



**1/023 Public Interest Disclosure Policy**

**Objective**

To facilitate the disclosure of public interest information and provide protection for those who make disclosures under the Public Interest Disclosure Act 2003 (PID Act).

**Content**

*1. Purpose*

The Town of Port Hedland (Town) is committed to the aims and objectives of the Public Interest Disclosure Act 2003. The Town does not tolerate corrupt or other improper conduct and is committed to the effective reporting of such matters.

*2. Principles*

2.1 The Town does not tolerate corrupt or improper conduct and is committed to the aims and objectives of the PID Act.

2.2 The Town strongly supports disclosures being made by employees, contractors, and community members about corrupt or other improper conduct.

2.3 The Town does not tolerate taking reprisal action against anyone who makes or proposes to make a public interest disclosure.

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

2.5 The Town is committed to responding to public interest disclosures thoroughly and impartially. All people involved in the process will be treated fairly, including those who may be the subject of a disclosure.

2.6 The Town is committed to providing as much information as possible to people considering making a public interest disclosure.

*3. Confidentiality*

The Town will maintain confidentiality in accordance with the PID Act regarding:

- The identity of the discloser
- The identity of any person named in the disclosure
- Any information that may identify either of the above

*4. Roles and Responsibilities*

*4.1 Chief Executive Officer*

- Designates the Public Interest Disclosure Officer(s)
- Ensures the Town complies with the PID Act



- Provides protection from detrimental action for any employee making a public interest disclosure

#### 4.2 Public Interest Disclosure Officer (PID Officer)

- Receives disclosures related to the Town
- Provides information to potential disclosers about their rights and responsibilities
- Manages the disclosure process in accordance with the PID Act
- Maintains confidentiality of all parties involved

#### 4.3 All Staff, Contractors and Council Members

- Report suspected wrongdoing through appropriate channels
- Maintain confidentiality regarding any public interest disclosure
- Support the objectives of the PID Act
- Act in accordance with the Town's Code of Conduct

### 5. How to Make a Public Interest Disclosure

Individuals wishing to make a public interest disclosure should contact one of the Town's designated PID Officers. Detailed procedures on making and managing disclosures are contained in the Town's Public Interest Disclosure Internal Operating Procedure.

### 6. Protection Available

The PID Act provides protection to individuals who make appropriate public interest disclosures including:

- Immunity from civil or criminal liability, or disciplinary action
- Protection from reprisal or victimization
- Remedies if victimisation occurs

### 7. Additional Information

General information about public interest disclosures and how the Town will manage a disclosure is available on the Town's website.



## Definitions

For the purposes of this Procedure, the definitions listed below apply.

**“Investigation”** A search of evidence connecting or tending to connect a person (either a natural person or a body corporate) with conduct that infringes the criminal law, or the policies and standards set by the Town.

**“Misconduct”** A breach of the Town of Port Hedland’s Code of Conduct, policies, or the law. Matters which should be reported under this Policy, whether actual or suspected may include:

- Dishonest, fraudulent, corrupt or unlawful conduct or practices.
- Misleading or deceptive conduct, including conduct or representations which amount to improper or misleading accounting or financial reporting practices.
- Conduct or any proposed conduct, bid, proposal, offer, contract, product or other aspect of the Town’s business that breaches the provisions of the *Trades Practices Act 1974*, all associated legislation in all States and Territories in Australia.
- Coercion, harassment or discrimination by, or affecting, any member of the Town or its affiliates.
- A breach of Town policies or Code of Conduct.
- Conduct within the Town’s control which is a significant danger to the environment.
- Conduct endangering the health and safety of any person or persons which has been reported to management but not acted upon.
- Any action taken against, or harm suffered by a person as a result of making a report under this Policy.

**“Public Interest Disclosure Officer (“PIDO”)** A designated representative tasked with the responsibility of:

- Protecting and safeguarding the interests of person(s) who submit Public Interest Disclosures within the meaning of this Policy.
- Conducting preliminary investigations into reports received from a whistle blower.

The PID Officer is to investigate the substance of the complaint to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made. The PIDO will have access to independent financial, legal and operational advisers as required.

**“Public Interest Disclosure”** Any person who, whether anonymously or not, makes, attempts to make or wishes to make a report in connection with misconduct and where the Public Interest Disclosure wishes to



avail themselves of protection against reprisal for having made the report.

Relevant legislation	<a href="#"><u>Public Interest Disclosure Act 2003</u></a> <a href="#"><u>Public Interest Disclosure Regulations 2003</u></a> <a href="#"><u>Town of Port Hedland Code of Conduct for Council Members, Committee Members and Candidates</u></a> <a href="#"><u>Town of Port Hedland Employee Code of Conduct</u></a> <a href="#"><u>Public Interest Disclosure Internal Operating Procedure GOV026 IOP</u></a>
Delegated authority	Nil
Business unit	Governance
Directorate	Corporate Services

<i>Governance to complete this section</i>			
Version Control	Version No.	Resolution No.	Adoption date
	V01	CM201617/046	31 August 2016
	V02	CM202122/172	27 April 2022
	V03	CM202425/338	28 May 2025
Review frequency	3 Yearly		

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