



ADMINISTRATIVE PROCEDURE

Public Interest Disclosure

Procedure Number:	PR152		
Procedure Owner:	Chief Executive Officer	Record Number:	19/84647
Responsible Officer:	Governance Officer	Minute Reference:	243/2019
Date Adopted:	09/10/2019	Next Review Date:	2022

1. PROCEDURE OBJECTIVES

This procedure explains the processes that the Yorke Peninsula Council (Council) has in place for making and dealing with appropriate Disclosures of Public Interest Information, to ensure that it properly fulfils its responsibilities under the Public Interest Disclosure Act 2018 (PID Act).

2. SCOPE

This Procedure applies to appropriate Disclosures of Public Interest Information, that are made in accordance with the PID Act, by Public Officers including Elected Members, officers and Employees of the Council, and by members of the public.

3. DEFINITIONS

Definitions are provided in Attachment 1.

4. PROCEDURE STATEMENT

This procedure is intended to compliment the reporting framework under the Independent Commissioner Against Corruption Act 2012 (ICAC Act) and Council's PO171 Public Interest Disclosure Policy (PID Policy).

4.1 Responsibilities

4.1.1 The Principal Officer is responsible for:

- Ensuring that one or more appropriately qualified officers or Employees of the Council are designated as Responsible Officers of the Council for the purposes of the PID Act and undertake any training required by the Public Interest Disclosure Regulations 2019;
- Ensuring that the name and contact details of each Responsible Officer of the Council are made available to officers and Employees of the Council;
- The preparation and maintenance of this procedure in accordance with the requirements of the PID Act and, in particular, the Directions and Guidelines.

4.1.2 Responsibilities of the Responsible Officer role are set out in clause 4.3 of the PID Policy.

4.1.3 An Elected member, Employee or officer of the Council is responsible for:

- Ensuring they comply with the Policy and this procedure when dealing with any Disclosure;
- Immediately referring any Disclosure made to them by a member of the public or a Public Officer, to the Responsible Officer.

4.2 Procedure

The PID Act provides for protection for Informants where public interest Disclosures are made:

- By a member of the public or a Public Officer about Environmental and/or Health Information which the Informant reasonably believes to be true or which the Informant believes may be true and is of sufficient significance to warrant Disclosure, regarding a location within the Council area;
- By a Public Officer with a reasonable suspicion about Public Administration Information regarding either a location within the Council area or a Public Officer who is an Elected Member, officer or Employee of the Council.

4.2.1 Making Disclosures

Disclosures should be directed, in the first instance to a Responsible Officer, who has the responsibility for receiving appropriate Disclosures relating to the Council.

A Disclosure may be made to a designated Responsible Officer in person, by telephone or in writing. The relevant contact details are:

Telephone	08 8832 0000
Email	admin@yorke.sa.gov.au
Address	Confidential Responsible Officer, Public Interest Disclosure Yorke Peninsula Council PO Box 57 MAITLAND SA 5573

Where a Disclosure is made by telephone, the recipient must take notes of the conversation and, where possible, should ask the Informant to verify and sign the notes.

Any Disclosure relating to Public Administration Information about a Public Officer who is an Elected Member, officer or Employee of the Council may be made to a Responsible Officer, or to the person responsible (either in fact, or as may be designated by the PID Act) for the management or supervision of the Public Officer who is the subject of the Disclosure;

Any Disclosure relating to a person appointed as a Responsible Officer should be made to the another person appointed as a Responsible Officer or, failing this, to another Relevant Authority external to the Council.

Nothing in the Policy or this procedure, however, prevents a person from making a Disclosure to another Relevant Authority, including a Relevant Authority external to the Council. This is a choice to be made by the Informant at his/her discretion.

4.2.2 Corruption, Maladministration or Misconduct

- Any Disclosure relating to Maladministration or Misconduct in Public Administration may be reported to OPI in accordance with the ICAC Act.
- If there is a reasonable suspicion of Corruption, or of Maladministration or Misconduct that is serious or systemic, it must be reported to the OPI in accordance with the Directions and Guidelines.

