



muswellbrook shire council

Internal Reporting – Public Interest Disclosures Policy

Policy No. P39/1

**Assembled by
Bill Spicer**

**Adopted By Council
10 October 2011**

**Minute No.
193**

Internal Reporting – Public Interest Disclosures Policy.

P39/1

POLICY OBJECTIVES

This policy establishes an internal reporting system specifically to address disclosures of corrupt conduct, maladministration or serious and substantial waste of resources and Government Information Contravention by Muswellbrook Shire Council, its staff and Councillors. The system enables such internal disclosures to be made to Disclosures Officers, the Disclosure Coordinator, or the Mayor, as an alternative to the General Manager (Principal Officer).

This policy is designed to complement normal communication channels between supervisors and staff. Staff are encouraged to continue to raise appropriate matters at any time with their supervisors, but as an alternative have the option of making public interest disclosure in accordance with this policy.

POLICY STATEMENT

Introduction

Muswellbrook Shire Council has organisational wide values which provide for Council officials to act with integrity, honesty and respect. Council's Code of Conduct explicitly sets key principles which create a standard for ethical behaviour and general conduct. If councillors and staff consider that actions do not meet the strict standards, then there is an opportunity for these matters to be dealt with in a proper manner.

It is important that Council establishes an internal reporting system to facilitate the making of Public Interest Disclosures (PID). Developing a system to effectively protect those who have made such disclosures is consistent with Council's Code of Conduct. The internal reporting system aims to;

- i. encourage staff to make disclosures internally
- ii. provide an alternate reporting channel for disclosures that could otherwise only be made under the *Public Interest Disclosure Act 1994* to the agency's Principal Officer.
- iii. ensure that disclosures by staff are properly and appropriately assessed, dealt with and acted upon, and
- iv. help ensure that staff who have made a disclosure are adequately protected from detrimental/reprisal action

Effective internal reporting systems are an important tool which, if working effectively, can alert management to serious problems within an organisation

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1. PURPOSE AND CONTEXT OF THE POLICY

1.1 Support for persons who make disclosures

The Muswellbrook Shire Council does not tolerate corrupt conduct, maladministration, serious and substantial waste of public money or government information contravention.

The Muswellbrook Shire Council is committed to the aims and objectives of the *Public Interest Disclosures Act 1994* (The PID Act 1994). It recognises the value and importance of contributions of staff to enhance administrative and management practices and strongly supports disclosures being made by staff or Councillors which disclose corrupt conduct, maladministration, serious and substantial waste of resources and government information contravention.

Muswellbrook Shire Council and the General Manager will take all reasonable steps to provide protection to staff who make such disclosures from any detrimental action in reprisal for the making of the disclosure.

1.2 Object of the Act

The PID Act 1994 commenced operation on 1 July 2011. The purpose of the PID Act 1994 is to ensure that staff who wish to make disclosures under the legislation receive protection from reprisals, and that the matters raised in the disclosures are properly investigated and resolved.

The PID Act 1994 aims to encourage and facilitate the disclosure – in the public interest – of corrupt conduct, maladministration and serious and substantial waste of resources and government information contravention in the public sector. This is achieved by:

- i. enhancing and augmenting established procedures for making disclosures concerning such matters.
- ii. protecting people from reprisals that might otherwise be inflicted on them because of these disclosures; and
- iii. providing for those disclosures to be properly investigated and dealt with.

2. WHAT SHOULD BE REPORTED

There are four key categories of wrongdoing that need to be defined for the purpose of this internal reporting policy, they are;

- i. Corrupt conduct;
- ii. Maladministration;
- iii. Serious and substantial waste of resources; and
- iv. Government Information Contravention.

Any action relating to the categories stated above will be dealt under this policy and in accordance with the PID Act 1994.

2.1 Corrupt Conduct

Corrupt Conduct is defined in sections 8 and 9 of the *Independent Commission Against Corruption Act 1988*. The definition used in the Act is intentionally quite broad – corrupt conduct is defined to include the dishonest or partial exercise of official functions by a public official. Conduct of a person who is not a public official, when it adversely affects the impartial or honest exercise of official functions by a public official, also comes within the definition.

Corrupt conduct can be interpreted as taking or offering bribes, public officials dishonestly using influence (including knowledge and position of power), blackmail, fraud, election bribery, public trust and illegal gambling.

2.2 Maladministration

Maladministration is defined in section 11 of the PID Act 1994 as conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive or improperly discriminatory based wholly or partly on improper motives.

