# **Policy**



# **Public interest disclosure**

# **General Manager's Authorisation**

**Effective Date** 

Cheryl Cole



21 March 2025

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#### 1. PURPOSE

To promote integrity and accountability in the FRDC and the public sector more generally by:

- encouraging and facilitating the disclosure of information by public officials about suspected wrongdoing in the FRDC or the public sector more generally
- ensuring that employees who make public interest disclosures are supported and protected from adverse consequences
- ensuring that disclosures by employees are properly investigated and dealt with.

#### 2. **RESPONSIBILITY**

Responsibility for updates to this policy resides with the General Manager Finance and Business.

## 3. DEFINITIONS, ACRONYMS AND ABBREVIATIONS

**Definitions link Definitions** 

Acronyms Link <u>Acronyms and Abbreviations</u>

#### 4. RISK CATEGORY

This policy covers the following risk categories.

| Strategic | Governance | Service<br>Delivery | Reputational | Financial | Operational | People |
|-----------|------------|---------------------|--------------|-----------|-------------|--------|
|           | ×          | ×                   | ×            | ×         | $\boxtimes$ | ×      |

#### 5. RELEVANT DOCUMENTATION

This section contains links to internally and externally facing documents – access to internally facing documents is restricted to FRDC employees.

| Relevant documentation   |
|--|
| Internal   |
| Public interest disclosure procedure                                 |
| External   |
| Code of conduct policy   |
| Employees policy   |
| Employee start and finish procedure                                  |
| FRDC website   |
| Commonwealth Ombudsman – Public Interest disclosure (whistleblowing) |
| <u>Information for disclosers</u>                                    |
| <u>Information for Agency assessment</u>                             |
| Public interest disclosure Act                                       |



#### 6. TRAINING

The training for the Policy will be undertaken through the induction and communicated at staff meetings.

#### 7. DOCUMENT MANAGEMENT

If any material for general correspondence resulting from this policy is to be filed to Nemo, please complete the table below (see <u>Nemo Scenarios</u> or General Manager if unsure which metadata to use).

| Document Type/s    | Commonwealth Ombudsman correspondence on general information and surveys |
|--------------------|--|
| Functional Group   | Government relations   |
| Action Date        | Relevant date  |
| Function type      | Compliance   |
| Organisation       | Commonwealth Ombudsman   |
| Prime activity     | Nil  |
| Secondary activity | Nil  |
| Document type      | Correspondence, survey, submission                                       |

Documents relating to a disclosure are appropriately classified and stored securely so that only officers that are authorised either by the PID Act or another law of the Commonwealth can access the PID information.

#### 8. PUBLICATION

This policy is to be made available on the FRDC website.

This policy is to be made available on the directors' site.

#### 9. BACKGROUND

The public interest disclosure scheme is about removing barriers that prevent people who work in the public sector from speaking up about serious problems that impact public administration, so as to ensure that problems are identified early, appropriate action is taken, and those who report wrongdoing are protected from reprisal.

The <u>Public Interest Disclosure Act 2013</u> (PID Act) commenced on 15 January 2014 and promotes the integrity and accountability of the Commonwealth public sector by creating a framework for facilitating the reporting of suspected wrongdoing and ensuring timely and effective investigation of reports.

The PID Act (refer s59 requires the FRDC to:

- 1. Take reasonable steps to protect public officials who belong to the agency against reprisals in relation to PIDs that have been, may have been, are proposed to be, or could be made to the agency.
- 2. Take reasonable steps to encourage and support disclosers, including potential disclosers, and those who provide assistance in relation to PIDs.



- 3. Take reasonable steps to provide ongoing training and education to public officials about the PID Act, and any training necessary to support officials to carry out their functions under the Act.
- 4. Establish internal PID procedures for facilitating and dealing with public interest disclosures relating to the agency. Procedures must comply with the PID Standard. Procedures must deal with assessment of the risks that reprisals may be taken in relation to disclosures that relate to the agency.
- 5. Ensure disclosures are properly investigated.
- 6. Prepare an investigation report and take appropriate action, as soon as reasonably practicable, in response to recommendations made in the report.
- 7. Notify the discloser and the Ombudsman (or the IGIS) of the completion of an investigation under the PID Act and provide a copy of the investigation report.

  Ombudsman or IGIS may review handling of a disclosure and recommend an agency take particular action. In response, must provide notice to the recommending agency of action taken or proposed to be taken in response. If no action is proposed to be taken, the notice must provide a reason why.

The Ombudsman has an oversight of public agency decisions about the disclosures they receive and, through its annual reporting to the parliament, will provide transparency and accountability for the operations of the scheme.

As clearly stated in its code of conduct, the FRDC is committed to the highest standards of ethical and accountable conduct.

#### 10. POLICY

For the purposes of the PID Act the:

- Principal Officer (s73) will be the Managing Director
- Authorised Officer (s36) will be the General Manager Finance and Business.

The principal officer of an agency may conduct investigations under the PID Act. The principal officer of an agency is also an authorised officer of that agency, meaning they can receive disclosures. A principal officer can delegate any or all of their functions or powers to a public official who belongs to the agency.

#### The FRDC will:

- 1. commit to the goals of the Public Interest Disclosure (PID) Act 2013
- 2. publish the Authorised Officer's contact details on the FRDC's website (<a href="https://www.frdc.com.au">https://www.frdc.com.au</a>), along with a statement of commitment to the PID Act goals
- 3. proactively support the reporting of wrongdoing, the identification of problems, and the fixing of the problems identified
- 4. ensure disclosures are properly investigated
- 5. make its employees aware of the PID Act, and the actions they may take under that Act
- 6. support employees who make a public interest disclosure; including protecting them from detriment if they make a disclosure
- 7. report annually to the Commonwealth Ombudsman on the operation of the PID Act (s 76)

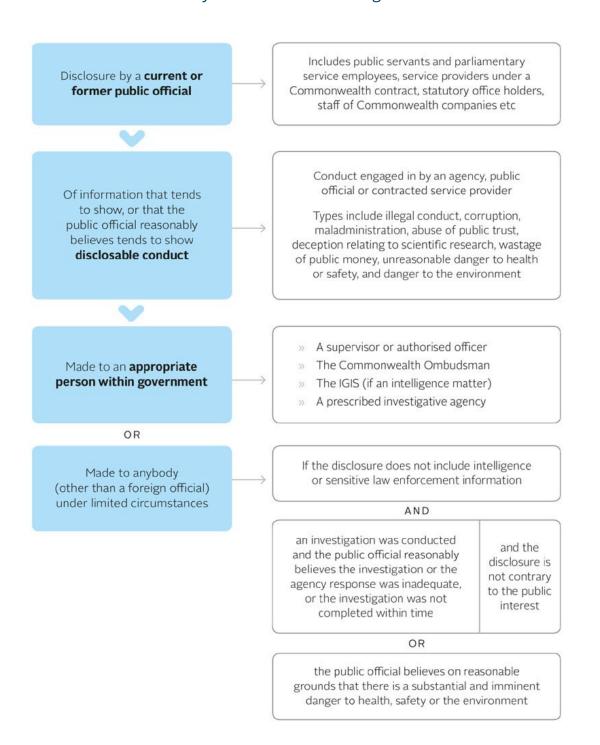
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#### 11. ATTACHMENTS

| # | Description  |
|---|--|
| 1 | Summary of elements of making a disclosure under the PID Act |

# Attachment 1 - Summary of elements of making a disclosure under the PID Act



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