4.2.3 Receipt of a Disclosure

If an Elected member, Employee or officer receives a Disclosure of Public Interest Information regarding a location within the Council area, the recipient of that Disclosure will:

- Ask the Informant whether they consent to the details of their identity being provided to the Responsible Officer and advise the Informant that a failure to provide that consent may mean that the Disclosure cannot be properly investigated;
- Refer the Disclosure to the Responsible Officer and comply with the wishes of the Informant with respect to whether details of their identity may be divulged.

Upon the receipt of a Disclosure the Responsible Officer will immediately undertake a Preliminary Assessment (Clause 4.2.4) and, as soon as practicable thereafter, notify the OPI of the Disclosure (4.2.5). Where the identity of the Informant is known to the Responsible Officer, or is reasonably ascertainable, the Responsible Officer will acknowledge receipt of the Disclosure to the Informant within ten (10) business days and will provide a copy of the Policy and this procedure to the Informant.

Subject to the outcome of the Preliminary Assessment, the Responsible Officer will then take appropriate action.

4.2.4 Preliminary Assessment of Disclosure

Upon receipt of a Disclosure, the Responsible Officer will undertake a Preliminary Assessment to determine if the content of the Disclosure:

- Suggests there is an imminent risk of serious physical injury or death to any person or the public generally;
- Involves Corruption in public administration, or serious or systemic Misconduct or Maladministration in public administration;
- Justifies further action;
- Is frivolous, vexatious or trivial (in which case, no further action will be taken in relation to the Disclosure);
- Involves a matter which has already been investigated or acted upon by a Relevant Authority and there is no reason to re-examine the matter or there is other good reasons why no action should be taken in respect of the matter (in which case, no further action will be taken in relation to the Disclosure);
- Requires referral to another Relevant Authority external to the Council;
- Warrants referral to an Independent Assessor for a formal investigation and report to Council.

Where the Disclosure relates to Public Administration Information about a Public Officer who is a member, officer or Employee of the Council and it is made to the person responsible for the management or supervision of the Public Officer who is the subject of the Disclosure (the Supervisor), the Supervisor will conduct the Preliminary Assessment instead of the Responsible Officer. The Supervisor will then report the outcome of the Preliminary Assessment to the Responsible Officer to action.

The Responsible Officer must report the outcome of the Preliminary Assessment to the Chief Executive Officer (CEO) (unless the Disclosure relates to the CEO). Particulars that will or are likely to lead to the identification of the

Informant, unless the circumstances in Clause 4.1 of the Policy apply, will not be disclosed.

Where the Responsible Officer (or Supervisor) determines that the content of the Disclosure suggests there is an imminent risk of serious physical injury or death to any person or to the public generally, the Responsible Officer (or Supervisor) must immediately communicate such information as may be necessary to mitigate that risk to the most appropriate agency (for example, South Australia Police, SafeWork SA, SA Ambulance, Environment Protection Authority). In doing so, the Responsible Officer or Supervisor must also have regard to Clause 4.1 of the Policy.

Where the Responsible Officer (or Supervisor) forms a reasonable suspicion that the matter(s) that are the subject of the Disclosure involve Corruption in public administration, or serious or systemic Misconduct or Maladministration in public administration, the Responsible Officer (or Supervisor) must comply with the reporting obligations under the ICAC Act in accordance with the Directions and Guidelines.

Where the Responsible Officer determines the Disclosure warrants referral to an external body or another Relevant Authority, the Responsible Officer will undertake the referral, including ensuring that such information as is necessary to enable action to be taken is communicated to the most appropriate person or Relevant Authority to take that action. Where the Preliminary Assessment is being undertaken by the Supervisor, the Supervisor will include this recommendation in the Preliminary Assessment report to the Responsible Officer for the Responsible Officer to action.