Maladministration can be interpreted as failing to adhere with official policies without acceptable reasoning, inadequate procedural fairness or due diligence methods and approving contracts with private parties knowing a conflict of interest exists.

2.3 Serious and Substantial Waste of Resources

Serious and substantial waste of resources can be defined as any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in a loss of public funds or resources. The waste of resources is not limited to purchases, assets including revenue and liabilities including loans.

Serious and substantial waste of resources can be interpreted as inadequate safeguarding systems, non-compliance with Council policies (eg procurement guidelines) and misuse of public property.

2.4 Government Information Contravention

Government information contravention can be defined as a failure to properly fulfil the requirements and functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

Government information contravention can be interpreted as withholding or destroying public records and knowingly act or direct another individual in contradiction to the GIPA Act.

2.5 An Act of Wrongdoing

The PID Act 1994 has specific provisions for the categories mentioned above. Although in accordance with Council's [Code of Conduct and other related policies](#), staff and Councillors, should report any act of wrongdoing. Any action consistent with harassment, reprisal action or an act that could endanger the health and safety of staff, Councillors and the general public should be reported.

For more information on what should be reported under the PID Act 1994, please refer to the [NSW Ombudsman's Guidelines](#).

3. WHEN WILL A REPORT BE PROTECTED

3.1 What Disclosures Are Protected

Disclosures are protected under the PID Act 1994, Part 2, sections 10, 11, and 12 (B & D) if the person:

- i. makes the disclosure –
 - a) in accordance with this Internal Reporting Policy; or
 - b) to the General Manager; or
 - c) to one of the investigating authorities nominated in the Act; AND
- ii. honestly believes, on responsible grounds that, the allegation shows or tends to show corrupt conduct, maladministration, serious and substantial waste of resources and government information contravention by the Muswellbrook Shire Council or any of its staff or Councillors; AND
- iii. are made voluntarily.

3.2 What Disclosures Are Not Protected

A disclosure is not protected under the PID Act 1994 if it is made by a public official in the exercise of a duty imposed by or under an Act.

Protection is also not available for disclosures which:

- i. primarily question the merits of government policy (including any formal policy adopted by resolution of the governing body of a council, i.e. the elected councillors), or
- ii. are made solely or substantially with the motive of avoiding dismissal or other disciplinary action.

It is an offence to wilfully make a false or misleading statement when making a disclosure.

3.3 Investigating Authorities

The relevant investigating authorities outlined in Part 2 of the PID Act 1994 are;

- i. NSW Ombudsman's Office, for maladministration.
- ii. Independent Commission Against Corruption (ICAC), for matters involving corrupt conduct.
- iii. The Division of Local Government, Department of Premier and Cabinet, for all categories listed in section 2 of this policy.
- iv. The Information Commissioner, for matters of government information contravention.

4. HOW TO MAKE A DISCLOSURE

4.1 Lodging a Report

A report of wrongdoing can be submitted in writing or verbally. It is encouraged that your report (disclosure) be made in writing as this can assist to avoid any confusion or misinterpretation.

If a report is made verbally, the person receiving the report must make a comprehensive record of the disclosure in accordance with the *State Records Act 1998*. This record should then be read and signed by the person making the disclosure as a true and accurate record. The disclosures officer should keep a copy of this record in a confidential manner. Once the disclosure has been received an acknowledgement letter will be forwarded to the complainant within ONE week. This is to recognise the disclosure and detail the procedure from that point onward.

If you are concerned about being seen making a report, ask to meet in a discreet location away from the workplace.

4.2 Can the Report be Anonymous

It is not mandatory when undertaking a PID that the person making the disclosure identifies themselves. Although these reports will still be dealt with by Council, it is best if you identify yourself. This allows Council to provide you with any necessary protection and support, as well as feedback about the outcome of any investigation into the allegations.

It is important to realise that an anonymous disclosure may not prevent you from being identified. If Council do not know who made the report, it is very difficult for the disclosures coordinator and managers to prevent any reprisal action.

4.3 Maintaining Confidentiality

The PID Act 1994 requires investigating authorities, Councils and Council Officers to whom protected disclosures are made or referred, not to disclose information that might identify or tend to identify the person who made the disclosures. The exceptions to the confidential requirement are where:

- i. the person consents in writing to the disclosure of that information; or
- ii. it is essential, having regard to the principles of natural justice, that the identifying information be disclosed to the person who is subject of the disclosure, or
- iii. the investigating authority, Council or Council officer is of the opinion that disclosure of the identifying information is necessary to investigate the matter effectively or disclosure is otherwise in the public interest.

