

Public Interest Disclosures Policy

Contents

1. Scope.....	1
2. Purpose.....	1
3. Policy.....	2
4. Delegation.....	7
5. Procedure.....	7
6. Definitions.....	19
Appendix A – Names and Contact details of Disclosure Officers	
Appendix B – List of Integrity Agencies	

1. Scope

- 1.1 This Policy applies to all City of Parramatta Council (Council) Officials, including Councillors and Employees, as well as volunteers, trainees, private contractors, and consultants having Employee functions or acting in an Employee capacity on behalf of Council, or providing services or exercising functions on behalf of Council.
- 1.2 This Policy also applies to all Public Officials in New South Wales who report wrongdoing relating to Council.
- 1.3 This Policy does not apply to:
 - (a) Individuals who have received services from Council and wish to make a complaint about those services.
 - (b) Individuals, such as contractors, who provide services to Council.

2. Purpose

This Policy sets out how Council will fulfill its responsibilities under the *Public Interest Disclosures Act 2022* (NSW) (PID Act), as part of Council's framework for handling Serious Wrongdoing and other misconduct

- 2.1 This Policy establishes Council's commitment to building a speak up culture, including by outlining the process for public interest reporting of wrongdoing at Council and how reports will be handled, and the available protections for those who speak up.

3. Policy

- 3.1 Council takes reports of Serious Wrongdoing seriously. Council is



committed to building a speak up culture, where Public Officials are

encouraged to report any conduct that they reasonably believe involves wrongdoing. Council recognises that its integrity relies upon its Employees, volunteers, contractors, and subcontractors speaking up when they become aware of wrongdoing.

- 3.2 Public Officials, and any person within the Scope of this Policy, should report all wrongdoing they become aware of regardless of whether they think it is Serious Wrongdoing. It is important for Council to understand what is or may be occurring.

3.2.1 Council will ensure that reports are handled appropriately under the PID Act, or if the report of wrongdoing is not a Public Interest Disclosure, in line with Council's other policies and procedures for dealing with reports, allegations, or complaints.

- 3.3 Where a Public Official or another person within the Scope of this Policy reports suspected or possible wrongdoing in the public sector, their report will be a Public Interest Disclosure if it has certain features as set out in the PID Act.

3.3.1 Some internal complaints or grievances may also be Public Interest Disclosures, as long as they have the features of a Public Interest Disclosure. If an internal complaint or grievance is a report of Serious Wrongdoing, Council will consider whether it is a Public Interest Disclosure. If it is a Public Interest Disclosure, Council will handle it as set out in this Policy, but also in accordance with Council's relevant policies for handling internal complaints and grievances.

3.3.2 A Public Official may make a Public Interest Disclosure about Serious Wrongdoing relating to any Agency, not just the Agency they are working for. Council may receive Public Interest Disclosures from external Public Officials. Public Officials who work for Council may also make a Public Interest Disclosure to any Agency, including an Integrity Agency such as the Independent Commission Against Corruption (ICAC) and the NSW Ombudsman. Appendix 2 provides a list of integrity agencies

- 3.4 Public Interest Disclosures may consist of Voluntary Public Interest Disclosures, Mandatory Public Interest Disclosures, or Witness Public Interest Disclosures.

3.4.1 Any Public Official may make a Voluntary Public Interest Disclosure. Pursuant to sections 24 to 27 of the PID Act, a report is a Voluntary Public Interest Disclosure if it has the following five features:

a) a report is made by a Public Official;



- b) it is made to a person who can receive Voluntary Public Interest Disclosures;
- c) the Public Official honestly and reasonably believes that the information they are providing shows, or tends to show, Serious Wrongdoing;
- d) the report was made verbally or in writing; and
- e) the report is voluntary, meaning it is not a Mandatory or Witness Public Interest Disclosure.

3.4.2 To make a Voluntary Public Interest Disclosure it is not expected to prove that what was reported actually happened or is Serious Wrongdoing, or to specify to Council what category of Serious Wrongdoing they are reporting. Individuals who make a disclosure must honestly believe, on reasonable grounds, that the information they are reporting shows or tends to show Serious Wrongdoing.

3.5 For a report to be a Voluntary Public Interest Disclosure, it must be made to certain Public Officials.

3.5.1 Reports may be made at Council to:

- a) the Chief Executive Officer (CEO);
- b) a Disclosure Officer for Council, contact details for which may be found at Appendix A;
- c) your Manager, who will make sure that the report is communicated to a Disclosure Officer on your behalf, or may accompany the individual while they make the report to a Disclosure Officer.

3.5.2 Reports relating to a Serious Wrongdoing by a Councillor should be referred to the CEO by the manager or Disclosures Officer.

3.5.3 Reports relating to Serious Wrongdoing by the CEO should be referred to the Lord Mayor by the manager or Disclosures Officer.

3.5.4 Reports may be made to a Public Official in another Agency or an Integrity Agency, including:

- a) the head of any public service Agency;
- b) an Integrity Agency (refer to Appendix B);
- c) a Disclosure Officer for another Agency — ways to contact Disclosure Officers for other agencies is located in an Agency's Public Interest Disclosure policy which can be found on their public website; or
- d) a Minister or a member of a Minister's staff, where the report is made in writing.