Where the Responsible Officer determines the Disclosure warrants further investigation, the Responsible Officer will, having regard to available resources, appoint the Independent Assessor and refer the Disclosure to the Independent Assessor for investigation. Where the Preliminary Assessment is being undertaken by the Supervisor, the Supervisor will include this recommendation in the Preliminary Assessment report to the Responsible Officer for the Responsible Officer to action.

Where the Responsible Officer determines that the Disclosure requires any other action, to ensure the matter the subject of the Disclosure is properly addressed, the Responsible Officer will include the recommendation in the Preliminary Assessment. Where the Preliminary Assessment is being undertaken by the Supervisor, the Supervisor will include this recommendation in the Preliminary Assessment report to the Responsible Officer for the Responsible Officer to action.

4.2.5 Notification of Preliminary Assessment

So long as the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will notify the Informant of the outcome of the Preliminary Assessment, in writing, as soon as is reasonably practicable after the Preliminary Assessment has been made and in any event, within 30 days of receipt of the Disclosure or a longer period as may be specified by written notice to the Informant, given by the Responsible Officer, within that 30 day period. The Responsible Officer must advise the Informant of:

- Any action that has been, or will be, taken in relation to the Disclosure; or
- If no action is being taken in relation to the Disclosure, the reason/s why.

If the Informant is dissatisfied with the Responsible Officer's determination, the Informant may report the Disclosure to another Relevant Authority external to the Council.

If the Responsible Officer fails to notify the Informant in accordance with the above, the Informant may be entitled to protection in relation to any subsequent Disclosure of that information to a journalist or Member of Parliament in accordance with the PID Act.

As soon as reasonably practicable, following the Preliminary Assessment and notification to the Informant, the Responsible Officer must use the dedicated online notification form at icac.sa.gov.au to notify OPI of the Disclosure (Initial Notification), and must ensure that the details required by the Public Interest Disclosure Guidelines are included.

The Responsible Officer will retain the unique reference number issued by the OPI within Council's electronic records management system, upon making the Initial Notification, and will ensure that reference number is provided to any other person or authority to whom the Disclosure is referred.

4.2.6 Investigation

Where the Responsible Officer determines, following a Preliminary Assessment, that a Disclosure warrants referral to an Independent Assessor for a formal investigation, the Responsible Officer will appoint an Independent Assessor to investigate the Disclosure.

The Independent Assessor will be appointed on a case-by-case basis depending on the nature of the Disclosure.

The objectives of the investigation process are:

- To investigate the substance of the Disclosure and to determine whether there is evidence in support of the matters raised;
- To consider and collate information relating to the allegation as quickly as possible;
- to consider the information collected and to draw conclusions objectively and impartially;
- To observe procedural fairness in the treatment of any person who is subject of the Disclosure;
- To make recommendations arising from the conclusions drawn concerning remedial or other appropriate action.

The Independent Assessor will observe the principles of natural justice throughout the investigation process. The investigation will be conducted in an efficient manner and will involve a thorough and balanced assessment of the available evidence and any other factors deemed relevant to making a fair and reasonable judgement about the matter.

Upon receipt of a Disclosure referral, the Independent Assessor will bring the fact of the Disclosure to the attention of the person who is the subject of it in writing, within 5 days, and provide them with an opportunity to respond to the Disclosure within a reasonable timeframe (either in writing or in person). The full details of any allegations contained in the Disclosure need not be brought to the person's attention if the Independent Assessor considers that doing so will compromise the investigation.

During any interview with the Independent Assessor, the person who is the subject of a Disclosure may be accompanied by any person providing support (including a lawyer) as the person who is the subject of a Disclosure considers fit. Any costs incurred in relation to obtaining the assistance of a support person are the personal expenses of the person who is the subject of the Disclosure.

The support person is bound by a duty of confidentiality in relation to any matter discussed during such an interview.