Decisions about natural justice, effective investigation and public interest will be made by the General Manager or Disclosures Coordinator. In all cases the person who made the disclosure will be consulted before such a decision is made.

Note: if guidance is needed in relation to confidentiality or the requirements of natural justice, effective investigation and public interest, this may be sought from the Ombudsman or another investigating authority.

4.4 Sanctions for making false or misleading Disclosures

It is important that all staff are aware that it is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing.

5. MAKING A DISCLOSURE OUTSIDE MUSWELLBROOK SHIRE COUNCIL

Staff and Councillors making a disclosure under the PID Act 1994 (other than by means of the internal reporting system established under this policy for the purposes of the Act), are as follows:

- i. to one of the investigating authorities under the Act (e.g., the Ombudsman, ICAC or the Director-General of the DLG), or
- ii. to a journalist or a member of Parliament (***important conditions apply***)

Disclosures made to a journalist or a Member of Parliament will only be protected **if certain conditions are met:**

- i. the person making the disclosure to a journalist or member of Parliament must have already made substantially the same disclosure through the internal reporting system, or to the General Manager or an investigating authority in accordance with the Act;
- ii. the responsible officer must have reasonable grounds for believing the disclosure is substantially true and **the disclosure must be substantially true**, and
- iii. the investigating authority, council, staff or public official to whom the matter was originally referred has –
 - a) decided not to investigate the matter; or
 - b) decided to investigate the matter but not completed the investigation within 6 months of the original disclosure; or
 - c) investigated the matter but not recommended any action in respect of the matter; or
 - d) failed to notify the person making the disclosure, within 6 months of the disclosure, of whether the matter is to be investigated.

6. ROLES AND RESPONSIBILITIES OF STAFF

The following positions are the officers who can receive a PID in accordance with the PID Act 1994 and this policy are:

- i. The Disclosures Coordinator; Director, Corporate & Community Services (65493710)
- ii. The Disclosures Officers;
Director, Community Infrastructure (65493750)
Director, Environmental Services (65493770)
Manager, Water and Waste (65493837)
Manager, Works (65493715)
Human Resources Manager (65493729)
Graduate Executive Officer (65493707)

- iii. The Principal Officer; The General Manager (65493706); or
- iv. The Mayor* (65493704)

** Only if the disclosure concerns or involves the General Manager or a Councillor.*

All the nominated disclosures officers are contactable on the numbers provided. If you are unable to reach any of the officers by phone, please visit Council's Administration Centre at 157 Maitland Street, Muswellbrook, NSW, 2333 and request an appointment.

Notes:

- (1) *Council staff who wish to make a public interest disclosure which involves a Councillor may do so to the Mayor, the General Manager, or an investigating authority (i.e., the Ombudsman, ICAC, or the Director General of the DLG).*
- (2) *A Councillor who wishes to make a public interest disclosure which involves another Councillor may do so to the Mayor, the General Manager, or an investigating authority (i.e., the Ombudsman, ICAC, or the Director General of the DLG).*
- (3) *If the Mayor wishes to make a public interest disclosure they may do so to the General Manager or an investigating authority (i.e., the Ombudsman, ICAC, or the Director General of the DLG).*

This internal reporting policy places responsibilities upon staff at all levels within Muswellbrook Shire Council.

6.1 Staff

Staff are encouraged to report known or suspected incidences of corrupt conduct, maladministration, serious or substantial waste of resources and government information contravention in accordance with this policy.

All staff of Muswellbrook Shire Council have an important role to play in supporting those who have made legitimate disclosures. They must abstain from any activity that is or could be perceived to be victimisation or harassment of persons who make PIDs. Further, they should protect/maintain the confidentiality of persons they know or suspect to have made disclosures.

6.2 Nominated Disclosure Officers

The nominated disclosure officers are responsible for receiving and forwarding disclosures in accordance with the policy. Nominated disclosure officers will:

- i. clearly explain to persons making disclosures what will happen in relation to the information received;
- ii. when requested by a person wishing to make a disclosure, make arrangements to ensure that disclosures can be made privately and discreetly (if necessary away from the workplace);
- iii. put in writing and date any disclosures received orally (and have the person making the disclosure sign the document);
- iv. deal with disclosures impartially;
- v. forward disclosures to the Disclosures Coordinator for assessment;

- vi. take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential (where this is practical and reasonable), and
- vii. support individuals who make protected disclosures and protect them from victimisation, harassment or any other form of reprisal.

