



————— Shire of —————  
Donnybrook Balingup

## Public Interest Disclosure Procedures

2026

# Public Interest Disclosure (PID) Procedures

Shire of Donnybrook Balingup



These procedures have been prepared by the Shire of Donnybrook Balingup (Shire) in accordance with the *Public Interest Disclosure Act 2003* (PID Act) and the 'Public Interest Disclosure (PID): Guidelines for Public Authorities' (Guidelines) published by the Public Sector Commission.

The PID Act requires Principal Executive Officers (PEOs) of public authorities to prepare and publish internal procedures relating to legislative obligations. The procedures must be consistent with the PID Act and Guidelines. These procedures reflect the Shire's ongoing commitment to transparency, accountability, and integrity in local government operations.

## 1. ORGANISATIONAL COMMITMENT FOR REPORTING PUBLIC INTEREST INFORMATION

The Shire does not tolerate corrupt or other improper conduct.

The Shire is committed to the aims and objectives of the PID Act. The PID Act recognises the value and importance of reporting as a means to identify and address wrongdoing.

The Shire strongly supports disclosures being made by employees about corrupt or other improper conduct. The Shire also strongly supports contractors and members of the community making disclosures about corrupt or improper conduct.

The Shire does not tolerate any of its employees, contractors or subcontractors taking reprisal action against anyone who makes or proposes to make a public interest disclosure.

The Shire will take all reasonable steps to protect employees from any detrimental action in reprisal for the making of a public interest disclosure.

The commitment to effectively manage public interest disclosures extends to a proper authority of the Shire. The persons responsible for receiving disclosures of public interest information designated under the PID Act will abide by the PID Code of Conduct and Integrity produced by the Public Sector Commission (**Annexure 1**) in performing their duties.

The Shire is also committed to responding to the disclosure thoroughly and impartially. The Shire will treat all people in the disclosure process fairly, including those who may be the subject of a disclosure.

The Shire will provide as much information as possible to people considering making a public interest disclosure. These procedures are accessible to all employees and contractors. Copies are available from the designated person appointed as the proper authority (Public Interest Disclosure (PID) Officer) and are available on the Shire's intranet and website at [www.donnybrook-balingup.wa.gov.au](http://www.donnybrook-balingup.wa.gov.au)

General information about public interest disclosures and how the Shire will manage a disclosure is also available for external clients and members of the community on the Shire's website.

While these procedures focus on public interest disclosures, the Shire is committed to dealing with all reports of suspected wrongdoing. The Shire encourages people to report, if they witness any such behaviour. The Shire will consider each matter under the appropriate reporting pathway and make every attempt to protect staff members making reports from any reprisals.

## 2. PURPOSE OF THE PROCEDURES

The Shire's PEO must prepare and publish these internal procedures in compliance with the PID Act. These procedures outline how the Shire will meet its obligations under the PID Act. They cover the roles and responsibilities of the Shire's PEO, the person designated as the proper authority in accordance with the PID Act referred to in this document as the PID Officer, the discloser and the subject of the disclosure.

These procedures are to be read in conjunction with the PID Act, *Public Interest Disclosure Regulations 2003*, and the Public Sector Commission publication 'Guide for disclosers: Don't be afraid to speak up'.

## 3. SCOPE AND APPLICATION OF PROCEDURES

These procedures apply to all people involved in the public interest disclosure process, including the PEO, PID Officer(s), employees of the Shire and/or any person making a public interest disclosure and any subject(s) of a disclosure.

These procedures should be read in conjunction with:

- *Public Interest Disclosure Act 2003*
- *Public Interest Disclosure Regulations 2003*
- Shire Code of Conduct for Employees, Contractors & Volunteers
- Shire Code of Conduct for Council Members, Committee Members & Candidates

The behaviour of all employees involved in the public interest disclosure process must accord with the Code of Conduct at all times. A breach of the Code of Conduct may result in disciplinary action.

