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# 1.7 Public Interest Disclosures (PID) policy for PIDs relating to LECC employees

The Commission is committed to promoting a culture of integrity and ethical behaviour by encouraging and supporting staff who come forward with disclosures relating to corrupt conduct, maladministration, serious and substantial waste which they honestly believe occurred or is occurring.

In accordance with the *Public Interest Disclosures Act 2022* this policy establishes the internal reporting system for the making of disclosures as well as the protection and support available for staff who make reports.

This policy sets out:

- Roles and responsibilities
- What should be reported
- When a report will be protected
- Support for those reporting wrongdoing
- Sanctions for making false or misleading disclosures
- Support for the subject of a report

**Document Control**

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## Contents

1. Definitions	5
2. LECC Values	5
3. Purpose	5
4. Scope	6
5. Know your responsibilities	6
5.1 CEO	6
5.2 Manager HR / Disclosure Coordinator	6
5.3 Disclosure Officers	6
5.4 Managers and Team Leaders	7
5.5 Employees	7
5.6 Inspector of the LECC	7
6. What should be reported?	7
6.1 When will a report be a PID?	7
6.2 Voluntary PID	8
6.3 Who can make a voluntary PID	9
6.4 What is serious wrongdoing	9
6.5 You can make a voluntary PID to	10
6.6 How to make a voluntary PID	11
6.7 What to include in a report	11
6.8 Deeming that a report is a voluntary PID	12
7. Assessment of reports	12
7.1 Acknowledgement receipt of a PID	12
7.2 If we decide not to investigate, or to cease investigating	13
8. Support for those reporting wrongdoing	14
8.1 Maintaining confidentiality	14
8.2 Managing the risk of reprisal	15
8.3 How we will deal with allegations of detrimental action	16
9. Sanctions for making false or misleading disclosures	16
10. Support for the subject of a report	16
11. Advice and further information	16
12. Monitoring and review	16
Annexure A – List of integrity agencies	17
Public Interest Disclosures Checklist	18
Public Interest Disclosure Risk Assessment	20
Public Interest Disclosures Form	22

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Nominated Contact Roles	23
LECC contact roles	23
Alternate contact roles	23

## 1. Definitions

<b>CEO</b>	Chief Executive Officer
<b>Commission</b>	Law Enforcement Conduct Commission
<b>Disclosure Coordinator</b>	HR Manager
<b>LECC</b>	Law Enforcement Conduct Commission
<b>LECC employees / employee</b>	All persons working with or on behalf of the LECC, including ongoing, temporary or term-basis employees, consultants, contractors and casual employees.
<b>Maladministration</b>	Conduct that is based on improper motives; or is unreasonable, unjust or oppressive; or is negligent.
<b>PID</b>	Public Interest Disclosure
<b>PID Act</b>	<i>Public Interest Disclosure Act 2022</i>
<b>Principal Officer</b>	CEO

## 2. LECC Values

The LECC values of accountability, fairness, integrity and respect are the basis of a values-led workplace culture. Your behaviour and conduct must be consistent with the LECC's Code of Ethics and Conduct.

## 3. Purpose

The objective of this policy is to facilitate the disclosure of corrupt conduct, maladministration and serious and substantial waste if it is occurring at the Commission.

There is a separate Commission policy that deals with disclosures made about other agencies.

The integrity of the Commission relies upon our staff, volunteers, contractors, and subcontractors speaking up when they become aware of wrongdoing.

We are committed to building a 'speak up' culture where staff are encouraged to report any conduct that they reasonably believe involves wrongdoing. To facilitate a 'speak up' culture we will:

- protect those who speak up from detrimental action, and
- take appropriate action to investigate or otherwise deal with reports made.

This policy should be read in conjunction with the following LECC policies.

- Code of Ethics and Conduct,
- Disciplinary Action Policy
- Grievance Management Policy

This policy is available on our intranet and LECC public website.

## 4. Scope

This policy applies to public interest disclosures made by public officials, including ongoing, temporary, and casual employees, contractors, consultants, volunteers, and board members.

This policy is not intended to deal with grievances, which should be managed under the Commission's' Grievance Management Policy.

