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## **PUBLIC INTEREST DISCLOSURE POLICY**

### ***POLICY OBJECTIVES***

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* ("PID Act");
- b) To establish Council's commitment to the promotion and proper management of Public Interest Disclosures; and
- c) To communicate the rights and obligations of Councillors and Employees, and to outline a framework, which provides for the correct process for Councillors and employees of Cook Shire Council ("Council") to make appropriate Public Interest Disclosures.

### ***SCOPE***

This policy applies to all Councillors, Council officers of Council and members of the public.

Cook Shire Council aspires to an organisational climate where all staff members feel confident and comfortable about making a disclosure of wrongdoing and feel safe in the knowledge that they will not be subject to, or are provided strong protections against reprisal.

Cook Shire Council believes that disclosing wrongdoing is embedded in this Council's Values, in particular, ensuring that all staff and Council itself can be seen by the public as acting with integrity in accordance with our Code of Conduct. Further, Council believes that staff who come forward with disclosures of wrongdoing are acting as exemplary organisational citizens by assisting Council in promoting openness, accountability and good management.

### ***DEFINITIONS***

Public Interest Disclosures are broadly defined in the *Public Interest Disclosure Act 2010* (PID Act) as being "all information disclosed to a proper authority about a public interest matter referred to pursuant to section 12 & section 13 of the *Public Interest Disclosure Act 2010*."

### ***POLICY STATEMENT***

In accordance with the PID Act, and Councils Public Interest Disclosure Policy, Cook Shire commits to:

- Promoting the public interest by facilitating Public Interest Disclosures of wrongdoing within Council; and
- Ensuring Public Interest Disclosures are properly assessed and, when appropriate, properly investigated and dealt with; and
- Ensuring 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: developed and implemented by the Chief Executive Officer in accordance with section 28(1) of the PID Act.

### **RESPONSIBILITIES**

By virtue of their office or position, Council recognises the important role Councillors, Council employees and members of the public play in the identification of cases of maladministration, official misconduct and the misuse of public resources or contraventions, which may give rise to dangers to public health and safety, the environment or to persons with disabilities and target groups.

Council recognises the sensitivities which can be associated with Public Interest Disclosures and the need for Council to maintain public confidence in its management of Public Interest Disclosures.

To this end Council will:

- Ensure that Public Interest Disclosures are managed appropriately in accordance with the requirements of the PID Act;
- Maintain confidentiality of Public Interest Disclosures received (as per section 65 of PID Act);
- 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 PID Act);
- Prosecute and/or take disciplinary action against any Councillor or Council employee who takes or attempts to take a reprisal action against a person making a Public Interest Disclosure (refer section 40 & section 41 of PID Act);
- Ensure that the proper records of Public Interest Disclosures (as per section 29 of PID Act) are maintained, and that the confidentiality of all records created during the investigation and reporting of a Public Interest Disclosure is preserved (as per section 65 of PID Act).

### **RELEVANT LEGISLATIONS**

*Public Interest Disclosure Act 2010*

### **Related Documents**

Public Interest Disclosure Procedure

THIS POLICY IS TO REMAIN IN FORCE UNTIL OTHERWISE DETERMINED BY COUNCIL.

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Officer Responsible for Review:      Manager Governance & Risk

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