

Policy



STRATEGIC/GOVERNANCE

PUBLIC INTEREST DISCLOSURE

Head of Power

Public Interest Disclosure Act 2010

Key Supporting Council Document

Lockyer Valley Regional Council Corporate Plan 2017-2022

5.7 *Compliant with relevant*

Definitions

Public Interest Disclosures (PID) are broadly defined in the *Public Interest Disclosure Act 2010* as being all information disclosed to a proper authority about a public interest matter.

Policy Objective

The objectives of this policy are:

- a) To acknowledge Council's obligations as a Public Sector Entity as defined in the *Public Interest Disclosure Act 2010*
- b) To establish Council's commitment to the promotion and proper management of public interest disclosures
- c) To communicate the rights and obligations, and to outline a framework and provide a process to make appropriate disclosures.
- d) To ensure that Council fulfils its responsibility under the *Public Interest Disclosure Act 2010*.

Policy Statement

Group: People & Business Performance
Unit: Business Performance
Approved: Ordinary Council Meeting
(Resolution Number: 20-24/0157)
Date Approved: 14/10/2020

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Superseded/Revoked: Public Interest Disclosure Policy ECM:
3512751

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By virtue of their office or position, Council recognises the important role Councillors, Council employees and members of the public can play in the identification of cases of maladministration, corrupt conduct and the misuse of public resources or contraventions giving rise to dangers to public health and safety, the environment or to persons with disabilities.

In accordance with the objectives of the *Public Interest Disclosure Act 2010*, it is Council policy to:

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

These outcomes (including information regarding how a PID may be made) are achieved via Council's Public Interest Disclosure Procedure which is developed and implemented by the Chief Executive Officer. A Public Interest Disclosure Coordinator is appointed by the Chief Executive Officer to be responsible for issues related to the management of Public Interest Disclosures. The Chief Executive Officer will implement effective systems to inform improvements to service delivery, business processes and internal control raised in the management of public interest disclosures. Council's Public Interest Disclosure policy and procedures will be evaluated and monitored annually to ensure their effectiveness in the management of public interest disclosures.

Council recognises the sensitivities which can be associated with public interest disclosures and the need to maintain public confidence in its process for managing public interest disclosures.

To that end Council will:

- ensure that public interest disclosures are managed appropriately in accordance with the requirements of *Public Interest Disclosure Act 2010*
- maintain confidentiality of public interest disclosures received (as per section 65 of *Public Interest Disclosure Act 2010*)
- prosecute any person who provides a false or misleading statement or information to Council with the intention of it being processed as a Public Interest Disclosure (as per section 66 of *Public Interest Disclosure Act 2010*)
- prosecute and/or take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action (refer section 40 & section 41 of *Public Interest Disclosure Act 2010*)
- ensure that the proper records of Public Interest Disclosures received (as per section 29 of *Public Interest Disclosure Act 2010*) are maintained, and that the confidentiality of all records created during the investigation and reporting of Public Interest Disclosures is preserved (as per section 65 of *Public Interest Disclosure Act 2010*)

Related Documents

Public Interest Disclosure Procedure – September 2020