## 5. Know your responsibilities

### 5.1 CEO

The CEO, is deemed head of agency under the PID Act 2022 and is the Commission's PID Principal Officer. The CEO has responsibility for:

- ensuring a workplace culture where reporting is encouraged
- receiving disclosures from staff and other public officials
- ensuring there is a system in place for assessing disclosures
- ensuring the LECC complies with the PID Act and its obligations under the legislation
- ensuring there are strategies in place to support reporters, protect reporters from reprisal and manage workplace conflict that may arise in relation to a report
- implementing corrective action if serious wrongdoing is found to have occurred

### 5.2 Manager HR / Disclosure Coordinator

The Manager HR is the Disclosure Coordinator, with responsibility for;

- receiving disclosures from staff and other public officials
- assessing disclosures to determine whether the disclosure is a PID within the meaning of the Act
- complying with the confidentiality obligations described in this policy
- supporting staff who make disclosures including taking reasonable steps to protect them from reprisal
- ensuring officers who are the subject of a disclosure are treated fairly and reasonably
- coordinating the response to a report
- acknowledging reports and providing updates and feedback to the reporter

### 5.3 Disclosure Officers

Disclosure officers can assist staff to make reports and are responsible for:

- receiving reports including those passed on to them by Managers
- ensuring reports are dealt with appropriately,
- ensuring that any oral reports received are recorded in writing and that the reporter has signed and dated the report.

## 5.4 Managers and Team Leaders

Managers and Team Leaders are responsible for:

- receiving reports from staff that report to them or that they supervise
- passing on reports they receive to a disclosure officer

## 5.5 Employees

All employees have the responsibility to:

- report known and suspected wrongdoing in the Commission as defined by the PID Act
- not make false or misleading reports of wrongdoing
- keep the identity of internal reporters and anyone who is the subject of a report confidential
- assist those dealing with a report, including supplying any information on request
- support employees who report wrongdoing, if you are aware of the report
- not take reprisals against another employee that is suspected has reported serious wrongdoing
- notify their manager immediately of any suspicions they have that reprisal against an internal reporter is occurring or has been threatened

## 5.6 Inspector of the LECC

Under s 125 of the LECC Act, the Inspector of the LECC may take complaints about the conduct of Commission or an officer of the Commission from a public official.

# 6. What should be reported?

A public interest disclosure protects reports of suspected or possible serious wrongdoing in the public sector. The report must meet certain criteria to be a PID.

Some internal complaints or grievances may also be PIDs if they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, we will consider whether it is a PID.

It is important that PIDs are recognised when received. This is because once a PID is received, the person who has made the report is entitled to certain protections. We must decide how we will deal with the PID and how we will protect and support the person who has made the report.

## 6.1 When will a report be a PID?

There are three types of PIDs in the PID Act. These are:

1. **Voluntary PID:** This is a PID where a report has been made by the public official because

they decided, of their own accord, to come forward and disclose what they know.

2. **Mandatory PID:** This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
3. **Witness PID:** This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

Each different type of PID has some different criteria to be met and offers different protections. This policy mostly relates to making a voluntary PID. Further information on mandatory and witness PIDs is available on the Ombudsman website - [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

## 6.2 Voluntary PID

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and ‘whistleblowing’.

They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:

1. A report is made by a public official.
2. It is made to a person who can receive voluntary PIDs. Within the LECC the following people are disclosure officers and can receive voluntary PIDs:
  - The CEO
  - Executive Director Operations
  - HR Manager
  - Directors
3. The public official honestly and reasonably believes that the information they are providing shows (or tends to show) serious wrongdoing.
4. The report was made orally or in writing.
5. The report is voluntary (meaning it is not a mandatory or witness PID)
  - A mandatory PID is one that a public official is required to make under a law or statutory obligation.
  - A witness PID would be a disclosure made during an investigation. Within the Commission, this would usually arise in the course of an oversight or integrity investigation matter.

If the report has all five features, it is a voluntary PID.



You will not be expected to prove that what you reported actually happened or is serious wrongdoing. You **do** have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do not have to prove the serious wrongdoing happened or provide evidence, an allegation with no supporting information may not meet this test.