6.3 Disclosure Coordinator

The Disclosure Coordinator has a pivotal position in the internal reporting system and acts as a clearing house for disclosures. The Disclosure Coordinator will:

- i. provide an alternative internal reporting channel to the General Manager;
- ii. impartially assess each disclosure to determine –
 - a) whether the disclosure appears to be a protected disclosure within the meaning of the Act,
 - b) whether the disclosure covers another agency and should therefore be referred to the principal officer of that agency.
 - c) the appropriate action to be taken in relation to the disclosure that concerns Muswellbrook Shire Council, for example:
 - o no action/decline;
 - o the appropriate person to take responsibility for dealing with the disclosure;
 - o preliminary or informal investigations;
 - o formal investigation;
 - o prosecution or disciplinary action;
 - o referral to an investigating authority for investigation or other appropriate action; or
 - o referral to the NSW Police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct).
- iii. consult with the General Manger about all disclosures received, other than where a disclosure concerns the General Manager;
- iv. be responsible for either carrying out or co-ordinating any internal investigation arising out of a disclosure, subject to any relevant directions of the General Manager;
- v. report to the General Manager on the findings of any investigation and recommended remedial action;
- vi. take all necessary and reasonable steps to ensure that the identity of persons who make disclosures (where this is practical and reasonable), and any person who is the subject of a disclosure, are kept confidential; and
- vii. support persons who make a disclosure and protect them from victimisation, harassment or any other form of reprisal.
- viii. report actual or suspected corrupt conduct to the General Manager in a timely manner to enable them to comply with the ICAC Act.

6.4 General Manager

Disclosures may be made direct to the General Manager rather than by way of the Internal Reporting System established under this policy. In such circumstances, the General Manager will:

- i. impartially assess each disclosure to determine:
 - a) whether the disclosure appears to be a protected disclosure within the meaning of the Act;
 - b) whether the disclosure concerns another agency and should therefore be referred to the principal officer of that agency,
 - c) the appropriate action to be taken in relation to a disclosure that concerns Muswellbrook Shire Council, for example –
 - o no action/decline;
 - o the appropriate person to take responsibility for dealing with the disclosure;
 - o preliminary or informal investigation;
 - o formal investigation;
 - o prosecution or disciplinary action;
 - o referral to an investigating authority for investigation or other appropriate action; or
 - o referral to the NSW Police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct).
- ii. receive reports from the Disclosure Coordinator on the findings of any investigation and any recommendations for remedial action, and determine what action should be taken;
- iii. take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential (where this is practical and reasonable), and
- iv. have primary responsibility for protecting any person who has made a disclosure, or provided information to any internal or external investigation of a disclosure, from victimisation, harassment or any other form of reprisal,
- v. be responsible for implementing organisational reform identified as necessary following investigation of a disclosure; and
- vi. report criminal offences to the NSW Police and actual or suspected corrupt conduct to ICAC (under S11 of the ICAC Act).

6.5 The Mayor

The Mayor may receive internal disclosures from any member of staff of the Council or any Councillor concerning the General Manager or a Councillor. The Mayor will:

- i. impartially assess each disclosure made to them about the General Manager or a Councillor to determine –
 - a) whether the disclosure appears to be a protected disclosure within the meaning of the Act;

Note: In making this assessment the Mayor may seek guidance from: the Disclosure Coordinator or General Manager (if appropriate) or an investigating authority (i.e. the Ombudsman, ICAC or the Director- General of the DLG).

- b) the appropriate course of action to be taken in relation to the disclosure (in consultation with the General Manager, if appropriate), for example –
 - o no action/decline;
 - o the appropriate person to take responsibility for dealing with the disclosure;
 - o preliminary or informal investigation;
 - o formal investigation;
 - o prosecution or disciplinary action;
 - o referral to an investigating authority for investigation or other appropriate action; or
 - o referral to the NSW Police (if a criminal matter) or the ICAC (if the matter concerns corrupt conduct).
- ii. refer disclosures to the General Manager for appropriate action if they concern the Council's administration, within the day to day responsibilities of the General Manager;
- iii. Take all necessary and reasonable steps to ensure that the identity of the person who has made a disclosure, and any person who is the subject of a disclosure, are kept confidential (where this is practical and reasonable).

