasons for the 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, the City encourages 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 the City is not obliged to provide the discloser with any notifications about what happens to the disclosure.

10. Contact Details and Further Information

Executive Manager Governance and Legal
Manager People and Culture
(Tel: 9405 5000)

11. Responsibility for Implementation

Governance and Legal

REVISION HISTORY

Version	Next Review	Record No:
1 July 2003	When amendments to the legislation require it.	13/25264
August 2016	August 2019	13/25264
January 2017	January 2020	
January 2018 – Administrative replacement of Process Map	January 2020	13/25264
October 2020	June 2025 (or sooner should amendments to the legislation require it)	13/25264

Code of conduct and integrity

Established by the Public Sector Commissioner under Section 20 of the *Public Interest Disclosure Act 2003* (PID Act).

The Code operates from 1 July 2003.

The Code is to be complied with by any person to whom a disclosure is made under the PID Act.

The Code

The Code uses as its ethical base the principles of personal integrity, relationships with others and accountability as referred to in the Western Australian Public Sector Code of Ethics.

Consistent with those principles, to meet the minimum standards of conduct and integrity, persons receiving disclosures, must:

- be professional and courteous to those involved in a disclosure, and give prompt attention to all their lawful requirements
- not use any circumstance or information connected to a disclosure for personal profit or gain
- take all reasonable steps to seek to ensure informants who make a public interest disclosure are protected in accordance with the provisions specified in the PID Act
- take all reasonable steps to seek to ensure that persons who are the subject of a disclosure are also provided with appropriate safeguards and protections as specified in the PID Act
- maintain records that ensure all action taken about the receipt and processing of a disclosure is reviewable
- declare to an appropriate person, in writing, any interests that may conflict with their obligations to impartially receive and process disclosures
- immediately report corrupt behaviour that has been, or may be occurring, to an appropriate authority
- provide information to the informant about their rights and responsibilities and the possible implications of lodging a public interest disclosure.



+	OFFICE-USE-ONLY
	Register No: #
	Date: / /

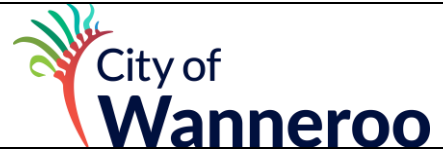
Public interest disclosure lodgement form

Public Interest Disclosure Act 2003

The City of Wanneroo strongly encourages anyone thinking about making a public interest disclosure to seek out a nominated proper authority to discuss their issues first. Our proper authorities (Public Interest Disclosure (PID) Officers) are:	
Position	Executive Manager Governance and Legal; or Manager People and Culture
Name of PID Officer	Michael Berkeley-Hill; or Claire Allman
Contact details	Michael.Berkeley-Hill@wanneroo.wa.gov.au Claire.Allman@wanneroo.wa.gov.au (08) 9405 5000
Ensure you understand your rights and responsibilities under the <i>Public Interest Disclosure Act 2003</i> (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 City of Wanneroo'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	□ □ □ □ □
<input type="checkbox"/>	<p>I wish to make an anonymous public interest disclosure. I understand that:</p> <ul style="list-style-type: none"> → 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

Public Interest Disclosures Guidelines



Categories of public interest information ¶	Tick relevant box(es) ¶
Improper conduct ^α	<input type="checkbox"/>
An offence under written State law ^α	<input type="checkbox"/>
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources ^α	<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 ^α	<input type="checkbox"/>
Administration matter(s) affecting you personally ^α	<input type="checkbox"/>

¶

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

¶



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

¶ You should read the following information and sign this form prior to lodgement[¶]