## 4. OVERVIEW OF ROLES AND RESPONSIBILITIES OF PARTIES INVOLVED IN THE DISCLOSURE PROCESS AT THE SHIRE

### Principal Executive Officer (PEO): Shire Chief Executive Officer (CEO)

- Designates the occupant of a specified position (a PID Officer) to receive public interest disclosures related to the Shire.
- Provides protection from detrimental action or the threat of detrimental action for any employee of the Shire who makes a public interest disclosure.
- Ensures the Shire complies with the PID Act and the Code of Conduct and Integrity established by the Public Sector Commissioner.
- Prepares and publishes internal procedures, consistent with those prepared by the Public Sector Commission, detailing how the Shire will meet its obligations under the PID Act.

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- Provides information to the Public Sector Commissioner on the:
  - number of disclosures received by the Shire;
  - results of any investigations conducted as a result of the disclosures;
  - action, if any taken, as a result of each disclosure;
  - any matters as prescribed.
- May have a role in enabling an investigation to be undertaken or taking disciplinary action against individuals under functions and powers separately from the PID Act.

## The Proper Authority or PID Officer(s)

- As is designated by the PID Act, or by the Shire CEO in accordance with the PID Act, the PID Officer is to receive disclosures related to the Shire.
- Provides information to potential disclosers about their rights and responsibilities consistent with the Code of Conduct and Integrity established under the PID Act.
- Receives and manages public interest disclosures in accordance with the PID Act.
- Notifies the discloser within three months of the disclosure being made about what action is planned in dealing with the disclosure.
- Where appropriate, investigates, or causes an investigation of, the matters in the disclosures.
- Where appropriate, provides information to subjects of a disclosure about their rights, responsibilities, duties and potential offences.
- Where appropriate, takes such action as is necessary and reasonable, within their functions and powers in accordance with the PID Act.
- Maintains confidentiality of the identity of the discloser and subject(s) of disclosures, in accordance with the requirements of the PID Act.
- Provides progress reports where requested and a final report to the discloser in accordance with the PID Act.
- Creates and maintains proper and secure records in relation to the disclosures in accordance with the Code of Conduct and Integrity established under the PID Act and the *State Records Act 2000*.
- Completes a PID Register for each disclosure lodged.
- Acts in accordance with the rules of natural justice.
- Acts in accordance with the Code of Conduct and Integrity established by the Public Sector Commissioner and any authority-specific Code of Conduct established separately from the PID Act.



## The Discloser

- Makes a public interest disclosure to a Proper Authority or the Shire PID Officer if the matter relates to the Shire.
- Believes on reasonable grounds the information in their disclosure is, or may be, true.
- Does not disclose information subject to legal professional privilege.
- Does not knowingly and recklessly make a false or misleading disclosure.
- Maintains confidentiality of the information disclosed and the identity of the person(s) to whom the information relates, in accordance with the requirements of the PID Act.
- Assists any person investigating the matter to which the disclosure relates by supplying the person with any information requested.

## The Subject of the Disclosure (person about whom disclosure is made)

- Is afforded the opportunity to make a submission, either verbally or in writing, in relation to the matter before preventative or disciplinary action is taken.
- Maintains confidentiality of the identity of the discloser, in accordance with the requirements of the PID Act.
- Is to be treated in accordance with the rules of natural justice.
- Does not take or threaten to take detrimental action (defined in the PID Act) against a person because they have made or intend to make a disclosure.
- Does not incite another person to take detrimental action against another because they have made or intend to make a disclosure.
- Does not commit an act of victimisation by taking or threatening to take detrimental action against the person making or intending to make a disclosure.

## An investigating officer

- May investigate matters of public interest information on behalf of a proper authority of the Shire, in accordance with the terms of reference given to them.
- Maintains confidentiality of the identity of the disclosure and any persons subject to the disclosure, in accordance with the PID Act.
- Makes, and keeps secure, comprehensive records of any investigation undertaken.

## 5. MANAGING PUBLIC INTEREST DISCLOSURES

The following procedures describe how the Shire will manage the public interest disclosure process.