3.5.5 Disclosures made outside of Council may be referred back to Council so that appropriate action can be taken.

3.5.6 Public Officials may only disclose a report of wrongdoing as a Voluntary Public Interest Disclosure to a Member of Parliament or journalist in the following circumstances:

- a) they must have first made substantially the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures;
- b) the previous disclosure must be substantially true;
- c) the Public Official did not make the previous disclosure anonymously;
- d) the Public Official did not give a written waiver of their right to receive information relating to their previous disclosure; and
- e) the Public Official did not receive the following from Council:
 - i. notification that Council will not investigate the Serious Wrongdoing and will also not refer the previous disclosure to another Agency; or
 - ii. the following information at the end of the Investigation Period:
 - a. notice of Council's decision to investigate the Serious Wrongdoing;
 - b. a description of the results of an investigation into the Serious Wrongdoing; and
 - c. details of proposed or recommended corrective action as a result of the previous disclosure or investigation.

3.6 Council's Disclosures Coordinator may, in certain circumstances, determine that a report is a Voluntary Public Interest Disclosure even if the report does not otherwise have all the features of a Voluntary Public Interest Disclosure. This is known as the deeming power.

3.6.1 By deeming that a report is a Voluntary Public Interest Disclosure, it ensures that reporters are provided with protections under the PID Act.

3.6.2 Individuals who make a report that has not met all the requirements of a Voluntary Public Interest Disclosure may refer your matter to the Disclosures Coordinator, to request that they consider deeming the report to be a Voluntary Public Interest Disclosure. The decision to deem a report to be a Voluntary Public Interest Disclosure is at the discretion of the Disclosures Coordinator.

3.7 If, after an investigation, it is found that Serious Wrongdoing or other misconduct has occurred, Council will take the most appropriate action to address that wrongdoing or misconduct.



3.7.1 Corrective action may include:

- a) a formal apology;
- b) improving internal policies to adequately prevent and respond to similar instances of wrongdoing;
- c) providing additional education and training to Employees where required;
- d) taking employment action against persons involved in the wrongdoing (e.g. termination of employment, relocation, a caution, or reprimand); or

Protections

3.8 Individuals who make a Voluntary Public Interest Disclosure will receive special protections under the PID Act.

3.8.1 If Council makes an error and does not identify that a report is a voluntary Public Interest Disclosure, individuals who make a report will still be entitled to the protections under the PID Act.

3.8.2 Council is committed to taking all reasonable steps to protect individuals from detriment as a result of having made a Public Interest Disclosure. Council is also committed to maintaining the individual's confidentiality as much as possible while the Public Interest Disclosure is being dealt with.

3.8.3 Council will not tolerate any type of detrimental action being taken against individuals because they have made a report, might make a report, or are believed to have made a report.

3.9 In accordance with the PID Act, individuals who make a Voluntary Public Interest Disclosure will be protected in the following ways:

- (a) Protection from Detrimental Action
 - i. A person cannot take Detrimental Action against another person because they have made a Voluntary Public Interest Disclosure or are considering making a Public Interest Disclosure. Detrimental Action includes bullying, harassment, intimidation, or dismissal.
 - ii. Once Council becomes aware that a Voluntary Public Interest Disclosure has been made by a person employed or otherwise associated with Council, and that concerns Serious Wrongdoing relating to Council, Council will undertake a risk assessment and take steps to mitigate the risk of Detrimental Action occurring against the person who made the Voluntary Public Interest Disclosure.
 - iii. Individuals may seek compensation where unlawful Detrimental



Action has been taken against them.

- iv. Individuals may apply for a court order (injunction) where Detrimental Action is threatened or has occurred (e.g. an order to prevent dismissal or to require reinstatement).
- (b) Immunity from civil and criminal liability: Some Public Officials are often subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, in order to make a PID, Public Officials will need to breach or disregard such confidentiality duties. If that happens, a Public Official cannot be disciplined, sued or criminally charged for breaching confidentiality.
- (c) Confidentiality: Public Officials and agencies must not disclose information tending to identify a person as the maker of a Voluntary Public Interest Disclosure, unless doing so is permitted by the PID Act.
- (d) Protection from liability for own past conduct: The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity Agency to the Attorney General.

3.10 In accordance with the PID Act, individuals who make Mandatory Public Interest Disclosures and Witness Public Interest Disclosures will be protected in the following ways:

- (a) Protection from Detrimental Action: It is an offence to take Detrimental Action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.
- (b) Right to compensation: A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of Detrimental Action being taken against them.
- (c) Ability to seek injunction: An injunction can be sought to prevent the commission or possible commission of a Detrimental Action offence against a person. For example, an order to prevent dismissal or to require reinstatement.
- (d) Immunity from civil and criminal liability: a person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for:
 - i. breaching a duty of secrecy or confidentiality, or
 - ii. breaching another restriction on disclosure.