### 6.3 Who can make a voluntary PID

Any public official can make a voluntary PID. You are a public official if:

- You are employed by the LECC
- You are a consultant, contractor, subcontractor, or volunteer who provides services, or exercises functions, on behalf of the LECC, or
- You work for an entity (such as a non-government organisation) who is contracted by the LECC to provide services or exercise functions on behalf of the LECC
- You are a Statutory appointee, Judicial officer, or official visitor or otherwise in the service of the NSW Crown.
- You are a person who performs public official functions or acting in a public official capacity whose conduct an integrity agency is authorised under another Act or law to investigate
- You are a Member of Parliament (MP), including a Minister

A public official is not

- people who have received services from an agency and want to make a complaint about those services
- people, such as contractors, who provide services to an agency. For example, employees of a company that sold computer software to an agency.

### 6.4 What is serious wrongdoing

Reports must be of one or more of the following categories of serious wrongdoing to be a voluntary PID (in addition to having the features set out above). Serious wrongdoing is defined in the PID Act as:

- corrupt conduct — such as a public official accepting a bribe
- serious maladministration — such as making a decision and/or taking action that is unlawful; failing to apply policies consistently e.g. failing to comply with proper recruitment processes
- a government information contravention — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application
- a local government pecuniary interest contravention — such as a senior council staff member recommending a family member for a council contract and not declaring the relationship
- a privacy contravention — such as unlawfully accessing a person's personal information held by the LECC.

- a serious and substantial waste of public money — such as not following a competitive tendering process when contracting with entities to undertake government work or the purchase of unnecessary or inadequate goods/services.

The PID reporter does not need to tell the Commission what category of serious wrongdoing they are reporting or even say that they are reporting serious wrongdoing.

The Commission must consider what is said in a report and decide if it concerns serious wrongdoing.

### 6.5 You can make a voluntary PID to

For a report to be a voluntary PID, it must be made to certain public officials.

#### ***Making a report to a disclosure officer who works for the LECC***

You can make a report inside the LECC to the:

- CEO
- Executive Director Operations
- Manager HR
- Any Director
- Your manager – this is the person you report to or who supervises you directly, or indirectly. Your manager is responsible for ensuring your report is communicated to a disclosure officer on your behalf

#### ***Making a report to a recipient outside of the LECC***

You can also make a report to a public official in another agency including another integrity agency, including:

- The head of any public service agency
- An integrity agency – a list of integrity agencies is located at Annexure A of this policy
- A disclosure officer for another agency – ways to contact disclosure officers in other agencies can be found in agency PID policies available on their website
- A Minister or member of the Minister's staff – report must be made in writing

If you choose to make a disclosure outside of the LECC, it is possible that your disclosure will be referred back to the LECC for appropriate action.

#### ***Making a report to a Member of Parliament or journalist***

Disclosures to MPs or journalists are different to other reports. To receive protection under the Act you can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- You must have first made substantially the same disclosure (a previous disclosure) to someone who can receive disclosures – the disclosure does not need to have been made to the LECC
- The previous disclosure must be substantially true
- You did not make the previous disclosure anonymously
- You did not give a written waiver of your right to receive information relating to your

previous disclosure

And you did not receive the following from LECC;

- Notification that LECC will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
- The following information at the end of the investigation period;
  - Notice of LECC's decision to investigate the serious wrongdoing
  - A description of the results of the investigation into serious wrongdoing
  - Details of proposed or recommended corrective action as a result of the previous disclosure or investigation

Investigation period means:

- After six months from the previous disclosure being made, or
- After 12 months if you applied for an internal review of the agency's decision within six months of making the decision

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary PID.

## 6.6 How to make a voluntary PID

You can make a voluntary PID:

- In writing – this could be an email or letter to a person who can receive voluntary PIDs.
- Orally – have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- Anonymously – write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Even if you choose to remain anonymous, you will still be protected under the PID Act. It may be difficult, however, for the LECC to investigate the matter(s) you have disclosed if we cannot contact you for further information.

## 6.7 What to include in a report

You should provide as much information as possible so we can deal with the report effectively.