### Overarching requirements of the *Public Interest Disclosure Act 2003*

The PID Act has some overarching requirements for handling disclosures. These requirements separate the public interest disclosure process from other reporting or complaint handling processes. The PID Act does not, however, displace the notification or reporting requirements of the *Corruption, Crime and Misconduct Act 2003*, which are paramount. The following section outlines how the Shire will meet these requirements, as well as expectations of you, as a discloser, and any subject(s) of the disclosure.

### What is 'public interest information'?

The PID Act only applies to disclosures of public interest information as defined in the PID Act. Public interest information means information that:

- relates to the performance of a public function by a public authority, public officer or public sector contractor (either before or after the commencement of the PID Act); and
- shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in:
  - improper conduct; or
  - an act or omission that constitutes an offence under a written (State) law; or
  - substantial unauthorised or irregular use of, or substantial mismanagement of, public resources; or
  - an act done or omission that involves a substantial and specific risk of:
    - injury to public health; or
    - prejudice to public safety; or
    - harm to the environment; or
- a matter of administration that can be investigated in accordance with the *Parliamentary Commissioner Act 1971* by the Parliamentary Commissioner (Ombudsman Western Australia).

### Confidentiality

Maintaining confidentiality is an important part of managing a disclosure. The confidentiality requirements of the PID Act not only protects the discloser, but also any other people affected by the disclosure. The confidentiality requirements do not apply to all information in a disclosure, although, the Shire are committed to maintaining confidentiality around:

- any information that may identify the discloser or any person who may be the subject of a disclosure, including the fact a disclosure has been made
- information relating to a disclosure that, if known, may cause detriment.

Throughout the disclosure process and after its completion, the PID Act provides for the discloser's identity and the identity of any persons, that is, any subject of the disclosure to be kept confidential, except in certain circumstances. Disclosing information which might identify, or tend to identify the disclosers or any person, that is, the subject(s) of your disclosure, except in accordance with the PID Act, is an offence punishable with a penalty fine or imprisonment for two years.

## Confidentiality regarding the discloser

Maintaining confidentiality is an important part of protecting the discloser, from any detrimental action in reprisal for making or intending to make a disclosure. If the discloser consents to having their identity revealed to assist the Shire in dealing with the disclosure, the Shire's PID Officer will record this using the relevant form.

Sometimes the Shire may need to identify the discloser, without the discloser's consent, but only where:

- it is necessary to do so having regard to the rules of natural justice; or
- it is necessary to do so to enable the matter to be investigated effectively; or
- the Shire is ordered by a court or any other person or body having authority to hear, receive or examine evidence; or
- the Shire required by the *Corruption, Crime and Misconduct Act 2003*.

Before the Shire identify the discloser for any of the reasons above, the PID Officer will take all reasonable steps to inform the discloser that this will happen and the reasons why. The PID Officer will use the relevant form to do this.

If the Shire need to provide information about the identity of the discloser to another person for the reasons above, the PID Officer will inform the other person that further disclosure to a third person may put them at risk of committing an offence.

The PID Officer will also consider whether it is necessary to inform any external investigator about the identity of the discloser. Where it is necessary to provide this identifying information, the PID Officer will notify as described above.

## Confidentiality regarding the person, that is, the subject of the disclosure

The subject of a disclosure may consent to having their identity revealed to assist with the disclosure process. The Shire's PID Officer will use the relevant form to record this. Additionally, the Shire may need to reveal identifying information about the subject(s) of a disclosure without their consent, where:

- it is necessary to do so to enable the matter to be investigated effectively;
- it is necessary to do so in the course of taking action in accordance with the PID Act;
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property;

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- the Shire is ordered by a court or any other person or body having authority to hear, receive or examine evidence; or
- the Shire is required by legislation, including the *Corruption, Crime and Misconduct Act 2003*.

There is no obligation to advise the subject of a disclosure that identifying information will be released.

## Protections

The PID Act provides a range of protections for disclosers. It also requires that the Shire's PEO provides protection for any employees who make disclosures. The Public Sector Commission publication 'Guide for disclosers: Don't be afraid to speak up' contains general information about the protections provided by the PID Act. The Shire's PID Officer will be able to expand on this information specific to the Shire.