4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

5. Procedure

- 5.1 This Policy should be read in conjunction with Council's relevant policies, including the Code of Conduct, documents articulating the Agency's values and principles, and internal policies on grievance handling, misconduct matters, and dealing with internal fraud and corruption.
- 5.2 A copy of this Policy will be provided to all Council Staff on their commencement.
- 5.3 To ensure Council's compliance with the requirements of the PID Act, all individuals with roles outlined in this Policy will receive training on their responsibilities.

Making a Voluntary Public Interest Disclosure

- 5.4 Individuals can make a Voluntary Public Interest Disclosure:
- (a) in writing (e.g. an email or letter to a person who can receive Voluntary Public Interest Disclosures under this Policy);
 - (b) verbally (e.g. a private discussion with a person who can receive Voluntary Public Interest Disclosures under this Policy, including face-to-face, via telephone, or virtually); or
 - (c) anonymously, by writing an email or letter, or calling a person who can receive Public Interest Disclosures, to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Individuals who choose to remain anonymous will still be protected under the PID Act. It may be difficult, however, for Council to investigate the matter(s) you have disclosed if we cannot contact you for further information.
 - (d) Council Officials seeking to make a report may use Council's Public Interest Disclosure Internal Reporting Form, as attached to this Policy and available on Council's Intranet.
 - (e) Individuals are encouraged to make a report in writing as this can help to avoid any confusion or misinterpretation. If a report is made verbally, the person receiving the report will make a comprehensive record of the report and ask the person making the report to sign this record, (except where the report has been made anonymously). The reporter should keep a confidential copy of this record and provide it to Council's Disclosures Coordinator.



5.5 Individuals should provide as much information as possible so that Council can handle the report effectively. The following types of information should be included in the report:

- (a) date, time, and location of key events;
- (b) names of person(s) involved in the suspected wrongdoing, their role, title, and how they are involved;
- (c) your relationship with the person(s) involved, such as whether you work closely with them;
- (d) your explanation of the matter you are reporting;
- (e) how you became aware of the matter you are reporting;
- (f) possible witnesses; and
- (g) other information you have that supports your report

5.6 When a Disclosure Officer at Council receives a report which is a Voluntary Public Interest Disclosure, or looks like it may be a Voluntary Public Interest Disclosure, the individual who made the report will be provided the following information:

- (a) An acknowledgment [within two working days] that the report has been received. This acknowledgement will state:
 - i. that the report will be assessed to identify whether it is a Public Interest Disclosure;
 - ii. that the PID Act applies to how Council deals with the report;
 - iii. how this Policy can be accessed; and
 - iv. details of a contact person and available supports.
- (b) If the report is a Voluntary Public Interest Disclosure, Council will inform the individual as soon as possible how Council intends to deal with the report. This may include advising:
 - i. that Council is investigating the Serious Wrongdoing;
 - ii. that Council will refer the report to a different Agency (if appropriate) to deal with the voluntary PID. If so, Council will provide the details of this referral; and
 - iii. if Council determines to not investigate the report and to not refer it to another Agency, Council will advise of the reasons for this decision. Council will also notify the NSW Ombudsman of this decision.
- (c) Where Council determines to investigate the Serious Wrongdoing, Council will provide the individual with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.
 - i. Council will further provide the maker of the report with the following information once the investigation is complete:
 - ii. a description of the results of the investigation, including whether Council found that Serious Wrongdoing took place; and



- iii. information about any corrective action as a result of the investigation/s (i.e. what action Council took in relation to the person who engaged in the Serious Wrongdoing or if the Serious Wrongdoing was by Council, what Council has put in place to address that Serious Wrongdoing. Corrective action may include taking Disciplinary Action against someone or changing the practices, policies, and procedures that which led to the Serious Wrongdoing).
 - (d) There may be some details about the findings made as a result of the investigation and the corrective action taken that cannot be revealed. Council will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations.
 - (e) If a report was made anonymously, in many cases Council may not be able to provide this information to the maker of the report.
- 5.7 Council may stop dealing with a report where it is not actually a Voluntary Public Interest Disclosure.

Assessing and handling reports

- 5.8 All disclosures must be referred by the CEO (or Lord Mayor if the disclosure is about the CEO) to the Disclosures Coordinator. The Disclosures Coordinator is responsible for assessing reports, in consultation with the CEO where appropriate. All reports will be assessed on the information available to the Disclosures Coordinator at the time. It is up to Disclosures Coordinator to decide whether an investigation should be carried out and how that investigation should be carried out. In assessing a report, the Disclosures Coordinator may decide that the report should be referred elsewhere or that no action should be taken on the report.
- 5.9 Even if a report is not a Voluntary Public Interest Disclosure, it will still need to be dealt with in a manner consistent with Council's relevant internal complaints or grievance handling processes, or through an alternate process.
- a) Where the maker of the report disagrees with the Disclosure Officer's initial assessment, they may request an internal review in accordance with this Policy, or request that the matter be conciliated. Council may, at its discretion, request the NSW Ombudsman to conciliate the matter.
- 5.10 Where a report is a Voluntary Public Interest Disclosure:
- a) In most cases, Council will conduct an investigation to make findings about whether the Serious Wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or the Agency engaged, in Serious Wrongdoing.