The type of information you should include is:

- Date, time and location of events
- Names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- Your relationship with the person(s) involved, such as whether you work closely with them
- Your explanation of the matter you are reporting
- Possible witnesses

- Other information you have that supports your report

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for the Commission to understand what is or may be occurring.

### 6.8 Deeming that a report is a voluntary PID

The CEO, can in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the ‘deeming power’.

By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can ask the CEO to consider deeming your report to be a voluntary PID.

The CEO has discretion when determining whether a report should be treated as a voluntary PID. For more information see the Ombudsman’s guideline ‘Deeming that a disclosure is a voluntary PID’.

## 7. Assessment of reports

A report that may be a PID will be dealt with as if it were a PID, until it is assessed as not being a PID. Reports will be assessed promptly to determine if the report will be treated as a PID and what action will be taken to deal with it.

The Disclosure Coordinator is responsible for assessing reports that relate to the LECC. This may be done in consultation with the LSU. All reports will be assessed based on the information provided at the time. The Disclosure Coordinator will decide if and how an investigation should be carried out. In assessing a report, the Disclosure Coordinator may decide that the report should be referred elsewhere or that no action should be taken.

### 7.1 Acknowledgement receipt of a PID

When a report which is a voluntary PID, or looks like it may be a voluntary PID, is received, the person who made the report will receive acknowledgement that the report has been received.

The acknowledgement will:

- State that the report will be assessed under the PID Act to determine if it is a PID
- Provide clear information on how to access LECC’s PID policy
- Provide details of a contact person and available support

If your report is determined to be a voluntary PID, we will let you know as soon as possible how we intend to deal with the report. This may include:

- That we are investigating the reported serious wrongdoing
- That the report will be referred to another agency more appropriate to deal with the report e.g. the ICAC. We will provide you with a details of the referral
- If we decide not to investigate and to not transfer the report to another agency, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.

If we decide to investigate the serious wrongdoing, we will;

- provide you with updates on the investigation at least every 3 months or more frequently at your request.
- tell you the outcome of in the investigation, including whether we found serious wrongdoing took place.
- tell you if corrective action has occurred, this could include disciplinary action against someone or changing practices, policies and procedures.

There may be details about the findings and action taken that cannot be disclosed.

## 7.2 If we decide not to investigate, or to cease investigating

### ***Report not a voluntary PID***

We will let you know if the PID Act does not apply and how we will deal with the concerns raised in the report.

Even if the report is determined not to be a voluntary PID, other LECC policies may apply including our Code of Conduct and Ethics, the Disciplinary Action Policy or the Grievance Management Policy.

### ***Cease dealing with a report as a voluntary PID***

The Commission may change its mind on how to respond to a voluntary PID.

After gathering more information, the Commission may decide that a report is not in fact a voluntary PID. We will tell you in writing if we decide to stop dealing with your report because it does not meet the definition of a voluntary PID, including the reason for our decision.

If we decide not to investigate or to cease an investigation, we must immediately notify and provide written reasons for our decision to the Ombudsman.

### ***Right of review***

If you are not satisfied or disagree with the assessment you can request an internal review. You must make a request for an internal review within 28 days of being notified of the decision, the request must be in writing and must contain your reasons as to why you believe the decision is not correct.

Internal reviews will be conducted by the CEO. If the report relates to the CEO the review will be conducted by a Commissioner.

## 8. Support for those reporting wrongdoing

The Commission will support any employee who reports wrongdoing. When you make a voluntary PID you receive special protections under the PID Act.

The Commission will make sure that employees who have reported wrongdoing, regardless of whether they have made a PID, are given access to appropriate professional support services.

### 8.1 Maintaining confidentiality

Unless otherwise required under the PID Act, information that could identify a person as the maker of a voluntary PID (identifying information) will not be disclosed.

Where possible and appropriate the Commission will take steps to keep your identity and the fact you have reported wrongdoing confidential.

It may not be possible to maintain complete confidentiality.

To minimise the disclosure of identifying information we will limit the number of people aware of the report and remind all those involved in the investigation or handling the report, including witnesses of the need for confidentiality and that they are not to discuss the report with other staff.