The investigation will be undertaken in confidence. So long as the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Independent Assessor will keep the identity of the Informant confidential unless the circumstances in Clause 4.1 of the Policy apply.

The Independent Assessor will keep the Responsible Officer informed of the expected timeframes for completion of the investigation and the provision of the investigation report to the Responsible Officer.

Upon finalising an investigation the Independent Assessor must prepare an investigation report to the Responsible Officer that will contain the following details:

- The allegation(s);
- An account of the background;
- An account of all relevant information received including any rejected evidence, and the reasons why the rejection occurred;
- The conclusions reached and the basis for them;
- Any recommendations arising from the conclusions, including any remedial action that is recommended be taken by the Council.

The report is to be accompanied by:

- The transcript or other record of any verbal evidence taken, including tape recordings;
- All documents, statements or other exhibits received by the Independent Assessor and accepted as evidence during the course of the investigation.

Any investigation report prepared will not disclose particulars that will or are likely to lead to the identification of the Informant, unless the circumstances in Clause 4 of the Policy apply.

The Responsible Officer must make a recommendation to the Principal Officer, or in the case where the Principal Officer is the subject of the Disclosure, to the Mayor, as to what action is considered appropriate in the circumstances having regard to the matters identified in the Independent Assessor's report.

The Principal Officer, or in the case where the Principal Officer is the subject of the Disclosure, the Mayor, must take whatever action is, at their discretion, considered appropriate in the circumstances having regard to the matters identified in the Independent Assessor's report.

4.2.7 Notification of Action

So long as the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will notify the Informant of the outcome of the determination in writing as soon as is reasonably practicable, within either:

- 90 days of receipt of the Disclosure; or
- Such longer period as may be specified by written notice given by the Responsible Officer within that 90 day period.

The Responsible Officer must advise the Informant of any action that has been, or will be, taken in relation to the Disclosure or if no action is being taken in relation to the Disclosure, the reason(s) why.

If the Responsible Officer fails to notify the Informant in accordance with the requirements specified above, the Informant may be entitled to protection in relation to any subsequent Disclosure of that information to a journalist or Member of Parliament in accordance with the PID Act.

As soon as reasonably practicable following the determination of the Disclosure and notification to the Informant, the Responsible Officer must use the dedicated online notification form at icac.sa.gov.au to notify OPI of the action taken in relation to the Disclosure (Further Notification) and, in doing so, must ensure that the details required by the Public Interest Disclosure Guidelines are included.

If the Disclosure came to the Council by way of a referral from a Minister, the Responsible Officer must ensure that the Minister is also notified of the action taken and the outcomes, in relation to the Disclosure including, following the Preliminary Assessment if the Responsible Officer determines that no action is to be taken.

4.2.8 Final Report and Recommendation

The Responsible Officer must prepare a Final Report that will contain the following details:

- The subject of the Disclosure;
- An account of the background;
- An account of the steps taken by the Responsible Officer in accordance with this procedure, including, where appropriate, enclosing a copy of any Independent Assessor's report;
- An account of all relevant information received including any rejected evidence, and the reasons why the rejection occurred;
- Conclusions reached as a result of the steps taken in response to the Disclosure and the basis for them;
- Any recommendations arising from the conclusions, including any remedial action which is recommended should be taken.

The Final Report will not disclose particulars that will or are likely to lead to the identification of the Informant, unless the circumstances in clause 4.1 of the Policy applies.

The Final Report must be provided to the CEO to action, or in the case where the CEO is the subject of the Disclosure, the Mayor, as the CEO (or the Mayor) considers is appropriate.

The CEO, or in the case where the CEO is the subject of the Disclosure, the Mayor, may at the discretion of the CEO (or the Mayor), inform the Elected Members, on a confidential basis, about a Disclosure in accordance with Clause 4.2.9 of this procedure.