7. SUPPORT FOR THOSE MAKING A DISCLOSURE

Muswellbrook Shire Council will make sure that staff who have reported wrongdoing, regardless of whether they have made a PID, are provided with access to any professional support they may need as a result of the reporting process – such as stress management, counselling services, legal or career advice.

Council also have staff who will support those who report wrongdoing. They are responsible for initiating and coordinating support, particularly to those who are suffering any form of reprisal.

All supervisors must notify the disclosures coordinator if they believe a staff member is suffering any detrimental action as a result of disclosing wrongdoing.

8. RIGHTS OF THE PERSON(S) SUBJECT OF A DISCLOSURE

The rights of the person(s) subject of a disclosure will also be protected. In this regard:

- i. confidentiality of the person(s) that are the subject of any disclosure will be protected/maintained (where this is possible and reasonable);
- ii. disclosures will be assessed and acted on impartially, fairly and reasonably;
- iii. responsible officials who receive disclosures in accordance with this policy are obliged to –
 - a) protect/maintain the confidentiality of the identity of persons the subject of the disclosures;
 - b) assess disclosures impartially; and
 - c) act fairly to persons the subject of disclosures;
- iv. disclosures will be investigated as discreetly as possible, a strong emphasis on maintaining the confidentiality of the person making, and the person the subject of the disclosure will be undertaken.
- v. where investigations or other enquiries do not substantiate disclosures, the fact the investigation/enquiry has been carried out, the results of the

investigation/enquiry, and the identity of the person(s) subject of the disclosures will be kept confidential, unless the person(s) subject of the disclosures requests otherwise;

- vi. the person(s) subject of disclosures (whether protected disclosures under the PID Act 1994 or otherwise) which is investigated by or on behalf of a Council, have the right to –
 - a) be informed as to the substance of the allegations;
 - b) be informed as to the substance of any adverse comment that may be included in a report/memorandum/letter or the like arising out of any such investigation; and
 - c) be given a reasonable opportunity to put their case (either orally or in writing) to the persons carrying out the investigation for or on behalf of the Council, before any decision, action, letter or the like is made or finalised.
- vii. where the allegations in a disclosure have been investigated by or on behalf of a Council, and the person the subject of the allegations is aware of the substance of the allegations, the substance of any adverse comment, or the fact of the investigation, he or she should be formally advised as to the outcome of the investigation, regardless of the outcome; and

where the allegations contained in a disclosure are clearly wrong or unsubstantiated, the person the subject of the disclosure is entitled to the support of the Council and its senior management (the nature of the support that would be reasonable and appropriate would depend on the circumstances of the case, but could include a public statement of support or a letter setting out the Council's views that the allegations were either clearly wrong or unsubstantiated).

9. PROTECTION AVAILABLE UNDER THE ACT

9.1 Protection against reprisals

The PID Act 1994 provides protection by imposing penalties on a person who takes “*detrimental action*” against another person substantially in reprisal for a protected disclosure. Penalties can be imposed by means of fines and imprisonment. “*Detrimental action*” means action causing, comprising or involving any of the following:

- i. injury, damage or loss;
- ii. intimidation or harassment;
- iii. discrimination, disadvantage or adverse treatment in relation to employment;
- iv. dismissal from, or prejudice in, employment; or
- v. disciplinary proceeding.

In any such proceedings the whistleblower only needs to show that they made a protected disclosure and suffered detrimental action. It then lies on the defendant to prove that the detrimental action shown to have been taken against the whistleblower was not substantially in reprisal for the person making the protected disclosure.

Any member of staff or Councillor who believes that detrimental action is being taken against them substantially in reprisal for the making of an internal disclosure in accordance with this Policy should immediately bring the allegations to the attention of the General Manager or Mayor (as appropriate).

If a member of staff or Councillor who made an internal disclosure feels that such reprisals are not being effectively dealt with, they should contact the Ombudsman, the ICAC, or the Director-General of the Department of Local Government. Under section 20 of the PID Act 1994 it is a criminal offence to seek reprisal action against anyone who has or is suspected of making a PID.

If an external disclosure was made to an investigating authority, that body will either deal with the allegation or provide advice and guidance to the person concerned.

9.2 Protection against actions

The PID Act 1994 provides that a person is not subject to any liability for making a protected disclosure and no action, claim or demand may be taken or made of or against the person for making the disclosure. This provision has effect despite any duty of secrecy or confidentiality or any other restriction on disclosure by a public official.

A person who has made a protected disclosure has a defence of absolute privilege in proceedings for defamation.

