

# Public Interest Disclosure Policy

## Policy Details

<b>Policy Category</b>	Statutory Policy
<b>Date Adopted</b>	14 October 2020
<b>Resolution Number</b>	1020/11
<b>Approval Authority</b>	Council
<b>Effective Date</b>	14 October 2020
<b>Policy Version Number</b>	1
<b>Policy Owner</b>	Chief Executive Officer
<b>Contact Officer</b>	Mark Crawley

## Supporting documentation

<b>Legislation</b>	<ul style="list-style-type: none"> <li>• <i>Public Interest Disclosure Act 2010</i></li> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Public Sector Ethics Act 1994</i></li> <li>• <i>Crime and Corruption Act 2001</i></li> </ul>
<b>Policies</b>	<ul style="list-style-type: none"> <li>• <i>Administrative Action Complaints Process</i></li> <li>• <i>Employee Code of Conduct</i></li> <li>• <i>Councillor Code of Conduct</i></li> <li>• <i>Risk Management Policy</i></li> </ul>
<b>Delegations</b>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>Forms</b>	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
<b>Supporting Documents</b>	<ul style="list-style-type: none"> <li>• Public Interest Disclosure Procedure</li> <li>• Public Interest Disclosure Management Program</li> </ul>

## Version History:

Version	Adopted	Comment	eDRMS #
1	14/10/2020	Council Resolution No. 1020/11	

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## Intent

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Carpentaria Shire Council is committed to the disclosure of information about suspected wrongdoing within the organisation so that it can be properly evaluated and, if necessary, appropriately investigated. This Policy confirms this commitment by ensuring practical and effective procedures are developed and embedded in the complaints and integrity framework of the organisation, which comply with the requirements of the Public Interest Disclosure Act 2010 (PID Act).

## Scope

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A Public Interest Disclosure (PID) is a disclosure of perceived wrongdoing by one or more persons within Council concerning an action or activity that the discloser reasonably believes constitutes:

- Corrupt Conduct;
- Maladministration;
- A substantial misuse of public resources;
- A specific and substantial danger to public health and safety;
- A specific and substantial danger to health or safety of a person with a disability;
- A specific and substantial danger to the environment; or
- A reprisal.

Members of the public may lodge a PID about:

- A substantial and specific danger to the health or safety of a person with a disability
- A substantial and specific danger to the environment (as set out in the PID Act)
- A reprisal action in relation to a PID.

## Policy Statement

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By complying with the relevant provisions of the PID Act, Council will strive to ensure the following:

- The promotion of public interest by facilitating public interest disclosures (PID) of wrongdoing;
- PIDs are properly assessed and, where appropriate, properly investigated and dealt with;
- Appropriate consideration is given to the interests of persons who are the subject of a PID;
- Afford protection from reprisals to persons making PIDs; and
- Procedures are in place to afford protection from reprisals to persons making a PID.

Pursuant to s28 of the *Public Interest Disclosure Act 2010*, the CEO must establish and maintain reasonable procedures to ensure that:

- (a) Councillors, employees and the public who make PIDs are given appropriate support; and
- (b) PIDs made to Council are properly assessed and, when appropriate, properly investigated and dealt with; and
- (c) Appropriate Action is taken in relation to any wrongdoing that is the subject of a PID made to the entity; and
- (d) A management program for PIDs made to Council is developed and implemented, and that the program is consistent with the standards prescribed by the Queensland Ombudsman, which reviews the management of PIDs; and

- (e) Councillors and employees of Council who make PIDs are offered protection from reprisals by Councillors or employees.

Council's Public Interest Disclosure Policy and Procedure must be available for public viewing on Council's website, and must be reviewed annually and updated (as required) to ensure that the procedure meets the legislative requirements of the PID Act and the standards prescribed by the Queensland Ombudsman.

## **Roles and Responsibilities**

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Council has delegated via the 'Public Interest Disclosure' Delegation of Authority, several powers under the *Public Interest Disclosure Act 2010*, to Council's Chief Executive Officer and Director of Corporate Services and Director of Engineering.

Council's associated Public Interest Disclosure Procedure provides further detail of the specific accountabilities and responsibilities in relation to PIDs.

Adopted by Council 14 October 2020 by Resolution 1020/011.



**Mark Crawley**  
**Chief Executive Officer**