4.2.9 Information to Elected Body

Factors the CEO will take into account in determining whether to inform the Elected Members and the level of detail provided in doing so are to include:

- If known, the identity of the Informant, and whether the Informant has consented to their identity being divulged;
- If applicable, the identity of any person the subject of the Disclosure;
- Any impact upon the Council's achievement of its objectives;

- Any impact of any action taken to finalise the matter upon the Council's operations and/or budget.

In the event that the Disclosure and/or any subsequent investigation process is confined to issues that impact only upon Employees and human resource processes, the CEO will not inform the Elected Members of the fact of the Disclosure and/or investigation (since these matters fall outside the roles and responsibilities of Elected Members under the Local Government Act 1999).

4.2.10 Secure Handling and Storage of Information

The Responsible Officer must ensure accurate records of an appropriate Disclosure are securely and confidentially maintained including notes of all discussions, phone calls, and interviews.

A confidential file of information that relates to a Disclosure and/or is a product of any associated investigation/reporting process, will be maintained securely in accordance with the Council's PO063 Records Management Policy (including written documents, disks, tapes, film or other objects that contain information).

Although the Responsible Officer is ultimately responsible to ensure Public Interest Information is securely received and stored, the security and confidentiality obligations also apply to any Independent Assessor appointed in relation to any Investigation.

4.2.11 Appeal Process

If an Informant or a person who is the subject of a Disclosure believes that the Disclosure is not being dealt with appropriately or is dissatisfied with the Responsible Officer's response, determination or the action taken they should contact the Responsible Officer in the first instance.

The Informant may contact another Relevant Authority external to the Council in relation to the Disclosure at any time.

5 POLICY AVAILABILITY

This procedure will be available for inspection at the Council's Offices during ordinary business hours and via the Council's website. Copies will also be provided to the public upon request, and upon payment of a fee in accordance with the Council's Fees and Charges Register.

6 COMPLAINTS

Complaints about this procedure can be made in writing to the Governance Officer and will be managed in accordance with PO147 Council's Complaint Policy.

7 REVIEW

This policy will be reviewed every three years and as necessary in consideration of any changes to legislation and relevant standards, codes and guidelines.

8 TRAINING

Council will ensure that Responsible Officers are appropriately trained and is committed to supporting employees in complying with this procedure.

Training needs will be identified through performance reviews, audit and training needs analysis processes. Training will also occur and as necessary in response to changes to legislation and relevant standards, codes and guidelines.

9 RELATED COUNCIL POLICIES AND DOCUMENTS

PO014 Code of Conduct for Council Employees

PO037 Internal Review of Council Decisions Policy

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- PO063 Records Management Policy
- PO123 Code of Conduct for Council Members
- PO146 Support Disciplinary and Performance Management Policy
- PO147 Complaints Policy
- PO148 Fraud and Corruption Prevention Policy
- PO150 Gifts and Benefits Policy
- PO171 Public Interest Disclosure Policy
- Fees and Charges Register

10 REFERENCES AND LEGISLATION

- Public Interest Disclosure Act 2018
- Independent Commissioner Against Corruption Act 2012
- Local Government Act 1999
- Local Government Association Model Public Interest Disclosure Policy

11. COUNCIL DELEGATION

Details of Delegation:	
Delegate:	

