

Public Interest Disclosures – Information Sheet

What is a Public Interest Disclosure?

In broad terms, a Public Interest Disclosure (PID) is a report, complaint or allegation, about:

- 'Improper Conduct' by a public body, public officer or person; or
- 'Detrimental Action' taken or proposed to be taken by a public body or public officer, against a person, in reprisal for a person having made a PID or having cooperated with the investigation of a public interest disclosure

A PID can be about conduct that may have taken place, that may be occurring now or that is proposed to be taken or engaged in.

Who can I make a disclosure to?

- If your disclosure relates to a Councillor, you will need to make your disclosure directly to the Independent Broad-based Anti-corruption Committee (IBAC) or to the Victorian Ombudsman.
- Disclosures that relate to the conduct of the organisation or members of Council's staff can be made to the organisation's PID Coordinator or PID Officer, the CEO, the manager or supervisor of the discloser, and the manager or supervisor of the person who is the subject of the disclosure.

How do I make a Public Interest Disclosure?

You can make a disclosure to a Council, IBAC or the Ombudsman either orally or in writing.

You may choose to make your disclosure anonymously; however this may make it more difficult for the allegations to be investigated.

- Oral disclosures may be made in person, by phone or by leaving a voice message. It is recommended that you make this disclosure in private.
- A written disclosure can be delivered in person, via email or via post. Please note, a PID cannot be made by fax.
- If you are unsure about how to make a disclosure or if you need assistance, please call us on 03 5261 0600.

How Will I be Protected if I Make a Disclosure?

If you make a PID, you will receive certain legal protections. However, you must make your PID in accordance with the correct procedures in order to be entitled to these protections. Where the disclosure is made correctly, the following protections will apply:

- Protection from detrimental action taken or proposed to be taken against another person in reprisal for making a PID, including:
 - Protection from being fired, disciplined or bullied for making a PID;
 - Where possible, the opportunity for you to request a transfer of employment to avoid potential reprisals;
- Protection from a defamation action for making a PID; and
- Protection from committing an offence or for breaching confidentiality obligations you have with respect to the information you have provided within your PID.
- Please note you are still liable for your own conduct that you have disclosed.

What Happens After I Make a Disclosure?

- We will acknowledge receipt of your disclosure.
- We will assess whether urgent action is needed to protect the health and safety of individuals, preserve property or respond to serious criminal conduct.
- We will take all reasonable steps to keep the disclosure and your identity confidential.
- We will assess whether your disclosure is a PID.
- If we believe that your disclosure is a PID, we will do the following within 28 days:
 - Notify IBAC of the disclosure.
 - Notify you in writing that the matter has been referred to IBAC.
 - Inform you that it is important that the disclosure remains confidential.
- If we assess your disclosure as not being a public interest disclosure, we will advise you in writing within 28 days that:
 - We consider that the matter is not a public interest disclosure
 - The disclosure has not been notified to IBAC
 - The PID Act protections still apply
 - The matter will be dealt with by us as a complaint under our complaints handling policy