We will not disclose identifying information unless it is necessary and authorised under the PID Act. Identifying information can be disclosed:

- Where the PID maker consents in writing to the disclosure of the information, or it is generally known that the reporter has made the disclosure as a result of voluntary self-identifying as the maker
- When the LECC believes it necessary to disclose the information to protect a person from detriment
- Where it is necessary to disclose the information to a person affected by the disclosure
- Where the information has previously been lawfully disclosed
- Where the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the maker of the report.
- For the purposes of proceedings before a court or tribunal
- When the disclosure is necessary to deal with the information effectively, or it is in the public interest

If it becomes necessary to disclose your identity you will be informed in advance and we will develop a plan in consultation with you to support and protect you from reprisal.

Any person who breaches these confidentiality obligations may be subject to action for misconduct.

## 8.2 Managing the risk of reprisal

When a report of serious wrongdoing is received, the Commission will undertake a risk assessment to identify the risks to the reporter of detrimental action in reprisal, as well as indirect but related risks of workplace conflict. The assessment will identify strategies to deal with those risks and determine the level of protection and support that is appropriate. The assessment applies to the maker of the report, the person(s) whose conduct is the subject of a report, investigators and witnesses.

We will take steps to assess and minimise the risk of detrimental action by:

- creating a risk management plan which includes strategies to deal with identified risks and the level of protection and support required.
- having the CEO approve the plan
- consulting with those impacted by the report before implementing actions/protections which may include relocation or the granting of leave.

Detrimental action to a person can include:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's job
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage

Detrimental action does not include:

- lawful action taken to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from an investigation
- reasonable management action in relation to a person who made or may make a PID e.g. reasonable appraisal of a PID maker's work performance.

All allegations of detrimental action are to be reported immediately. Reports can be made to, the:

- CEO
- Executive Director Operations

- Manager HR, or a
- Director

### 8.3 How we will deal with allegations of detrimental action

If we become aware of an allegation that detrimental action has occurred or may occur, we will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone who has taken detrimental action
- refer any evidence of a detrimental action offence to another agency if appropriate e.g. the NSW Police or ICAC
- notify the NSW Ombudsman about the allegation of a detrimental offence being committed.

## 9. Sanctions for making false or misleading disclosures

It is important that all employees are aware that it is a criminal offence under the PID Act to wilfully make any false statement or to mislead or attempt to mislead when reporting wrongdoing.

LECC employees who knowingly make a false report may face disciplinary action under the Commission's Code of Ethics and Conduct and Disciplinary Action Policy.

## 10. Support for the subject of a report

The Commission is committed to ensuring employees who are the subject of a report of wrongdoing are treated fairly and reasonably. If you are the subject of a report, you will be:

- treated fairly and impartially
- told your rights and obligations under the PID Act and the Commission's PID policy and procedures
- kept informed during the investigation process
- given the opportunity to respond to any allegation made against you
- told the result of any investigation.

## 11. Advice and further information

Employees can get advice and guidance from the Principal Officer or Disclosure Coordinator, and on the NSW Ombudsman's website at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

## 12. Monitoring and review

Human Resources is responsible for reviewing this Policy and for amending the Policy in response to issues raised across the Commission. This Policy will be reviewed in accordance with the policy review schedule and at other times if any significant new information or legislative or organisational change warrants a change in this document.