12. VERSION HISTORY

Archived Procedure Name	Procedure Number	Date Adopted	Last Reviewed

DEFINITIONS

ATTACHMENT 1

<p>Commissioner</p>	<p>The person holding or acting in the office of the Independent Commissioner Against Corruption.</p>
<p>Corruption in Public Administration</p>	<p>As defined in section 5(1) of the ICAC Act and means:</p> <p>An offence against Part 7 Division 4 (Offences relating to public officers) of the Criminal Law Consolidation Act 1935, which includes the following offences:</p> <ul style="list-style-type: none"> (i) bribery or corruption of public officers; (ii) threats or reprisals against public officers; (iii) abuse of public office; (iv) demanding or requiring benefit on basis of public office; (v) offences relating to appointment to public office; or <p>An offence against the Public Sector (Honesty and Accountability) Act 1995 or the Public Corporations Act 1993, or an attempt to commit such an offence; or</p> <p>An offence against the Lobbyists Act 2015, or an attempt to commit such an offence; or</p> <p>Any other offence (including an offence against Part 5 (Offences of dishonesty) of the Criminal Law Consolidation Act 1935) committed by a public officer while acting in his or her capacity as a public officer or by a former public officer and related to his or her former capacity as a public officer, or by a person before becoming a public officer and related to his or her capacity as a public officer, or an attempt to commit such an offence; or</p> <p>Any of the following in relation to an offence referred to in a preceding paragraph:</p> <ul style="list-style-type: none"> (i) aiding, abetting, counselling or procuring the commission of the offence; (ii) inducing, whether by threats or promises or otherwise, the commission of the offence; (iii) being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence; (iv) conspiring with others to effect the commission of the offence
<p>Detriment</p>	<p>includes:</p> <ul style="list-style-type: none"> (i) injury, harm (including psychological harm), damage (including damage to reputation) or loss; (ii) intimidation or harassment;

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	<p>(iii) discrimination, disadvantage or adverse treatment in relation to a person's employment; and/or</p> <p>(iv) threats of reprisal (which may be expressed or implied, and/or conditional or unconditional).</p>
Directions and Guidelines	A reference to the Directions and Guidelines issued pursuant to section 20 of the ICAC Act and/or section 14 of the PID Act, which are available on the Commissioner's website (www.icac.sa.gov.au).
Disclosure	<p>Means an appropriate disclosure of Public Interest Information made by an Informant to a Relevant Authority.</p> <p>A person makes an appropriate disclosure of environmental and health information if:</p> <p>(a) the person:</p> <p>(i) believes on reasonable grounds that the information is true; or</p> <p>(ii) is not in a position to form a belief on reasonable grounds about the truth of the information, but believes on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure so that its truth may be investigated; and</p> <p>(b) the disclosure is made to a Relevant Authority.</p> <p>A person makes an appropriate disclosure of public administration information if:</p> <p>(a) the person:</p> <p>(i) is a public officer;</p> <p>(ii) reasonably suspects that the information raises a potential issue of corruption, misconduct or maladministration in public administration; and</p> <p>(b) the disclosure is made to a Relevant Authority.</p>
Employee	All Council employees, whether they are working in a full-time, part-time or casual capacity.
Environmental and Health Information	Information that raises a potential issue of a substantial risk to the environment and/or to the health or safety of the public generally or a significant section of the public.
Fraud	An intentional dishonest act or omission done with the purpose of deceiving.
Independent Assessor	The person designated by the Responsible Officer as being responsible for investigating a disclosure made to Yorke Peninsula Council in accordance with the Public Interest Disclosure Procedure.
Informant	A person who makes an appropriate disclosure of Public Interest Information to a Relevant Authority.

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<p>Maladministration in Public Administration</p>	<p>As defined in section 5(4) of the ICAC Act and means:</p> <ul style="list-style-type: none"> (i) Conduct of a public officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or (ii) conduct of a public officer involving substantial mismanagement in or in relation to the performance of official functions; and (iii) includes conduct resulting from impropriety, incompetence or negligence; and (iv) is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.
<p>Misconduct in Public Administration</p>	<p>As defined in section 5(3) of the ICAC Act and means:</p> <ul style="list-style-type: none"> (i) contravention of a code of conduct by a public officer while acting in his or her capacity as a public officer that constitutes a ground for disciplinary action against the officer; or (ii) Other misconduct of a public officer while acting in his or her capacity as a public officer.
<p>Office for Public Integrity (OPI)</p>	<p>The office established under the ICAC Act that has the function to:</p> <ul style="list-style-type: none"> (i) receive and assess complaints about public administration from members of the public; (ii) receive and assess reports about corruption, misconduct and maladministration in public administration from the Ombudsman, the Council and public officers; (iii) refer complaints and reports to inquiry agencies, public authorities and public officers in circumstances approved by the Commissioner or make recommendations as to whether and by whom complaints and reports should be investigated; (iv) give directions or guidance to public authorities in circumstances approved by the Commissioner; (v) perform other functions assigned to the Office by the Commissioner.
<p>Public Administration</p>	<p>Defined at section 4 of the ICAC Act and, without limiting the acts that may comprise public administration, an administrative act within the meaning of the Ombudsman Act 1972 will be taken to be carried out in the course of public administration.</p>
<p>Public Administration Information</p>	<p>Information that raises a potential issue of corruption, misconduct or maladministration in public administration.</p>
<p>Public Interest Information</p>	<p>Environmental and/or health information, or public administration information.</p>