The Shire is committed to ensuring that no detrimental action, including workplace reprisals by managers or other employees, occurs as a result of a person making a disclosure. If any of the above does occur, the discloser can request that the Shire take action to protect them. It is advised to tell the Shire's PID Officer who is handling the disclosure immediately.

The PID Act also provides that the discloser may lose the protections provided in in some circumstances, including where they on-disclose information or fail, without reasonable excuse, to assist any person investigating the matters of the disclosure.

## Notification requirements

The Shire will ensure that the Shire complete all reporting in accordance with the legislative and administrative requirements of the PID Act.

Provided it is not an anonymous disclosure, the PID Officer will provide the following reports:

- within three months of making a disclosure, the action taken, or propose to take, in relation to the disclosure;
- when the disclosure process has concluded, the outcome of the investigation and the reasons for taking any action following the investigation.

The PID Officer may also provide a progress report during any investigation, either on their initiative or upon the request. The PID Officer has some limits on what they can include in their reports. The PID Act prevents provision of information that would be likely to adversely affect:

- any person's safety or
- the investigation of an offence or possible offences or
- confidentiality as to the existence or identity of any other person who made a public interest disclosure.

The PID Officer is also prevented from giving any information they must not disclose under the *Corruption, Crime and Misconduct Act 2003*.

## Record keeping

During the investigation the PID Officer may make comprehensive and contemporaneous records of any discussions and interviews. These records along with any other documentation or files relating to the disclosure, whether paper or electronic, will be stored securely and only accessed by authorised persons.

## 6. HOW TO MAKE A PUBLIC INTEREST DISCLOSURE

### A. Before you make a disclosure

The Shire strongly encourages anyone thinking about making a public interest disclosure to seek advice from the PID Officer ('Proper Authority') before they do. A disclosure must be made to a Proper Authority for it to be covered by the PID Act.

A number of other requirements apply to the discloser, so it is important to understand the rights and responsibilities in the process. This information is outlined generally in the Public Sector Commission publication 'Guide for disclosers: Don't be afraid to speak up' and is available from the Public Sector Commission website at [www.wa.gov.au/organisation/public-sector-commission](http://www.wa.gov.au/organisation/public-sector-commission).

At the Shire the occupant(s) of the following designated position(s) are specified with the authority as the person(s) responsible for receiving disclosures of public interest information in accordance with the PID Act. For the purposes of this procedure a PID Officer(s) is the Proper Authority designated under the Act for dealing with information that falls within the sphere of responsibility for the Shire.

Their names and contact details are below:

Position	Name of PID Officer	Contact details
Executive Manager Corporate Services	Loren Clifford	Email: <a href="mailto:shire@donnybrook.wa.gov.au">shire@donnybrook.wa.gov.au</a> Ph: 9780 4200

Initial discussions between the discloser and the PID Officer should be general in nature and should not discuss the specific details of the disclosure until the discloser understands their rights and responsibilities under the PID Act. The PID Officer will also let the discloser know that they need to make the disclosure voluntarily and consciously – the Shire will never force a person to make a disclosure. This is because they cannot withdraw the disclosure once it is made. Once the Shire receive your disclosure, the PID Officer is obliged to take action, and the Shire may continue to look into the matters within your disclosure irrespective of your continued approval.

These initial discussions with the PID Officer may help in deciding whether to make a public interest disclosure and also enable the PID Officer to ascertain if the information would be covered by the PID Act. If the information appears not to be the type covered by the PID Act, the PID Officer will discuss other mechanisms through which issues may be made, for example, the Shire's general complaints or grievance resolution process in accordance with Shire Policy.

The Shire PID Officer is able to provide more detailed information about the Shire's disclosure process and what people can expect from it.

The Public Sector Commission can also be contacted on their Advisory Line ph: (08) 6552 8888 for general information about the disclosure process.

The proper authority to which you need to make the disclosure depends on the type of disclosure information. Where the information is outside of the Shire's PID Officer's sphere of responsibility, it may need to be made to another proper authority for it to be considered as a public interest disclosure and for the discloser to receive the protections of the PID Act. A list of proper authorities and the information they can receive is covered in the Public Sector Commission publication 'Guide for disclosers: Don't be afraid to speak up'.