Investigations will be conducted in accordance with Council's relevant policies and procedures. There may be circumstances where Council believes an investigation is not warranted — for example, if the conduct has previously been investigated.

- b) There may also be circumstances where Council decides that the report should be referred to another Agency, such as an Integrity Agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the Independent Commission Against Corruption Act 1988 (NSW).
- c) Before referring a matter, Council will discuss the referral with the other Agency, and will provide the maker of the report with details of the referral, and a contact person within the other Agency.
- d) If Council determines not to investigate a report and to not refer the matter to another Agency, Council must advise the maker of the report about the reasons for this and notify the NSW Ombudsman.

5.11 Any investigation will result in a report containing recommendations to be submitted to the CEO for determination of the appropriate action

Confidentiality and supports

5.12 Council understands that people who make Voluntary Public Interest Disclosures may want their identity and the fact that they have made a report to be confidential.

5.13 In accordance with the PID Act, information tending to identify a person as the maker of a Voluntary Public Interest Disclosure (known as identifying information) is not to be disclosed by a Public Official or an Agency.

5.14 Council will not disclose identifying information unless it is necessary and authorised under the PID Act. In accordance with the PID Act, there are certain circumstances that allow for the disclosure of identifying information, including:

- (a) where the person consents in writing to the disclosure;
- (b) where it is generally known that the person is the maker of the Voluntary Public Interest Disclosure because of their voluntary self-identification as the maker;
- (c) when the Public Official or Council reasonably considers it necessary to disclose the information to protect a person from detriment;
- (d) where it is necessary the information be disclosed to a person whose interests are affected by the disclosure;
- (e) where the information has previously been lawfully published;
- (f) when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment, or counselling to the individual disclosing the information;
- (g) when the information is disclosed for the purposes of proceedings



- before a court or tribunal;
- (h) when the disclosure of the information is necessary to deal with the disclosure effectively; or
- (i) if it is otherwise in the public interest to disclose the identifying information.

5.15 Council will put in place measures to keep the identifying information of the maker and the fact that a report has been made confidential. It may not be possible for Council to maintain complete confidentiality while we progress the investigation, but Council will take all reasonable measures to ensure that it does unnecessarily disclose information from which the maker of the report can be identified. Council will do this by:

- (a) limiting the number of people who are aware of the maker's identity or information that could identify them;
- (b) where Council must disclose information that may identify the maker of the Public Interest Disclosure, not disclosing the actual identity of the maker of the report, unless it has their consent to do so;
- (c) ensuring that any person who does know the identity of the maker of a Public Interest Disclosure is reminded that they have a legal obligation to keep their identity confidential;
- (d) ensuring that only authorised persons have access to emails, files, or other documentation that contain information about the identity of the maker;
- (e) undertaking an assessment to determine if anyone is aware of the maker's identity, and if those persons may have a motive to cause Detrimental Action to be taken against the maker or impede the progress of the investigation; and
- (f) providing information to the maker of the Public Interest Disclosure about the importance of maintaining confidentiality, and advising them how best to protect their identity, for example, by telling them not to discuss their report with other Council Officials.

5.16 If confidentiality cannot be maintained or is unlikely to be maintained, Council will:

- (a) advise the person whose identity may become known;
- (b) implement additional strategies to minimize the risk of Detrimental Action;
- (c) provide additional supports to the Public Official who has made the Public Interest Disclosure; and
- (d) remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality and that engaging in Detrimental Action is a criminal offence, and may also be a disciplinary matter under Council's Code of Conduct.



5.17 Council will not tolerate any Detrimental Action being taken by any person against a person who has made a Public Interest Disclosure, investigators, witnesses, or the person the report is about.

- (a) Council will assess and take steps to mitigate Detrimental Action from being taken against the maker of a Voluntary Public Interest Disclosure, the person whose conduct is the subject of a Public Interest Disclosure, investigators, and witnesses, including by:
 - i. taking all steps possible to stop the Detrimental Action and protect the person(s);
 - ii. relocating the reporter or the Employee who is the subject of the allegation within the current workplace;
 - iii. transferring the reporter or the Employee who is the subject of the allegation to another position for which they are qualified;
 - iv. granting the reporter or the Employee who is the subject of the allegation leave of absence during the investigation of the disclosure.
 - v. taking appropriate disciplinary action against anyone that has taken Detrimental Action;
 - vi. referring any evidence of a detrimental action offence to the Commissioner of Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable); and
 - vii. notifying the NSW Ombudsman about the allegation of a Detrimental Action offence being committed.

(b) The Disclosures Coordinator will assist the CEO with these mitigation actions, and update the maker of the Public Interest Disclosure, providing additional support where needed.

5.18 Individuals who experience adverse treatment or Detrimental Action, such as bullying or harassment, based on the suspicion, belief, or awareness that the person has made or may make a Public Interest Disclosure, should report it immediately. Any experience

of adverse treatment or Detrimental Action may be reported directly to a Disclosure Officer, or to an Integrity Agency listed in Appendix B.