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Principal Officer	For the purposes of the PID Act means the Chief Executive Officer of the Council.
Public Officer	Has the meaning given by section 4 and Schedule 1 of the ICAC Act, and includes: (i) A Council member; and (ii) An Employee or officer of the Council.
Relevant Authority	The person or entity that receives an appropriate disclosure of Public Interest Information in accordance with the PID Act, as set out in Attachment 2 to this policy.
Responsible Officer	<p>A person who has completed any training courses approved by the Commissioner for the purposes of the Public Interest Disclosure Regulations 2019 and has been designated by the Council as a responsible officer under section 12 of the PID Act.</p> <p>For purposes of the Public Interest Disclosure Regulations 2019 the Manager People and Culture and Governance Officer have been appointed by the Council as a Responsible Officers under section 12 of the PID Act.</p>
Victimisation	Occurs when a person causes detriment to another on the grounds, or substantially on the grounds, that the other person (or a third person) has made or intends to make an appropriate disclosure of Public Interest Information.

RELEVANT AUTHORITIES

ATTACHMENT 2

Where the information relates to...	The relevant authority is...
<p>A public officer*</p> <p>*as defined and set out in Schedule 1 of the <i>Independent Commissioner Against Corruption Act 2012</i> - relevantly, this includes members, officers and employees of local government bodies</p>	<p>Either:</p> <p>the person who is designated by the Guidelines as being taken to be responsible for management or supervision of the public officer; or</p> <p>the person who is in fact responsible for the management or supervision of the public officer; or</p> <p>the relevant responsible officer (as designated by the Council in accordance with section 12 of the PID Act)</p>
<p>A public sector agency or public sector employee</p>	<p>Either:</p> <p>the Commissioner for Public Sector Employment; or</p> <p>the responsible officer for the relevant public sector agency</p>
<p>An agency to which the <i>Ombudsman Act 1972</i> applies</p>	<p>The Ombudsman</p>
<p>A location within the area of a particular council established under the <i>Local Government Act 1999</i></p>	<p>A member, officer or employee of that Council</p>
<p>A risk to the environment</p>	<p>The Environment Protection Authority</p>
<p>An irregular and unauthorised use of public money or substantial</p>	<p>The Auditor-General</p>
<p>The commission, or suspected commission, of any offence</p>	<p>A member of the police force</p>
<p>A judicial officer</p>	<p>The Judicial Conduct Commissioner</p>
<p>A member of Parliament</p>	<p>The Presiding Officer of the House of Parliament to which the member belongs</p>
<p>A person or a matter of a prescribed class¹</p>	<p>An authority declared by the regulations to be a relevant authority in relation to such information</p>
<p>Public Interest Information - being: environmental and/or health information (information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public); or public administration information (information that raises a potential issue of corruption, misconduct or maladministration in public administration)</p>	<p>The OPI;</p> <p>a Minister of the Crown;</p> <p>any other prescribed person or person of a prescribed class.</p>

¹ at this stage, no prescribed persons or classes have been identified