

*Heart of the Stirling*



## SHIRE OF GNOWANGERUP

### PUBLIC INTEREST DISCLOSURES

#### What is it?

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

The PID Act aims to ensure openness and accountability in government to:

- Facilitate and encourage people to make disclosures of public interest information;
- Provide protection for those who make disclosures; and
- Provide protection for those who are subject of a disclosure.

#### What should be disclosed (reported) under this Act?

The PID Act provides a system for the matters disclosed to be investigated and for appropriate action to be taken.

A disclosure must show the public body's involvement in one or more of the following:

- Improper conduct (general a breach of the standards of conduct that a reasonable person could expect of a person or body, knowing their duties, power and authority, in the circumstances of the case);
- An offence under State Law (including corruption)
- Conduct relating to matters of State or local government administration;
- Irregular or unauthorised use of public resources;
- Substantial mismanagement of public resources; and/or
- Conduct that involves a substantial and specific risk of injury, prejudice to public safety or harm to the environment.

There is a difference between a PID and a grievance and people should refer to the Public Disclosures website for more detail on the differences.

### **Who can make a disclosure?**

Under the Act any person can make a disclosure if they believe that something is wrong with the way a public body is acting or going to act. However, before making a disclosure, consider whether the subject matter could be dealt with through other avenues, like a grievance procedure or by reporting it to management or other authorities.

### **How to make a PID**

Before making a disclosure, you should contact the Public Interest Disclosure Officer in the relevant authority to find out more about:

- How to make the disclosure and who you should disclose to
- Your rights and responsibilities
- The procedures that shall apply
- Whether the information you have is covered by the Act.

Contact the Shire's PID Officer for more information.

A Public Interest Disclosure Lodgment Form is available on the Shire's website for downloading and a copy of the procedures is also available.

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**SHIRE OF GNOWANGERUP**

**PUBLIC INTEREST DISCLOSURE ACT 2003**

**PUBLIC INTEREST DISCLOSURE LODGEMENT FORM**

**This is an official lodgment form for a disclosure made under the Public Interest Disclosure Act 2003. An informant should ensure that they fully understand the rights and responsibilities required under this legislation before the form is completed and signed. Appropriate advice should be obtained before any disclosure is made.**

**PERSONAL DETAILS**

Family Name:.....

Given Name:..... Gender (please circle): M / F

Title (please circle): Mr, Ms, Mrs, Miss.....Date of Birth.....

Address:.....

Home Telephone No:..... Work Telephone No:.....

Mobile:..... Email Address:.....

**DISCLOSURE DETAILS**

Name of the Public Authorities the disclosure Relates to:.....

Do you work for a Public Authority? (Please circle) YES / NO

If YES, Which Public Authority and what is your position title?

.....

Does the disclosure relate to one or more individuals? (Please circle) YES / NO

If YES, please provide the names and positions held by person(s) in the public authority

.....

Please circle on the area(s) relevant to your disclosure:

Improper Conduct

Irregular or unauthorised use of public resources

An offence under State Law

Substantial mismanagement of public resources

Administration matter affecting you

Conduct involving a substantial specific risk of injury to public health, prejudice to public safety or health to the environment

When did the alleged events occur?.....

Summary of disclosure:

Description of any documentation provided or names of witnesses:

Have you reported this information to any other person or agency?      YES / NO

If YES, please provide details:

.....

**YOU SHOULD READ THE FOLLOWING INFORMATION AND SIGN AT THE END OF THIS FORM**

I acknowledge that I believe on reasonable ground that the information contained in this disclosure is or may be true.

I have been informed and am aware of that:

1. I will commit an offence if I know that the information contained in this disclosure is false or misleading in a material particular, or am reckless as to whether it is false or misleading in a material particular.

**Penalty: \$12,000 or imprisonment for one (1) year**

2. I will forfeit protection provided by the *Public Interest Disclosure Act 2003* if I fail, without reasonable excuse, to assist a person investigating the matter by supplying requested information.
3. I will forfeit the protection provided by the *Public Interest Disclosure Act 2003* if I subsequently disclose this information to any person other than a proper authority under the Act.
4. I will commit an offence if I subsequently make a disclosure of information that might identify or tend to identify anyone as a person in respect of whom this disclosure has been made under the *Public Interest Disclosure Act 2003*, except in accordance with section 16(3) of that Act.

**Penalty \$24,000.00 or imprisonment for two (2) years**

SIGNED:.....

DATE:.....

**FOR OFFICE USE ONLY**

Register Number:.....