## Annexure A – List of integrity agencies

Integrity Agency	What they investigate	Contact information
Independent Commission Against Corruption (ICAC)	Corrupt conduct	<p>Telephone: 02 8281 5999 Toll free: 1800 463 909 Between 9am and 3pm Monday to Friday.</p> <p>Writing: GPO Box 500, Sydney NSW 2001</p> <p>Email: <a href="mailto:icac@icac.nsw.gov.au">icac@icac.nsw.gov.au</a></p> <p>Web: <a href="http://www.icac.nsw.gov.au">www.icac.nsw.gov.au</a></p>
The NSW Ombudsman	Maladministration	<p>Telephone: 1800 451 524 Between 9am to 3pm Monday to Friday.</p> <p>Writing: Level 24, 580 George Street, Sydney NSW 2000</p> <p>Email: <a href="mailto:nswombo@ombo.nsw.gov.au">nswombo@ombo.nsw.gov.au</a></p> <p>Web: <a href="http://www.ombo.nsw.gov.au">www.ombo.nsw.gov.au</a></p>
The Auditor General	Serious and substantial waste of public money by auditable agencies	<p>Telephone: 02 9275 7100</p> <p>Writing: GPO Box 12, Sydney NSW 2001</p> <p>Email: <a href="mailto:governance@audit.nsw.gov.au">governance@audit.nsw.gov.au</a></p>
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC or LECC officers	<p>Telephone: 02 9228 3023</p> <p>Writing: GPO Box 5341, Sydney NSW 2001</p> <p>Email: <a href="mailto:olecc_executive@olecc.nsw.gov.au">olecc_executive@olecc.nsw.gov.au</a></p>
Office of the Local Government	Local government pecuniary interest contraventions	<p>Email: <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a></p>
The Privacy Commissioner  The Information Commissioner	Privacy contraventions  Government information contraventions	<p>Telephone: 1800 472 679</p> <p>Writing: GPO Box 7011, Sydney NSW 2001</p> <p>Email: <a href="mailto:ipcinfo@ipc.nsw.gov.au">ipcinfo@ipc.nsw.gov.au</a></p>

## Public Interest Disclosures Checklist

Not to be completed by the employee

The purpose of the following checklist is to assist the Disclosure Coordinator to determine whether a report meets the criteria for treatment as a Public Interest Disclosure.

Division/Team	
File Number	

Type of report? (Tick the applicable box)	
Corrupt conduct?	<input type="checkbox"/>
Serious maladministration?	<input type="checkbox"/>
Serious and substantial waste of public money?	<input type="checkbox"/>
Government information contravention?	<input type="checkbox"/>
The report is about a public official or public authority?	<input type="checkbox"/>
A local government pecuniary interest contravention?	
A privacy contravention?	
The report does not primarily question the merits of government policy? (Indicate whether you agree with the statement)	<input type="checkbox"/>

Internal Report	Yes	No	Unknown	Comment
The reporter requires support? What type?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Previous Reports	Yes	No	Unknown	Comment
Has this report been raised with another person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If yes, what action will/has been taken?				

Reporters expectations	Yes	No	Unknown	Comment
Have the reporter's expectations as a result of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

this report been discussed?				
Have the reporter's expectations about what will happen to the subject(s) of the report been discussed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Additional Considerations (Not to be discussed with reporter)**

The reporter is/has previously been subject of unsatisfactory performance issues?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The report is/has been made to avoid dismissal or disciplinary action?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
The reporter is/has been subject of criminal investigation related to this matter?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Does the report require referral to another Agency and/or the Secretary or Deputy Secretary (consider sensitivities, seriousness etc).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Has the PID Risk Assessment form been completed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

<b>Outcome of Assessment:</b>	Meets Criteria <input type="checkbox"/>	Does Not Meet Criteria <input type="checkbox"/>
<b>Assessment Completed by:</b>	Disclosure Coordinator <input type="checkbox"/>	
<b>Name:</b>		<b>Date:</b>

## Public Interest Disclosure Risk Assessment

To be completed by the Disclosure Coordinator after a PID is made, including anonymous reports.  
[Use fact sheet *PID Risks and Strategies* to complete the PID Risk Assessment]

Division/Team	
File Number	

Details of reporter	Details of assessor
Name:	Name:
Role:	Role:

Stage 1: Identify the risks	Comments
Are the reporter's expectations reasonable?	
Is the reporter's identity known or could it become known?	
Is the reporter at risk of reprisal?	
Are there risks to other persons?	
Is there a positive culture of reporting in the workplace?	
Is there a risk to the Commission's functions/services/and or reputation?	

Stage 2: Risk Analysis & Evaluation	Risk rating (Low/Med/High) & Explanation
What is the potential impact of the risks to the reporter?	
What is the potential impact of the risks to the Subject?	
What is the potential impact of the risks to the Commission?	