## B. Making the disclosure

A discloser needs to clearly identify that they are making a public interest disclosure. For the purposes of accountability and certainty, persons wishing to make a disclosure of public interest information under the PID Act are encouraged to do so in writing.

The Shire must accept anonymous disclosures, but if a discloser decides to make an anonymous disclosure, they should understand that it may be more difficult for the PID Officer to investigate or take action about the disclosure. This is because they cannot come back to seek any further information. The Shire is also not required to provide any reports about the progress or final outcome of the disclosure, if the discloser chooses to remain anonymous.

An anonymous disclosure may not prevent the discloser from being identified during an investigation. Additionally, if the PID Officer does not know who made the disclosure, it will be difficult for them to ensure the discloser is protected and to prevent any reprisal or detrimental action.

## C. Determining whether your matter is an appropriate disclosure

Once the Shire's PID Officer has received the disclosure they will assess whether it meets the requirements under the PID Act. It may be that the PID Officer undertakes initial inquiries and decides not to take the matter any further, as it does not constitute an appropriate public interest disclosure.

If the disclosure is not one to which the PID Act applies, the PID Officer will let the discloser know the reasons for their decision (unless you made an anonymous disclosure) and make proper and adequate records about it. Some matters raised within the disclosure may not be matters to which the PID Act applies and the PID Officer may discuss with the discloser other pathways to report these matters.

If the disclosure is one to which the PID Act applies, the PID Officer will ensure proper and adequate records are made and will communicate with the discloser further, unless it is an anonymous disclosure.

The PID Officer will notify the discloser within three months about what the Shire plan to do in dealing with the disclosure, unless it is an anonymous disclosure.

## D. Determining whether the public interest disclosure will be investigated

After assessing the disclosure as one to which the PID Act applies, the PID Officer will consider whether it will be investigated, guided by the requirements in s. 8. The reasons a PID Officer may not investigate the disclosure include:

- the matter is trivial;
- the disclosure is vexatious or frivolous;
- there is no reasonable prospect of obtaining sufficient evidence due to the time that has elapsed since the matter(s) occurred;
- the matter is being or has been adequately or properly investigated by another proper authority.

The PID Officer will make proper and adequate records of their decision and reasons about whether to investigate or not.

## E. Referring public interest matters

Where the PID Officer assesses the disclosure as one to which the PID Act applies, but they do not have the functions or power to investigate one or more matters within the disclosure, they will refer the information to the appropriate authority for investigation as provided for under the PID Act.

Alternatively, a discloser may also be able to make a disclosure directly to this new authority, if they wish to receive reports from them about the disclosure. For example, the PID Officer may need to refer an allegation of an offence supported by evidence to the Western Australia Police for investigation.

## F. Investigating the disclosure

The PID Officer will investigate, or cause to be investigated, any matters in the disclosure within the sphere of responsibility. The PID Officer may cause the disclosure to be investigated by engaging a suitably skilled staff member within the Shire or an externally contracted investigator.

If causing the disclosure to be investigated, the PID Officer will ensure that the person undertaking the investigation understands the requirements of the PID Act, in particular the confidentiality requirements and protections for disclosers. The PID Officer will only provide the name of the discloser and that of the subject of the disclosure to the investigator in accordance with the PID Act.

When investigating the disclosure, the PID Officer or investigator is limited by the functions and powers derived from the operating legislation. The PID Act does not provide for any additional investigative powers.

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If you are an employee, you are expected to cooperate with any investigation into the disclosure to maintain the protections under the PID Act. A discloser is also expected to act in accordance with the Code of Conduct at all times.

Employees who are the subject of the disclosure can clarify the process and what to expect with the PID Officer.

The PID Officer may also decide to discontinue an investigation, in accordance with the PID Act. If this happens, they will give the discloser reasons for their decision unless they made an anonymous disclosure. The PID Officer may also notify any subject(s) of the disclosure, if they discontinue the investigation.

