

# PUBLIC INTEREST DISCLOSURE

## About Public Interest Disclosure

The *Public Interest Disclosure Act 2003* (the Act) enables people to make disclosures about wrongdoing within the State public sector, local government and public universities without fear of reprisal.

The Act aims to ensure openness and accountability in government by encouraging people to make disclosures and protecting them when they do.

## What is public interest disclosure?

A disclosure must relate to a matter of public interest and tend to show wrongdoing by a public body when performing a public function.

## Who can make a disclosure?

Anyone who believes on reasonable grounds that the information they have is or may be true can make a disclosure, including an employee of a public authority and a member of the public.

## What is a public body?

Public bodies include:

- A public authority (includes a State Government organisation, Local Government, regional Local Government or a public university).
- A public officer (includes a State public service officer, an employee of a public authority, a minister, a member of Parliament, a judicial officer, a police officer, a holder of office under the state, or an officer of the Commonwealth exercising a function on behalf of the State).
- A public sector contractor (a person or organisation engaged by a public authority, or a subcontractor of this person, for the supply of goods and services, or the performance of a public function).

## What is a Public Function?

A public function is a service, responsibility or duty that is provided to the public by a public body for the benefit of and use by the public.

## What is a Wrongdoing?

A wrongdoing includes any of the following:

- An offence under State Law;
- Conduct relating to state and /or local government matters that affect you;
- Substantial mismanagement of public resources;

- Substantial unauthorised or irregular use of public resources;
- Substantial and specific risk of injury to public health, prejudice to public safety or harm to the environment;
- Improper conduct (see below).

Improper conduct usually refers to the breaching of the standards of conduct that a person would generally expect of a person or public body.

### **Lodging a Public Interest Disclosure**

If you would like to lodge a disclosure, you should contact the Public Interest Disclosure (PID) Officer at the relevant authority. The PID Officer will advise you on:

- How to make the Disclosure;
- Who you should disclose to;
- Your rights and responsibilities;
- The protections that will apply; and
- Whether the information you have is covered by the Public Interest Disclosure Act 2003 (the Act).

You will then be given a PID Lodgement Form to sign. It's important that you don't discuss your disclosure with anyone other than the PID Officer or the person conducting the investigation. Otherwise, you could lose your immunity and possibly incur a fine.