A person who has made a protected disclosure is taken not to have committed any offence against an Act which imposes a duty to maintain confidentiality with respect to any information disclosed.

9.3 Government Information (Public Access) Act 2009

Under the GIPA Act 2009 a document if it contains a matter that, wholly or partly, constitutes a disclosure within the meaning of PID Act 1994 would not be in the public interest. Therefore would not be actively released.

10. NOTIFICATION OF ACTION TAKEN OR PROPOSED

Any person who makes a protected disclosure must be notified, within 6 months of the disclosure being made, of the action taken or proposed to be taken in respect of the disclosure.

If a disclosure is made in accordance with this policy, the Disclosures Coordinator is responsible for the 6 month notification to the person who made the disclosure, unless this responsibility has been retained by or allocated to another staff member by the General Manager.

However, if a disclosure is made to the Mayor under this policy, the Mayor is responsible for the 6 months notification to the person who made the disclosure, unless they direct the General Manager, Disclosures Coordinator or another nominated officer to assume this responsibility.

The notification provided to the person who made and the subject of a disclosure should contain sufficient information to demonstrate that adequate and appropriate action was taken, or is proposed to be taken, in respect of the disclosure. This should include a statement of the reasons for the decisions made or action taken in response to the disclosure.

The notification should include sufficient information to enable the person who made the disclosure to make an assessment as to whether the circumstances listed in Section 19 (3) (a)-(c) of the PID Act 1994 (relating to disclosures to members of Parliament and journalists) apply, i.e. whether:

- i. must have decided not to investigate the matter; or
- ii. must have decided to investigate the matter but not completed the investigation within 6 months of the original disclosure being made; or
- iii. must have investigated the matter but not recommended the taking of any action in respect of the matter; or
- iv. must have failed to notify the person making the disclosure, within 6 months of the disclosure being made, of whether or not the matter is to be investigated.

One of the purposes of this is to give the whistleblower enough information to be able to properly assess whether it is appropriate or warranted to make a disclosure to a Member of Parliament or journalist.

11. REVIEW

This policy shall be reviewed every two years to ensure that it meets the objective of the legislation, and facilitates the making of disclosures under the PID Act 1994.

12. CONTACT DETAILS

Muswellbrook Shire Council is committed to upholding the objective PID Act 1994, to contact a nominated disclosures officer please refer to section 6 of this policy. Alternatively the contact numbers of the relevant investigating authorities are;

For disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)
 Phone: 02 8281 5999
 Toll free: 1800 463 909
 Tel. typewriter (TTY): 02 8281 5773
 Facsimile: 02 9264 5364
 Email: icac@icac.nsw.gov.au
 Web: www.icac.nsw.gov.au
 Address: Level 21, 133 Castlereagh Street, Sydney NSW 2000

For disclosures about maladministration:

NSW Ombudsman
 Phone: 02 9286 1000
 Toll free (outside Sydney metro): 1800 451 524
 Tel. typewriter (TTY): 02 9264 8050
 Facsimile: 02 9283 2911
 Email: nswombo@ombo.nsw.gov.au
 Web: www.ombo.nsw.gov.au
 Address: Level 24, 580 George Street, Sydney NSW 2000

For disclosures about breaches of the GIPA Act:

Information Commissioner
 Toll free: 1800 463 626
 Facsimile: 02 8114 3756
 Email: oiinfo@oic.nsw.gov.au
 Web: www.oic.nsw.gov.au
 Address: Level 11, 1 Castlereagh Street, Sydney NSW 2000

For disclosures about serious and substantial waste in local government agencies:

Division of Local Government in the Department of Premier and Cabinet
 Phone: 02 4428 4100
 Tel. typewriter (TTY): 02 4428 4209
 Facsimile: 02 4428 4199
 Email: dlg@dlg.nsw.gov.au
 Web: www.dlg.nsw.gov.au
 Address: 5 O'Keefe Avenue, Nowra, NSW 2541

LEGISLATION

Public Interest Disclosures Act 1994
 Independent Commission Against Corruption Act 1988
 Government Information (Public Access) Act 2009
 NSW Ombudsman's Public Interest Disclosure Guidelines/Model Policy (2011)
 State Records Act 1998

PROCEDURE

As set above

Author; Executive Officer, Bill Spicer (2007)
Revised By: Graduate Executive Officer, Scott McNamara (2011)

Date September 2011

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	193	88	72	1062
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<i>Review Date:</i>	October 2013			
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