Risk rating Select a risk rating based on all of the available information (examples or risks are below)		
Low Risk	Medium Risk	High Risk
The reporter's identity can be maintained or the reporter's identity is known and the reporter and assessor are confident that no reprisals will be taken against the reporter	The reporter's identity cannot be maintained. Potential for low level reprisals against the reporter, workplace conflict or other difficulties in response to	Detrimental action against the reporter that is in reprisal for the reporter making a PID. Detrimental action means causing, comprising or involving any of the following,: injury, damage or loss,

<p>in response to having made a PID. The subject officer is unaware that a PID has been made / an investigation is progressing. The authority is compliant with the internal reporting policy and the authority's obligations under the PID Act.</p>	<p>making a PID. Concerns about the conduct of the parties involved. i.e. reporter and subject officer. Likelihood the authority is not compliant with the internal reporting policy and the authority's obligations under the PID Act.</p>	<p>intimidation or harassment, discrimination, disadvantage or adverse treatment in relation to employment, dismissal from, or prejudice in, employment, disciplinary proceeding. Conflict involving the subject officer. The reporter will not comply with the internal reporting policy. The reporter will make a report to a Member of Parliament or journalist without following the steps outlined in the internal reporting policy which means they will not be protected under the PID Act and may be in breach of legal obligations or the authority's code of conduct – by, for example, disclosing confidential information. The authority is not compliant with the internal reporting policy and the authority's obligations under the PID Act.</p>
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**Stage 3: Risk Mitigation (Develop strategies for minimising and managing the risks identified)**

**Signature: (Risks may need to be reviewed during and after the process of managing this report)**

Signature of assessor:

Date:

**Review of risk assessment**

Signature of assessor:

Date:

## Public Interest Disclosures Form

To be completed by an employee and submitted to a nominated Disclosure Coordinator as outlined in the Public Interest Disclosure Policy and Procedure. Please fill this form in, print and sign at the end.

### Details of employee reporting serious wrongdoing

Name:

Role:

Team:

Division:

Phone:

Email:

### Highlight preferred contact (email/Phone)

### Details of wrongdoing being reported

Description:

- What happened
- Where
- When
- Is it still happening?

How did you become aware of this?

### Name and role of person involved in serious wrongdoing

Name:

Role:

**Add more rows if required**

### Name and role of person who may have information

Name:

Role:

**Add more rows if required**

### Add additional information (attach or indicate where it may be found)

### Statement

I honestly believe that the information provided shows or tends to show wrongdoing.

Signature of  
reporter

Date report  
submitted

## Nominated Contact Roles

### LECC contact roles

Role	Name and contact details
Principal Officer	Christina Anderson, CEO e: <a href="mailto:christina.anderson@lecc.nsw.gov.au">christina.anderson@lecc.nsw.gov.au</a> , tel: 02 9321 6756
Disclosure Coordinator	Natalie Kerr, Manager Human Resources, e: <a href="mailto:natalie.kerr@lecc.nsw.gov.au">natalie.kerr@lecc.nsw.gov.au</a> , tel: 02 9321 6815
Disclosure Officer	Gary Kirkpatrick, Executive Director Operations e: <a href="mailto:gary.kirkpatrick@lecc.nsw.gov.au">gary.kirkpatrick@lecc.nsw.gov.au</a> , tel: 02 9321 6792
	James Atkinson, Director Covert Services e: <a href="mailto:jamesa@lecc.nsw.gov.au">jamesa@lecc.nsw.gov.au</a> , tel: 9321 6781
	Aaron Bantoft, Director Oversight e: <a href="mailto:aaron.bantoft@lecc.nsw.gov.au">aaron.bantoft@lecc.nsw.gov.au</a> , tel: 9321 6965
	Alan Smyth, Director Integrity e: <a href="mailto:alan.smyth@lecc.nsw.gov.au">alan.smyth@lecc.nsw.gov.au</a> , tel: 9321 6754
	Shane Butler, Director ECU & IT e: <a href="mailto:shane.butler@lecc.nsw.gov.au">shane.butler@lecc.nsw.gov.au</a> , tel: 9321 6867

### Alternate contact roles

Role	Name and Contact details
Inspector of the LECC	Mr Bruce McClintock SC, SC, Inspector of the LECC, GPO Box 5341, Sydney NSW 2001