

Public Interest Disclosure Procedure: Self-assessment checklist

The Office of the Queensland Ombudsman, as the oversight agency under the *Public Interest Disclosure Act 2010* (the PID Act), has developed this self-assessment checklist to assist agencies to comply with the requirements of the PID Act and Public Interest Disclosure standards.

This checklist has been designed to assist agencies review their PID procedures and identify opportunities for development. This checklist is not intended to be prescriptive, but rather provide guidance on the key principles captured in the PID Act and the Public Interest Disclosure standards. We recommend you read this checklist in conjunction with our [Model Public Interest Disclosure Procedure](#).

The Public Interest Disclosure Team at the Office of the Queensland Ombudsman provides advice and assistance to agencies in the development of procedures, including reviewing and providing written feedback on draft procedures. You are welcome to contact the PID Team by email at PIDAdmin@ombudsman.qld.gov.au.

Reviewer:	
Date:	

Compliance with Public Interest Disclosure Standard No. 1/2019

Standard 1.1: Develop and implement PID procedures

1.1.1 Align to legislative principles
<input type="checkbox"/> Encourage the reporting of wrongdoing <input type="checkbox"/> Confirm the agency will act to protect officers against reprisal <input type="checkbox"/> Commit the agency to providing appropriate support to those who make a PID <input type="checkbox"/> Commit the agency to ensuring that PIDs will be properly assessed, and where appropriate, properly investigated and dealt with <input type="checkbox"/> Commit to taking appropriate action to deal with any wrongdoing
1.1.2 Explain coverage of the procedure
<input type="checkbox"/> Identify who is covered by the policy <input type="checkbox"/> Clearly explain what types of wrongdoing can be reported

1.1.3 Identify roles and responsibilities

- Summarise the roles of the chief executive officer, senior management, management and supervisors in PID management
- Provide an explanation of the role and responsibilities of the PID coordinator
- Describe the roles and responsibilities of officers involved in the receipt, assessment, investigation and decision-making of PIDs
- Provide information on the role of a PID Support Officer in providing support to all parties involved in a PID

1.1.4 Set out the process for reporting wrongdoing

- Detail how officers and members of the public can report wrongdoing
- Provide contact details for officers or the unit designated responsibility for receiving PIDs
- Explain how a report of wrongdoing may be made anonymously
- Explain how a PID may be made externally, with details of the proper authorities to which various types of wrongdoing may be made
- Give guidance on the circumstances where a report of wrongdoing may be made to a journalist and still attract the protections of the PID Act

1.1.5 Explain the process for receiving a PID

- Outline the process for assessing a matter to determine whether it is a PID
- Acknowledge the agency's obligations to communicate in writing with the discloser
- Explain when and how the agency may decide not to investigate or deal with a PID (ensure compliance with s.30 of the PID Act)
- Explain when the agency may refer a PID to another proper authority
- Detail how a referral risk assessment will be conducted prior to referring to another proper authority
- Explain what records the agency will keep

1.1.6 Assure protections and confidentiality obligations are met

- Explain the protections which apply to a discloser who makes a PID
- Identify what action the agency will take to ensure confidentiality obligations are complied with
- Detail how the agency will assess the risk of reprisal to disclosers, as well as others who may be involved in the PID process
- Detail what steps may be taken should a sufficiently high risk of reprisal be identified
- Explain what support the agency may provide to disclosers
- Explain the rights of subject officers
- Commit the agency to upholding the principles of natural justice

1.1.7 Identify review rights

- Detail how a discloser can seek a review of a decision by the agency not to investigate or deal with a PID under s.30 of the PID Act
- Explain what internal and external review rights are available to both subject officers and disclosers, if they are unhappy with the PID management process

1.1.8 Link to other policies and procedures

- Ensure that any other relevant pieces of legislation, policies or procedures are linked
- Ensure the PID procedure is referred to in other relevant policies and procedures

1.1.10 Provide for procedure approval and review

- Record details of the approving officer and date of approval
- Record when the procedure is scheduled for review, and the relevant responsible officer

Additional requirements for integrity/complaint/review bodies:

The following section is relevant to those agencies which have an integrity, complaint management or external review function under legislation. If you are unsure whether your agency is in this category, please contact the Public Interest Disclosure Team at the Office of the Queensland Ombudsman.

1.1.9 Distinguish PID management responsibilities as a proper authority from responsibilities as an employer

- Explain how PIDs will be identified, assessed and managed in the course of exercising the agency's statutory powers, as distinct from the agency's responsibilities as an employer
- Set out delegations for assessment, decision-making and review mechanisms for PID matters
- Set minimum requirements for information to be provided to disclosers about their rights, responsibilities, limitations and protections under the PID Act, in addition to any statutory protections available under the legislation the agency administers

Note: the agency's business processes should provide for the protection of disclosers in accordance with the PID Act.