- (a) All Managers and Disclosure Officers must notify the Disclosures Coordinator or the CEO if they suspect that reprisal against a staff member is occurring or has occurred, or if any such allegations are made to them. In the case of an allegation of reprisal by the CEO, the Lord Mayor can be notified.
- (b) Where Council becomes aware of or suspects that Detrimental Action is being, or has been, taken against a person who has made a Public Interest Disclosure, Council will:
 - i. Take appropriate disciplinary action against anyone proven to have taken or threatened any action in reprisal for making a disclosure;
 - ii. refer any breach of Council's Code of Conduct (reprisal by a



- iii. Councillor or the CEO to the Code of Conduct Complaints Coordinator (the Internal Ombudsman Shared Service) and
 - iv. depending on the nature of the complaint, to the Office of Local Government; and
 - v. refer any evidence of an offence under section 33 of the PID Act to the ICAC or NSW Police Force.
- (c) Individuals who allege Detrimental Action will be kept informed of the progress and outcome of any investigation, or other action taken in response to the allegation.

5.19 Council will ensure that Employees who have reported wrongdoing, regardless of whether their report is treated as a Public Interest Disclosure, are provided with access to any professional support they may need as a result of the reporting process. Access to support may also be available for other Employees involved in the reporting process, where appropriate. Employees may discuss their support options with the Disclosures Coordinator, including the confidential Employee Assistance Program.

Review and dispute resolution

5.20 Individuals who believe Council has made an error by not identifying that you have made a Voluntary Public Interest Disclosure has been made should raise this with a nominated Disclosure Officer, the Disclosures Coordinator, or the contact officer for the report. Individuals who are still not satisfied with this outcome can seek an internal review or Council may seek to conciliate the matter. They also contact the NSW Ombudsman.

5.21 Individuals who make a Voluntary Public Interest Disclosure can seek internal review of the following decisions made by Council:

- (a) that Council is not required to handle the report as a Voluntary Public interest Disclosure;
- (b) to stop dealing with the report because Council determined it was not a Voluntary Public Interest Disclosure;
- (c) to not investigate the Serious Wrongdoing and not refer the report to another Agency;
- (d) to cease investigating the Serious Wrongdoing, without either completing the investigation or referring the report to another Agency for investigation.

5.21 Council will ensure internal reviews are conducted in compliance with the PID Act.

5.22 Applications for an internal review must be made in writing to the Disclosures Coordinator within 28 days of being informed of Council's decision. The application should state the reasons why you consider that Council's decision should not have been made and may include any other relevant material.



- 5.23 If a dispute arises between Council and an individual who has made a report which is, or may be, a Voluntary Public Interest Disclosure, Council may request the NSW Ombudsman to conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where Council and the maker of the report are willing to resolve the dispute.

Record keeping and reporting

- 5.24 Council will keep full and accurate records with respect to all information received in connection with the PID Act, in accordance with Council's obligations under the *State Records Act 1998* (NSW). The Disclosures Coordinator will keep a confidential record of all details of the Public Interest Disclosures received, including subject matter and how it was dealt with.

- 5.25 Council will provide an annual return to the NSW Ombudsman which addresses:

- (a) information about Voluntary Public Interest Disclosures received by Council during each yearly return period, with the start date being 1 July;
- (b) action taken by Council to handle Voluntary Public Interest Disclosures during the return period; and
- (c) how Council promoted a workplace culture where Public Interest Disclosures are encouraged

- 5.26 Suspected breaches of this Policy will be investigated and handled in accordance with Council's Code of Conduct.

Responsibilities

- 5.27 Council Officials play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All Council Officials must:

- (a) report all known or suspected Serious Wrongdoing or other misconduct, and support those who have made reports of wrongdoing;
- (b) if requested, assist those dealing with the report, including supplying information on request, cooperating with any investigation, and maintaining confidentiality;
- (c) treat any person dealing with or investigating reports of Serious Wrongdoing with respect; and
- (d) attend provided training to maintain awareness about their responsibilities under the PID Act and this Policy.



5.28 Council Officials must not:

- (a) make false or misleading reports of wrongdoing; and/or
- (b) victimise, harass, or take any other Detrimental Action against anyone who has made a report.

5.29 The behaviour of all Council Officials involved in the internal reporting process must adhere to Council's Code of Conduct. Any breaches of this Policy or the Code of Conduct will be handled in accordance with the provisions of the Code.

5.30 The CEO has ultimate responsibility for maintaining the internal reporting system and workplace reporting culture. The CEO is also responsible for:

- (a) fostering a workplace culture where reporting is encouraged;
- (b) receiving disclosures from Public Officials;
- (c) ensuring there is a system in place for assessing disclosures;
- (d) ensuring Council complies with this Policy and the PID Act; and
- (e) ensuring that Council has appropriate systems for:
 - i. overseeing internal compliance with the PID Act;
 - ii. supporting Public Officials who make Voluntary Public Interest Disclosures, including by minimising the risk of Detrimental Action;
 - iii. implementing corrective action where Serious Wrongdoing is found to have occurred;
 - iv. complying with reporting obligations regarding allegations or findings of Detrimental Action; and
 - v. complying with annual reporting obligations to the NSW Ombudsman.

