



Government of **Western Australia**
South Regional **TAFE**

Policy: Public Interest Disclosure

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All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all South Regional TAFE employees.

Purpose

The South Regional TAFE (the college) is committed to the aims and objectives of the *Public Interest Disclosure Act 2003* (PID Act). It recognises the value and importance of contributions of all college employees to enhance administrative and management practices, and strongly supports disclosures being made by college employees as to corrupt or other improper conduct.

The college will take all reasonable steps to provide protection to college employees who make disclosures from any detrimental action for the making of a public interest disclosure and will not tolerate any of its employees engaging in acts of victimisation or reprisal against those who make public interest disclosures.

Scope

This policy applies to all college employees, public sector contractors, and any person making a disclosure to the college relating to a matter of public interest information.

Principles

The college will:

- Facilitate the disclosure of public interest information for all college employees, public sector contractors, and any other person making a disclosure to the college relating to a matter of public interest information
- Provide protection for persons who make a disclosure to the college and those who are the subject of disclosures
- Provide remedies for acts of reprisal and victimisation that occur substantially because a person has made a disclosure; and
- Develop and maintain procedures relating to public interest disclosures in accordance with the PID Act and the public sector commission guidelines

Background

The PID Act promotes accountability within government agencies and organisations by facilitating the disclosure of public interest information involving misconduct, offences, misuse of public resources or risks to public health or safety. The Act also further protects a discloser who makes a public interest disclosure to an appropriate authority and those who are subject to disclosures.

The college is committed to facilitating the disclosure of public interest information. This policy and the procedures fully inform employees and members of the public of the process involved in disclosing information, and the rights, obligations and protections afforded to those who either make a disclosure or who are subject of a disclosure.

PIDs offer an avenue for receiving and resolving serious complaints and assist the college to identify problems and to make necessary changes.

Definitions

College employee

Persons employed by South Regional TAFE.

Discloser

A person who makes a public interest disclosure. A discloser may be anonymous.

Public Interest Disclosure Officer (PIDO)

An employee authorised under Section 23(1)(a) of the Act as a proper authority for disclosure of information relating to a matter falling within the sphere of responsibility of the college.

Public Interest Disclosure (PID)

A public interest disclosure is made when a person discloses to a proper authority information that tends to show past, present or proposed future improper conduct of a college officer in the exercise of a public function.

Public interest information

Public interest information is information that tends to show, in relation to its performance of a public function (either before or after the commencement of the Act), the college, a college employee or a public sector contractor is, has been or proposes to be involved in:

- Improper conduct
- An act or omission that constitutes an offence under a written law
- A substantial unauthorised or irregular use of, or substantial mismanagement of, public resources
- An act done or omission that involves a substantial and specific risk of injury to public health, prejudice to public safety, or harm to the environment; or
- A matter of administration that can be investigated under section 14 of the *Parliamentary commissioner act 1971*

Public sector contractor

A public sector contractor is a person who, other than a college employee, contracts with South Regional TAFE or the State of Western Australia to supply goods or services to the college or State; a person, other than a college employee, who contracts with the college to perform a public function; and a subcontractor, who contracts with another person for the execution of the whole or part of the requirements of a contract as referred to.

Procedures

The *Public Interest Disclosure Procedure Manual* contains all the procedures to be followed and which form part of this policy.

Related documents

Process: Public Interest Disclosure Manual

Form: Public Interest Disclosure Lodgement

Relevant legislation

Public Interest Disclosure Act 2003

Public Interest Disclosure Regulations 2003

Corruption and Crime Commission Act 2003

Public Sector Management Act 1994

Equal Opportunity Act 1984

Version control

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