

Public Interest Disclosures Facts

How does your Public Interest Disclosure policy measure up?

Self-assessment for public sector entities

The *Public Interest Disclosure Act 2010* (PID Act) and the Queensland Ombudsman's *Public Interest Disclosure Standard No 1* set out the requirements for public sector entities to prepare for and respond to a PID.

The PID Act requires an entity's chief executive to establish reasonable procedures for dealing with PIDs and ensure the procedures are published on a website readily accessible to the public. The PID Act and the PID Standard sets out the requirements for PID management by entities.

PID policy framework

Public Interest Disclosure Act 2010

Purpose

To facilitate the disclosure, in the public interest, of information about wrongdoing in the public sector, to provide protection for those who make disclosures.

Objects

- To promote the public interest by facilitating public interest disclosures of wrongdoing in the public sector.
- To ensure that public interest disclosures are properly assessed and, when appropriate, properly investigated and dealt with.
- To ensure that appropriate consideration is given to the interests of persons who are the subject of a public interest disclosure.
- To afford protection from reprisals to persons making public interest disclosures.

Section 28

Reasonable procedures to deal with public interest disclosures—

Queensland Ombudsman's Public Interest Disclosure Standard No 1

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| 1. A management program for PIDs consistent with the PID Standard is developed and implemented | 6.1 Organisational commitment 6.2 Oversight within the entity | 7. Reporting |
| 2. PIDs made to the entity are properly assessed and, when appropriate, properly investigated and dealt with | 6.3 Receiving and assessing PIDs | |
| 3. Appropriate action is taken in relation to any wrongdoing that is the subject of a PID made to the entity | 6.4 Taking action on a PID | |
| 4. Reasonable support for public officers of the entity who make PIDs | 6.5 Informing the discloser 6.6 Discloser support and protection | |
| 5. Public officers of the entity are offered protection from reprisals by the entity or other public officers of the entity | 6.7 Managing reprisals | |

Self-assessment

This checklist will help an entity to review its own PID policy and identify areas for improvement.

For further guidance about developing PID policy and practice, the checklist identifies the relevant area of the PID Standard. The Standard also provides links to relevant sections of the publication, *Managing a Public Interest Disclosure Program: a guide for public sector organisations*.

1. Management Program

Standard 6.1 Organisational commitment

Yes -
the policy
covers this

Establish a management program including:

- organisational commitment to encouraging and supporting PIDs as part of an ethical culture
- arrangements for PID awareness/training for staff and managers
- appointment of an officer or specialist unit to be responsible for PID management
- commitment to ensuring PID outcomes inform improvements
- commitment to regularly review the PID policy and procedures

Establish reasonable procedures, including:

- a description of what a PID is; what may be reported by a member of the public and by a public officer, and what makes a disclosure appropriate (subjective test or objective test)
- a description of how to make a PID (internally and externally), how an anonymous PID will be acted on and information about PID roles and responsibilities
- information about when a disclosure may be made to a journalist under the PID Act
- an outline of the process for assessing and managing the risks of reprisal
- an outline of how confidentiality requirements will be managed
- information about review rights in PID management
- confirmation of the rights of subject officers

Provide a linkage between PIDs and other policies/procedures for handling complaints

Standard 6.2 Oversight within the entity

Establish a central point for PID assessment and monitoring; managing support and protection for disclosers; and collecting, reporting and reviewing data about PIDs.

Standard 7 Reporting

Identify arrangements for internal PID reporting and reporting PID information to the oversight agency, the Queensland Ombudsman.

2. Proper assessment

Standard 6.3 Receiving and assessing PIDs

Commit to receiving and assessing PIDs in accordance with the PID Act, the PID Standard and the entity's PID policy

Outline the process for PID referral

3. Appropriate action

Standard 6.4 Taking action on a PID

Commit to taking appropriate action on a PID, including investigation where appropriate

Commit to acting on false or misleading information and that persons making such disclosures may face disciplinary action

4. Reasonable support

Standards: 6.5 Informing the discloser and 6.6 Discloser support and protection

Yes –
the policy
covers this

Describe how the organisation will provide feedback to disclosers about the PID assessment and investigation outcomes (if investigated)

Commit to supporting and protecting disclosers and describe how disclosers will be supported

Confirm that making a PID does not prevent reasonable management action

5. Reprisal

Standard 6.7 Managing reprisals

Commit to managing the risk of reprisal

Assess the risk of reprisal and what action will be taken to protect disclosers

Describe how the organisation will respond to allegations of reprisals

6. Better practice policy elements

Refers to the legislative policy basis and other supporting documents (such as the organisation's code of conduct)

States the purpose of the policy

Includes key definitions for PIDs management

Uses plain language that is easy to understand

More information

Public Interest Disclosure Act 2010 and Queensland Ombudsman Public Interest Disclosure Standard No. 1

Thinking about blowing the whistle? Guides available for making, handling and managing public sector Public Interest Disclosures

Other Queensland Ombudsman Public Interest Disclosure Facts

Your privacy

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