5.31 The Disclosures Coordinator can receive an assess reports, and is the primary point of contact in Council for the reporter. The Disclosures Coordinator is responsible for:

- (a) receiving reports from Public Officials;
- (b) receiving reports when they are passed on to them by Managers;
- (c) coordinating investigations and reviews of Serious Wrongdoing, as required;
- (d) supporting the CEO and Disclosure Officers to respond appropriately;
- (e) providing training and advice as required to Public Officials; and
- (f) fulfilling Council's reporting requirements to the NSW Ombudsman.

5.32 Disclosure Officers are additional points of contact within the internal reporting system. They can provide advice about the system and this Policy, receive reports of wrongdoing, and assist individuals to make reports. Disclosure Officers are responsible for:

- (a) receiving reports from Public Officials;
- (b) receiving reports forwarded by Managers;
- (c) making arrangements to ensure reporters can make reports privately and discreetly when requested, if necessary away

from the workplace;



- (d) discussing with reporters any concerns they may have about reprisal or workplace conflict;
- (e) ensuring reports are dealt with appropriately, including by carrying out preliminary assessment and forwarding reports to the Disclosures Coordinator or CEO for full assessment;
- (f) recording in writing any verbal reports that have been received; and
- (g) delivering relevant organisational training to maintain awareness of the PID Act, and promoting this Policy within Council to create an environment where individuals are comfortable and confident to report wrongdoing.

5.33 Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. Managers should be aware of this process and are responsible for creating a local work environment where Employees are comfortable and confident about reporting wrongdoing. Managers are responsible for:

- (a) encouraging Employees to report known or suspected wrongdoing within the organisation, and supporting Employees when they do;
- (b) identifying reports made to them in the course of their work which could be Public Interest Disclosures, and assisting Employees to make the report to an officer authorised to receive Public Interest Disclosures under this Policy;
- (c) receiving reports from persons that report to them or that they supervise;
- (d) forwarding reports they receive to a Disclosure Officer;
- (e) implementing local management strategies, in consultation with the Disclosures Coordinator, to minimise the risk of reprisal or workplace in relation to a report; and
- (f) notifying the Disclosures Coordinator or CEO immediately if they believe Employees are being subjected to reprisal as a result of reporting wrongdoing, or in the case of suspected reprisal by the CEO, notifying the councillors.

General complaints and enquiries

5.34 Individuals who are not Public Officials or otherwise included in the Scope of this Policy may still make a complaint to Council in accordance with Council's Complaints Handling Policy.

5.35 Public Officials may contact a nominated Disclosure Officer listed in Appendix A to discuss any questions or concerns. Where a Public Official wishes for their discussion to be confidential, they should mark any communications as confidential.

5.36 Further information about this Policy, how Public Interest Disclosures will



be handled by Council, and the PID Act can be obtained by:

- (a) confidentially contacting a nominated Disclosure Officer within Council (Appendix A);
- (b) contacting the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au; or
- (c) accessing the NSW Ombudsman's PID guidelines on its website.

5.37 Individuals who require legal advice with respect to the PID Act or their obligations under the PID Act may need to seek independent legal advice.

6. Definitions

Agency	<p>As defined by section 16 of the PID Act, means:</p> <ul style="list-style-type: none">(a) a public service Agency;(b) the group of staff comprising each of the following services, or a separate group of that staff –<ul style="list-style-type: none">i. the NSW Policy Force;ii. the Teaching Service of New South Wales;iii. the NSW Health Service; oriv. the Transport Service of New South Wales(c) a statutory body representing the Crown;(d) an Integrity Agency;(e) a public authority whose conduct or activities an Integrity Agency is authorised by another Act or law to investigate or audit;(f) a State owned corporation or subsidiary of a State owned corporation;(g) a local government authority, including Council;(h) a Local Aboriginal Land Council constituted under the <i>Aboriginal Land Rights Act 1983</i>; and(i) the Department of Parliamentary Services, the Department of the Legislative Assembly and the Department of the Legislative Council. <p>A Minister's office is not an Agency.</p>
Council Official	<p>Refers to City of Parramatta Councillors and Employees, and delegates of Council, including members of Council committees.</p>
Detrimental Action	<p>An act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:</p> <ul style="list-style-type: none">(a) injury, damage or loss;(b) property damage;(c) reputational damage;(d) intimidation, bullying or harassment;(e) unfavourable treatment in relation to another person's job;



