



What is a Public Interest Disclosure?

An appropriate disclosure

- A disclosure can be made by anyone and can be made anonymously
- The discloser must believe the information is, or may be true; and
- The discloser makes the disclosure consciously and voluntarily under the PID Act.

Of public interest information

- Must relate to a public body
- Must relate to the performance of a public function of a public authority
- Tends to show a public body is, has been, or will be involved in wrongdoing; and
- Is not protected by legal professional privilege.

Made to a proper authority

- A proper authority is the person within a public authority who has been designated by their CEO to receive public interest disclosures (commonly referred to as a Public Interest Disclosure officer, or PID officer).
- There are also a number of named proper authorities who can receive disclosures about specific information (details of the named proper authorities are listed in this information sheet).

Public bodies include:

- **Public authority:** State Government departments, State Government organisations, some Boards and Committees Local Governments and public universities
- **Public officer:** Ministers, Parliamentary Secretaries, members of Parliament, judicial, police and court officers, public service officers, members of public authorities, employees of public authorities, office holders employed by State Government and Commonwealth officers exercising a State function; and
- **Public sector contractor:** a person or organisation engaged by a public authority, or a subcontractor of this person, for the supply of goods and services or the performance of a public function.

Categories of wrongdoing

- Improper conduct
- Offence under State law
- Substantial misuse of public resources
- Substantial mismanagement of public resources
- Substantial risk to public health, safety or the environment
- Matter of administration that can be investigated by the State Ombudsman

Proper Authorities

When the disclosure relates to:	The proper authority is:
A public authority or an officer of the public authority	PID officer of the public authority
Offences under State law	A police officer or the Corruption and Crime Commission
Substantial unauthorised or irregular use of, or substantial mismanagement of, public resources	PID officer of the public authority concerned or the Auditor General
Matters of administration affecting someone in their personal capacity falling within the jurisdiction of the Ombudsman	PID officer of the public authority concerned or the WA Ombudsman
A police officer	Commissioner of Police or the Corruption and Crime Commission
A member of the Legislative Assembly	Speaker of the Legislative Assembly
A member of the Legislative Council	President of the Legislative Council
A judicial officer	Chief Justice
A public officer who is not a member of Parliament, a minister, a judicial officer or a commissioned or other officer specified in schedule 1 of the <i>Parliamentary Commissioner Act 1971</i>	PID officer of the public authority concerned, the WA Ombudsman or the Public Sector Commissioner

A disclosure is more than a general complaint about dissatisfaction with a product or service or questions regarding the merits of government policy. It is more than a personal grievance that can be resolved by agreement between parties. In order to be covered by the Act, the information needs to relate to a matter of public interest.

If the information does not meet the criteria outlined in this information sheet a complaint can still be made using a public authority's grievance process (if the person raising the matter was an employee at the time the incident occurred) or a complaints management process (where the information is provided by a member of the public). The protections in the *Public Interest Disclosure Act 2003* (PID Act) will not apply.

If you are thinking about making a public interest disclosure, speak to the PID officer at the public authority where the conduct occurred to discuss the information you have and the avenues available to you. Some of the information you have may be a disclosure under the PID Act and other aspects could be dealt with under a different process.

For further information about public interest disclosures visit www.publicsector.wa.gov.au
For further information on making a disclosure contact the agency where the conduct occurred and ask for the PID officer.

A list of PID officers is available at www.publicsector.wa.gov.au
Alternatively, contact the PID Advice and Referral Line: 1800 676 607