

Information for Reporters under the *Public Interest Disclosures Act 2022* (PID Act)

What is a PID?

A PID is a whistleblowing report about suspected **serious wrongdoing** by public officials (staff).

What is Serious wrongdoing?

Section 13 of the PID Act defines serious wrongdoing as:

- Corrupt conduct
- A government information contravention
- A local government pecuniary interest contravention
- Serious maladministration
- A privacy contravention
- A serious and substantial waste of public money

What do I need to know about making a PID?

When you make a PID the information you provide, and any subsequent investigation, will be treated in a confidential way.

We will do this by limiting the number of people who have access to the information, including your identity. We will ensure only authorised people are able to access information and that they are aware of their obligations to maintain confidentiality. If we must disclose your identity, we will not do so without your consent.

We will also expect that you will maintain confidentiality by not discussing the circumstances with others.

Once your report is received, we will assess whether there is any risk to you from making a PID, and where risk is identified, we will develop a plan to mitigate and manage that risk.

Detrimental action against any person who has made a PID will not be tolerated. The *PID Act* sets out protections for people who make a PID, including against any detrimental action taken as a result of a Report. Detrimental actions may constitute a criminal offence and may also be subject to disciplinary proceedings.

We understand that it might not be easy to bring this type of information forward and that you might need some support.

Staff are able to access the Employee Assistance Program if support is needed at any time during the process.

Can I remain anonymous?

Yes, you can make a report without providing your name or any identifying information. However, it may limit any investigation if we are unable to contact you for further information. You will still be protected under the *PID Act*, but it will be difficult for the University to ensure those protections.

Where can I make a PID?

You can report suspected serious wrongdoing in a number of ways. The *PID Policy* sets out the avenues available to you, but the most common ways are to make a Report to

- Your manager or supervisor
- Via the PID Portal on the WSU website
- One of the University's Disclosure Officers
- The Vice-Chancellor

If you make a Report to a manager or supervisor, they will refer it to a Disclosure Officer for investigation as soon as possible.

What information should I provide?

Reports can be made verbally or in writing and you should provide all the information you have at the time.

Where possible you should include:

- date, time and location of key 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
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report. This could be in the form of emails, documents, photographs, etc.

You do not have to try and work out what category of wrongdoing is involved or that you are reporting serious wrongdoing. All wrongdoing should be reported so that the University is aware and can act.

What will happen once I make a Report?

When your Report is received by a Disclosure Officer they will:

- Contact you to acknowledge receipt of your Report and provide you with information about what will happen next;
- Undertake a risk assessment to determine whether any protections need to be put in place;
- Ensure you have access to relevant support;
- Commence an assessment to identify whether it is a PID.

If your Report is accepted for investigation as a PID, the Disclosure Officer will:

- Write to you advising we will investigate the serious wrongdoing;
- Begin an investigation based on the information you have provided. They may need to contact you again to ask questions and they may also need to speak to any witnesses. Sometimes the University may choose to engage an external investigator;
- Provide you with updates on the investigation at least every three months, or more regularly if you choose;
- Continue to assess risk throughout the investigation process;
- In some cases, the University may be required to refer the disclosure to an integrity agency (such as the ICAC), refer it to another person, authorised body or another Act or law for investigation, or refer the disclosure to another relevant agency.

At the conclusion of the investigation, the University will write to advise:

- The outcome of the investigation, including whether we found that serious wrongdoing took place;
- Any remedial action taken as a result of the investigation. This may include whether there was any disciplinary action taken or whether the investigation resulted in changes to practices, policies or procedures.

There may be some details of the outcome that cannot be disclosed, depending on the rights of other persons or legal obligations.

If your report was anonymous we will not be able to provide you with the outcome.

What happens if it's not a PID?

If the University decides it will not investigate the Report as a PID, we will advise that the PID Act

does not apply and give you reasons for the decision. In some cases, the University may decide to cease an investigation if information reveals it does not have all the features of a PID.

Regardless, where the University decides it will not investigate, we must notify the NSW Ombudsman of this decision.

The University will still deal with your Report and may refer it into another relevant process under another policy, such as the *Complaint Management Policy*. We will provide you with information about how we will deal with your concerns, including what supports will be offered.

If you disagree with the outcome of the PID assessment, you are able to ask for an internal review of the decision or ask for the matter to be conciliated. The University *may* choose to seek conciliation by the NSW Ombudsman.

Protections under the PID Act

Where the risk assessment identifies vulnerabilities we will work with you to develop a risk management plan.

Depending on the nature of the risk, protections may include:

- Remote working, or;
- Secondment to another area, or;
- Approved leave for the duration of the investigation
- Provision of appropriate supports

Further information about PIDs

If you have questions about making a PID contact one of the University's Disclosure Officers or access more information from the links below:

[WSU Whistle Blowing website](#)
[PID Policy](#) and [Procedures](#)
[NSW Ombudsman website](#)
[Public Interest Disclosures Act, 2022](#)

WSU Disclosure Officers include

- Distinguished Professor George Williams AO, Vice-Chancellor and President
- Ms Jane Hutchison, University Secretary
- Dr Ruth Townsend, Director, Complaints Management and Resolution