	<p>(f) discrimination, prejudice or adverse treatment;</p> <p>(g) disciplinary proceedings or disciplinary action, or</p> <p>(h) any other type of disadvantage.</p> <p>Detrimental action does not include:</p> <p>(a) lawful action taken by a person or body to investigate serious wrongdoing or other misconduct;</p> <p>(b) the lawful reporting or publication of a finding of serious wrongdoing or other misconduct;</p> <p>(c) the lawful making of adverse comment, resulting from investigative action;</p> <p>(d) the prosecution of a person for a criminal offence; or</p> <p>(e) reasonable management action taken by someone in relation to a person who made or may make a Public Interest Disclosure. For example, a reasonable appraisal of a Public Interest Disclosure maker's work performance. Individuals who make a Public Interest Disclosure may still be subject to reasonable management action. Provided such action is not taken because of the Public</p> <p>(d) Interest Disclosure, it is not Detrimental Action under the PID Act.</p>
Disclosures Coordinator	The individual responsible for managing Council's response to Public Interest Disclosures. Council's Public Interest Disclosures Coordinator is the Internal Ombudsman.
Disclosure Officer	Refers to Council Officers trained to receive Public Interest Disclosures, as listed in Appendix A.
Employee	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.
Integrity Agency	Refers to the Agencies set out in Appendix B.
Investigation Period	Means: (a) after six months from the previous disclosure being made; or (b) after 12 months if you applied for an internal review of the Agency's decision within six months of making the disclosure
Manager	The person who directly, or indirectly, supervises you. It can also be the person who you directly, or indirectly, report to. You may have more than one Manager.



Mandatory Public Interest Disclosure	<p>A Public Interest Disclosure where the Public Official has made a report about Serious Wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an Agency.</p> <p><i>More information about Mandatory Public Interest Disclosures can be found in the Ombudsman's guideline, Dealing with mandatory PIDs</i></p>
Public Interest Disclosure	<p>Refers to a disclosure of information that the person making the disclosure honestly believes, on reasonable grounds, shows or tends to show corrupt conduct, maladministration, serious and substantial waste of public money, government information contravention, or local government pecuniary interest contravention, by Council, Councillors, Employees, or by another Agency or any of its officers. Includes Voluntary Public Interest Disclosures, Mandatory Public Interest Disclosures, and Witness Public Interest Disclosures.</p>
Public Official	<p>As defined by section 14 of the PID Act, refers to:</p> <ul style="list-style-type: none"> (a) a person employed in or by an Agency or otherwise in the service of an Agency; (b) a person having public official functions or acting in a public official capacity whose conduct or activities an Integrity Agency is 21authorized by another Act or law to investigate; (c) an individual in the service of the Crown; (d) a statutory officer; (e) a person providing services or exercising functions on behalf of an Agency, including a contractor, subcontractor or volunteer; (f) an employee, partner or officer of an entity that provides services, under contract, subcontract or other arrangement, on behalf of an Agency or exercises (g) functions of an Agency, and are involved in providing those services or exercising those functions; a judicial officer; (h) a Member of Parliament, including a Minister; or (i) a person employed under the <i>Members of Parliament Staff Act 2013</i>.
Serious Wrongdoing	<p>As set out by section 13 of the PID Act, means:</p> <ul style="list-style-type: none"> (a) <i>corrupt conduct</i> — such as a public official accepting a bribe; (b) <i>serious maladministration</i> — such as an Agency systemically failing to comply with proper recruitment processes when hiring staff; (c) <i>a government information contravention</i> — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application; (d) <i>a local government pecuniary interest contravention</i> — such as a senior council staff member recommending a family member for a council contract and not declaring the relationship;



			<p>(e) <i>a privacy contravention</i> — such as unlawfully accessing a person's personal information on an Agency's database; or</p> <p>(f) <i>a serious and substantial waste of public money</i> — such as an Agency not following a competitive tendering process when contracting with entities to undertake government work.</p>
Voluntary Disclosure	Public Interest		<p>A Public Interest Disclosure where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.</p> <p>Also referred to as 'whistleblowing'.</p> <p>They involve a public official making a report because they have information that they believe shows (or tends to show) Serious Wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.</p> <p>A report is a Voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:</p> <ul style="list-style-type: none">(g) a report is made by a Public Official;(h) it is made to a person who can receive Voluntary Public interest Disclosures;(i) the Public Official honestly and reasonably believes that the information they are providing shows, or tends to show, Serious Wrongdoing;(j) the report was made verbally or in writing; and <p>the report is voluntary, meaning it is not a Mandatory or Witness Public Interest Disclosure.</p>
Witness Disclosure	Public Interest		<p>A Public Interest Disclosure where a person discloses information during an investigation of Serious Wrongdoing following a request or requirement of the investigator.</p> <p>More information about Mandatory Public Interest Disclosures can be found in the Ombudsman's guideline, <i>Dealing with witness PIDs</i>.</p>

REFERENCES	<p><i>Independent Commission Against Corruption Act 1988 (NSW)</i></p> <p><i>Public Interest Disclosures Act 2022 (NSW)</i></p> <p><i>State Records Act 1998 (NSW)</i></p>
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ASSOCIATED POLICIES	Code of Conduct Complaints Handling Policy Fraud and Corruption Prevention Policy Grievance and Dispute Handling Policy Statement of Business Ethics? Workplace Bullying Policy Work Health and Safety Policy?
ATTACHMENTS	Public Interest Disclosure Internal Report Form

Document Control:

Public Interest Disclosures Policy		
Owner: Chief Governance & Risk Officer	Area: Governance	ECM no. 779640
Date of Commencement: 2005	Approval Authority: ET	Date Approved: 18/03/2025
Amendment: 7	Date of Next Review March 2028	Review: 5



Appendix A – Position and Contact Details of Disclosure Officers for City of Parramatta