To ensure the disclosure is adequately and properly investigated the PID Officer, or other investigator, will implement a process encompassing the below aspects:

- developing the terms of reference for the investigation, clarifying the key issues in the disclosure;
- ensuring the objectives of the investigation include:
  - collecting and collating information related to the disclosure;
  - consider the information collected;
  - draw conclusions objectively and impartially.
- specifying a date by which the investigation should be completed and a report provided to the discloser about the final outcome;
- informing the subject of the disclosure about their rights and obligations under the PID Act, the PID Officer's Code of Conduct and Integrity, the relevant Shire Code of Conduct and applicable legislation;
- maintaining procedural fairness for the person who is the subject of the disclosure;
- making notes of discussions and interviews and, where practicable and appropriate, recording discussions and interviews on audio or videotape (ensuring people are made aware they are being recorded); and
- ensuring strict security to maintain the confidentiality requirements of the PID Act.



## *What are your responsibilities if you are the subject of a disclosure?*

A subject of a disclosure is a person of interest about whom an allegation of a public interest disclosure has been made.

The Shire will treat the person fairly and impartially throughout the process and inform them of their rights and obligations. The Shire will generally keep the parties involved informed during any investigation, although the Shire cannot release any information to the person that may prejudice the investigation. As an employee it is expected that they will act in accordance with the Code of Conduct at all times.

The PID Act provides the person with some rights and obligations as a person subject to a disclosure. Firstly, the subject has a right to have their identity kept confidential under s. 16(3), unless one of the following conditions apply:

- you consent to your identity being disclosed;
- it is necessary to enable the matter to be investigated effectively;
- it is necessary to do so in taking action within the PID Act;
- there are reasonable grounds to believe that it is necessary to prevent or minimise the risk of injury to any person or damage to any property;
- is made in accordance with a court order or other body having authority to hear evidence;
- it is made in accordance with the *Corruption, Crime and Misconduct Act 2003*.

The Shire will also provide appropriate natural justice. This means that, before the Shire take any disciplinary or other action against the person, the Shire will give you the opportunity to:

- be informed of the substance of the allegations; and
- make a submission either verbally or in writing in relation to the matter.

If you are the subject of a disclosure, you must not identify or tend to identify the identity of the discloser or a person who they think might be the discloser, as they also have rights to confidentiality under the PID Act. It is an offence under s. 16 to identify or tend to identify any person who has made a disclosure under the PID Act.

Also, you must not engage in reprisal action, threaten anyone with reprisal action or have someone else conduct this action on your behalf because someone has made, or intends to make, a disclosure. It is still an offence to conduct this action against any person you believe has made the disclosure even if they were not the individual who actually made the disclosure. This is an offence under the PID Act.

## G. Taking action

The PID Officer will take action where they form the opinion that a person may be, may have been or may in the future be involved in conduct which may be the subject of a public interest disclosure. Usually, the PID Officer will form this opinion at the conclusion of an investigation, although there may be instances where they need to take immediate action and the PID Act enables them to do this.

Action the PID Officer may take includes, but is not limited to:

- preventing the matter disclosed from continuing or occurring;
- referring the matter to the Western Australia Police or other appropriate body; or
- taking disciplinary action against a person responsible for the matter.

The options above are not mutually exclusive. The PID Officer may take more than one action depending on the circumstances. For example, the PID Officer may seek to terminate the employment of an employee caught stealing and refer the matter to the Western Australia Police.

In taking action the PID Officer and/or the Shire is limited by the powers and functions derived from the operating legislation. The PID Act does not provide for any additional powers to take action. The Shire is also guided by what is necessary and reasonable in the circumstances.

Before taking any action, the Shire will give the person against whom the action is to be taken (the subject of the disclosure) an opportunity to respond, either verbally or in writing, to ensure procedural fairness.

### *Confidentiality and record keeping when taking action*

The Shire will maintain confidentiality in accordance with the PID Act when taking action. The PID Officer will keep appropriate records about any action taken, as well as recording a summary of this action.

## H. After the public interest disclosure process has been finalised

The PID Act places no further obligations on Shire or the PID Officer(s) after the disclosure process is complete. The confidentiality requirements of the PID Act, however, continue to apply to you and all other people involved with the disclosure.