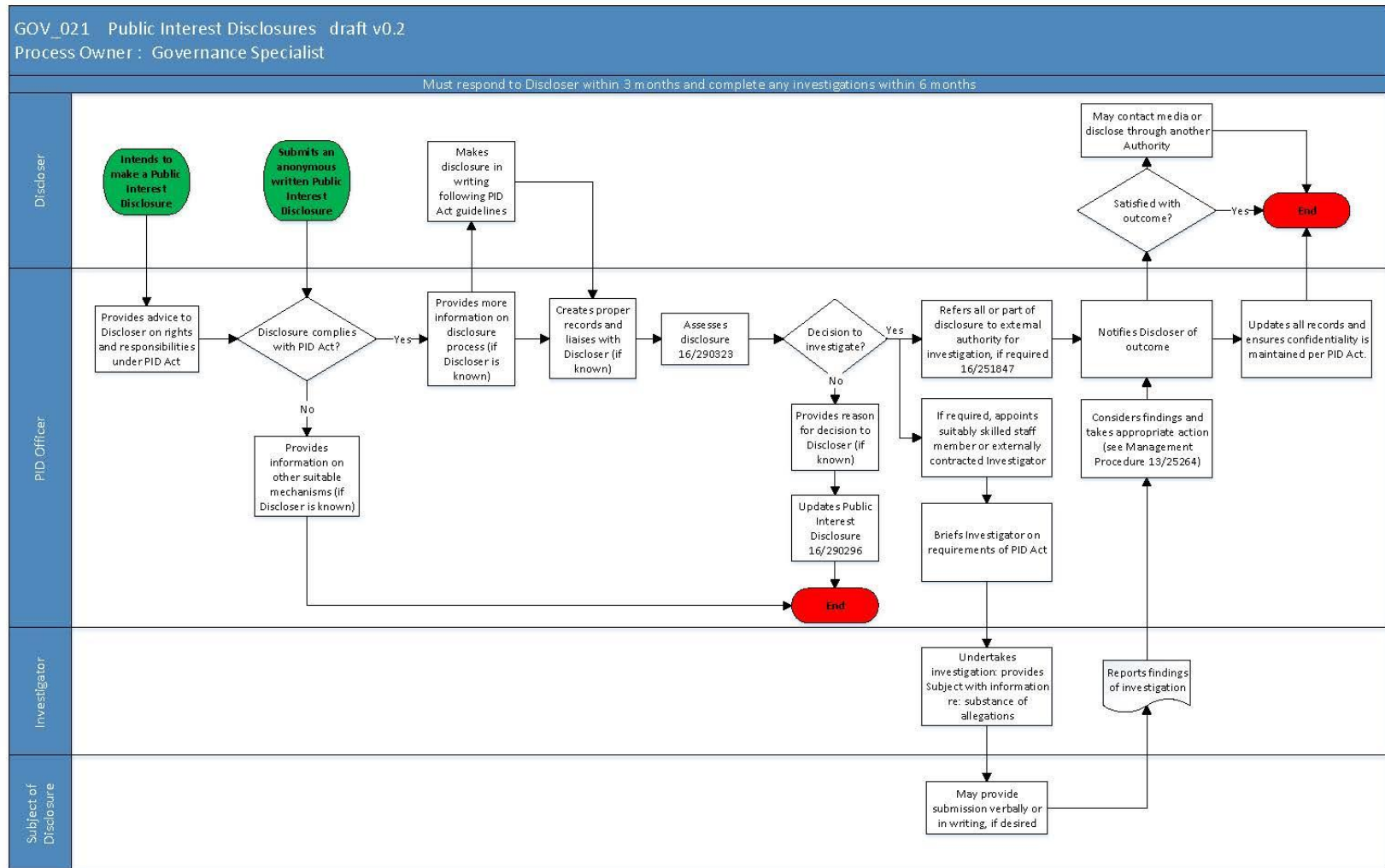
Acknowledgement[¶]

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 ^α	
Discloser's signature ^α ^α
Date ^α ^α

Process Map



PID Act – Public Interest Disclosures Act 2003
 CCM Act – Corruption, Crime and Misconduct Act 2003

TRIM: 16/315749