Position	Contact	Location
Disclosures Coordinator – Internal Ombudsman	02 8757 9617	Internal Ombudsman Shared Service Office (IOSS) - Auburn
Chief Executive Officer (CEO)	02 9806 5058	9 Wentworth Street
Group Manager Office of the Lord Mayor & CEO	02 9843 8011	9 Wentworth Street
Executive Director City Assets & Operations	02 9806 5096	Rydalmere Operations Centre
Group Manager Fleet & Depot Operations	02 9806 5775	Rydalmere Operations Centre
Group Manager Parks & Open Spaces	02 9806 8340	Rydalmere Operations Centre
Group Manager Waste & Cleansing	02 9806 8297	Rydalmere Operations Centre
Group Manager Project Delivery	02 9806 8420	Rydalmere Operations Centre
Group Manager Environmental Sustainability	02 9806 8290	Rydalmere Operations Centre
Group Manager Capital Projects Delivery	02 9806 8222	Rydalmere Operations Centre
Group Manager Integrated Grants & Projects	02 9806 8271	Rydalmere Operations Centre
Group Manager Regulatory Services	02 9806 5735	Rydalmere Operations Centre
Group Manager Roads Infrastructure	02 8839 3343	Rydalmere Operations Centre
Executive Director Community & Culture	02 9806 5561	9 Wentworth Street
Group Manager Community Hubs & Parramatta Square	0417 081 168	9 Wentworth Street
Group Manager Social & Community Services	02 9806 5112	9 Wentworth Street
Riverside Theatre Director	02 8839 3350	Riverside Theatre, Church Street
Library Services Manager	02 9806 5345	All Council Libraries
City Culture Manager	02 9806 5822	9 Wentworth Street
Director Parramatta Artist Studios & Cultural Services	02 9806 5510	Parramatta Artists' Studios, 4 Bridge Street Granville



Position	Contact	Location
Aquatics & Wellbeing Manager	02 9806 5604	Parramatta Aquatic Centre
Children & Families Manager	02 9806 5114	9WS and Childcare Centres
Early Childhood Development Coordinator	02 9806 8539	Ermington Possum Patch Early Learning Centre
Early Childhood Development Coordinator	02 9806 8510	Dundas Childcare Centre
Early Childhood Development Coordinator	02 98068521	Northmead Redbank Early Learning Centre
Early Childhood Development Coordinator	02 9806 5203	North Rocks Childcare Centre
Early Childhood Development Coordinator	02 9806 8500	Jubilee Park Early Learning Centre
Coordinator Community Care (Parramatta Food Services)	02 9806 5433	3/10 Hunter Street, Parramatta
Customer Experience Manager - PHIVE	02 8839 3323	PHIVE, Parramatta Square
Branch Team Leader - Epping	02 9806 5805	Epping Library
Branch Team Leader - Constitution Hill	02 9806 5249	Constitution Hill Library
Branch Team Leader - Ermington	02 9806 5973	Ermington Library
Branch Team Leader - Carlingford	02 9806 5850	Carlingford Library
Branch Team Leader - Dundas	02 8839 3375	Dundas Library
Branch Team Leader - Wentworth Point	02 9806 5323	Wentworth Point Library
Customer Experience Manager - PHIVE	02 8839 3323	PHIVE, Parramatta Square
Branch Team Leader - Epping	02 9806 5805	Epping Library
Branch Team Leader - Constitution Hill	02 9806 5249	Constitution Hill Library
Group Manager Marketing Brand & Creative Services	02 9806 5674	9 Wentworth Street
Group Manager Communications & Customer Engagement	0417 282 845	9 Wentworth Street
Chief People Culture & Performance Officer	02 9806 5744	9 Wentworth Street
People & Culture Manager	02 9806 5722	9 Wentworth Street



Position	Contact	Location
Organisational Development Manager	02 9806 8475	9 Wentworth Street
WHS & Wellbeing Manager	02 98065034	9 Wentworth Street
Workplace Relations & Systems Manager	02 9806 5879	9 Wentworth Street
Executive Director Finance & Information	02 9806 5511	9 Wentworth Street
Chief Governance & Risk Officer	0486 157 804	9 Wentworth Street
Chief Financial Officer	02 9806 5399	9 Wentworth Street
Chief Property & Assets Officer	02 9806 5068	9 Wentworth Street
Chief Technology Officer	02 9843 8088	9 Wentworth Street
Executive Director City Planning & Design	02 9806 5767	9 Wentworth Street
Group Manager City Strategic Planning	02 9806 5144	9 Wentworth Street
Group Manager Infrastructure Planning & Design	02 9806 8487	9 Wentworth Street
Group Manager Major Projects & Precincts	02 9806 5225	9 Wentworth Street
Group Manager Development & Traffic Services	02 9806 5450	9 Wentworth Street
Group Manager City Design	02 9806 5521	9 Wentworth Street



Appendix B – List of Integrity Agencies

Integrity Agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	Telephone: 02 9321 6700 or 1800 657 079 Writing: GPO Box 3880, Sydney NSW 2001 Email: contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023 Writing: GPO Box 5341, Sydney NSW 2001 Email: oilcc_executive@oilcc.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au