The PID Act does not provide for you to appeal the outcome of the disclosure process. You may be able to make another disclosure to another proper authority, if the information relates to their functions or sphere of responsibility. Refer to the Public Sector Commission publication 'Guide for disclosers: Don't be afraid to speak up' for the correct Proper Authority for the disclosure.

However, this 'new' proper authority may be able to decline to investigate the disclosure, if they consider the matter(s) has already been properly or adequately investigated (as a public interest disclosure).

## I. Making a disclosure to a journalist

The PID Act provides for certain circumstances where a discloser may be able to make a protected disclosure to a journalist. These circumstances apply where the discloser has first made a disclosure to the PID Officer or another proper authority named in the PID Act.

Importantly, the PID Act states that to attract the privileges and protections of the PID Act when disclosing to a journalist, the discloser must disclose information that is substantially the same as what was disclosed in the original disclosure and the PID Officer that received the original disclosure:

- did not notify the discloser within three months of making the disclosure about actions they propose to take or have already taken; or
- refused to investigate, or discontinued the investigation of, a matter raised in the disclosure; or
- did not complete an investigation within six months of the discloser making the disclosure; or
- completed an investigation but did not recommend that action be taken; or
- did not provide the discloser with a report stating the outcome of any investigation or any action proposed or taken and the reasons for those actions.

The Shire is committed to ensuring that the notifications required under the PID Act are provided and that the discloser understands the reasons for the decisions and actions. If a discloser is considering making a disclosure to a journalist because they believe their circumstances meet one or more of the requirements outlined above, the Shire would encourage the discloser to discuss this with the PID Officer prior to disclosure to a journalist.

It is also recommended that the discloser seek their own legal advice before taking any action in relation to matters that have been disclosed under the PID Act.

If a discloser makes an anonymous disclosure, they may not be able to demonstrate they meet the above requirements, and the Shire are not obliged to provide the discloser with any notifications about what happens to the disclosure.

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## J. Contact details and further information

Further information can be provided by contacting the Shire's PID Officer:

Shire of Donnybrook Balingup

1 Bentley Street | PO Box 94

DONNYBROOK WA 6239

Telephone: (08) 9780 4200

Email: [shire@donnybrook.wa.gov.au](mailto:shire@donnybrook.wa.gov.au)

Should you wish to obtain a copy of the *Public Interest Disclosure Act 2003* or associated Regulations, please visit Western Australian Legislation website at [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au) where a full copy of all State Legislation is publicly available.

Further information and advice regarding public interest disclosure process can also be found on the Public Sector Commission's website at [www.wa.gov.au/organisation/public-sector-commission](http://www.wa.gov.au/organisation/public-sector-commission)



## Annexure 1

### Code of Conduct and Integrity

This Code of Conduct and Integrity (Code) is established by the Public Sector Commissioner under Section 20 of the *Public Interest Disclosure Act 2003* (PID Act). The Code operates from 1 July 2003 and is to be complied with by any person to whom a disclosure is made under the PID Act.

The Code uses as its ethical base the principles of personal integrity, relationships with others and accountability as referred to in the Western Australian Public Sector Code of Ethics.

Consistent with those principles, to meet the minimum standards of conduct and integrity, persons receiving disclosures, must:

- Be professional and courteous to those involved in a disclosure, and give prompt attention to all their lawful requirements;
- Not use any circumstance or information connected to a disclosure for personal profit or gain;
- Take all reasonable steps to seek to ensure informants who make a public interest disclosure are protected in accordance with the provisions specified in the PID Act;
- Take all reasonable steps to seek to ensure that persons who are the subject of a disclosure are also provided with appropriate safeguards and protections as specified in the PID Act;
- Maintain records that ensure all action taken about the receipt and processing of a disclosure is reviewable;
- Declare to an appropriate person, in writing, any interests that may conflict with their obligations to impartially receive and process disclosures;
- Immediately report corrupt behaviour that has been, or may be occurring, to an appropriate authority; and
- Provide information to the informant about their rights and responsibilities and the possible implications of lodging a public interest disclosure.