

# Corporate Services

## POLICY

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**Title:** Public Interest Disclosures

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### Policy Statement:

The department is dedicated to promoting the public interest by facilitating disclosures of wrongdoing and ensuring that public interest disclosures are correctly assessed, appropriately and thoroughly investigated, and dealt with in accordance with the *Public Interest Disclosure Act 2010*, ensuring suitable protection from reprisal action against a person making a disclosure.

### Principles:

- Public interest disclosures are the disclosure of information as specified in the *Public Interest Disclosure Act 2010* (the Act) (sections 12 & 13) and made to a proper authority with the responsibility or power to take appropriate action about the information disclosed or to provide an appropriate remedy.
- Public interest disclosures will be managed by a program that has established procedures for dealing disclosures.
- Appropriate procedures to assist with the facilitation of certain protection, support and information will be provided to employees and members of the public when making disclosures of wrongdoing, as well as those employees who have a disclosure of wrongdoing made against them.
- Reprisal action against employees reporting wrongdoing will not be tolerated. Reasonable procedures will be maintained to manage and reduce the risk of reprisal against an employee who has made a disclosure.

Confidentiality is paramount in all aspects of managing a public interest disclosure, to the extent necessary for appropriate investigation and response to the disclosure.

### Managing and Monitoring

**Director-General** – The Director-General (or delegate), will:

- Be the primary contact person and liaise with the Office of the Queensland Ombudsman on all matters relating to public interest disclosures within the department;
- Ensure guidelines are in place for the protection of all employees to minimise the threat against reprisal action; and
- Ensure appropriate training is provided to all employees about managing and making public interest disclosures.

**Managers – Managers of units will:**

- Encourage employees to report wrongdoings by other employees; and
- Ensure effective systems and procedures are in place to monitor a discloser's workplace for any signs of reprisal action.

**Manager, Ethical Standards – The Manager, Ethical Standards will:**

- Provide advice and promote awareness of the *Public Interest Disclosure Act 2010* to the Director-General and all units within the department of the obligations to manage public interest disclosures;
- Develop, implement and maintain a management program for public interest disclosures;
- Regularly evaluate and monitor the effectiveness of public interest disclosure policy and guidelines;
- Receive and assess the eligibility of a discloser for protections under the *Public Interest Disclosure Act 2010* for disclosures about employee conduct;
- Conduct a risk of reprisal assessment for each eligible public interest disclosure and determine a level of support proportionate to the risk; and
- Provide statistical information to the Office of the Queensland Ombudsman.

**Manager, Central Complaints and Review Unit – The Manager, Central Complaints and Review Unit will:**

- Contribute to the development, implementation and maintenance program for public interest disclosures;
- Contribute to the regular evaluation and monitoring of the public interest disclosure policy and guidelines;
- Receive and assess the eligibility of a discloser for protections under the *Public Interest Disclosure Act 2010* for disclosures of substantial and specific dangers to the health or safety of a person with a disability;
- Conduct a risk of reprisal assessment for each eligible public interest disclosure and determine a level of support proportionate to the risk; and
- Provide statistical information to the Office of the Queensland Ombudsman.

**Authority:**

*Public Interest Disclosure Act 2010*

*Public Service Act 2008*

**Delegations:**

As per the department's Human Resource Delegations

**Records File No.:**

**Date of approval:** 20 January 2015

**Date of operation:** 20 January 2015

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**Office:** Corporate Services

**Help Contact:** Ethical Standards

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**Links:**

*Related Policies*

HR Policy 'Reporting and managing corrupt conduct'

HR Policy 'Discipline and suspension'

HR Policy 'Resolution of employee complaints'

*Related Legislation or Standard*

*Public Interest Disclosure Act 2010*

*Queensland Ombudsman Standard Public Interest Disclosure Standard No1*

*Related Government Guidelines or Policy*

Public Service Commission Directive 02/14 'Appeals'

Queensland Ombudsman public interest disclosure supporting resources

*Rescinded Policies*

HR Policy and Procedure 'Public interest disclosures'

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Michael Hogan

Director-General