Public Interest Disclosure Policy

Statement of commitment

The reporting of suspected misconduct within the Queensland public sector is fundamental to its ongoing integrity and health. (Brown et al. 2004)

The most effective protection for a person making a public interest disclosure (PID) is the right organisational culture. The department, in line with its values, is committed to creating and sustaining a positive ethical climate with accountable behaviour. This comes from leadership that openly recognises the significant contribution staff make to our success and strongly encourages disclosure of unethical and fraudulent behaviour.

The department aims to provide clear guidance to staff on how to handle and deal with the complex issues associated with an ethical dilemma and when faced with potential wrongdoing.

Principles

- Every employee of the Queensland public sector has an ethical responsibility to report suspected corrupt conduct, maladministration, wasting of public funds, substantial and specific danger to public health and safety, the environment or a person with a disability, and reprisal action.
- The principles of natural justice (procedural fairness) will apply to all investigations of matters which are the subject of PIDs.
- The department is committed to treating PIDs appropriately and making the process fair for both the discloser and the person who is the subject of the disclosure.
- The rights of any person who is subject to, or is in some way associated with, a PID will be safeguarded.
- Managers and supervisors are to ensure employees are aware of their responsibilities in making a PID and are able to advise other persons of the appropriate reporting process.

Legislation

- *Public Interest Disclosure Act 2010*
- *Public Sector Ethics Act 1994*
- *Crime and Corruption Act 2001*
- *Disability Services Act 2006*
- *Ombudsman Act 2001*
- *Public Records Act 2002*

The *Public Sector Ethics Act 1994* and the *Public Interest Disclosure Act 2010* *(PID Act)* provide the ethical framework and spell out the protection principles. The *Crime and Corruption Act 2001* provides an external reporting mechanism and an independent investigative and enforcement body.

What is a Public Interest Disclosure?

A PID can relate to:

By public officers:

- **Corrupt conduct**, including fraud and corruption.
- **Maladministration** that adversely affects anybody's interests in a substantial and specific way.
- A substantial **misuse** of public resources (including funds, but not based on a mere disagreement over policy that may properly be adopted about amounts, purposes and priorities of expenditure).
- A substantial and specific danger to **public health or safety or the environment.**

By any person:

- **Reprisal** as a result of a PID.
- Specific offences or contraventions presenting a substantial and specific **danger to the environment**.
- A substantial and specific danger to the health or safety of a **person with a disability.**

All Department of Justice staff are 'public sector officers'. To be a PID, the discloser must have a '**reasonable belief**' that the wrongdoing has occurred or provide evidence which objectively tends to show the wrongdoing has occurred.

A disclosure amounts to a PID and is covered by the PID Act even if the:

- discloser reports the information as part of their duties – such as an auditor reporting a fraud or an occupational health and safety officer reporting a safety breach.
- disclosure is made anonymously – the discloser is not required to give their name or any identifying information.
- discloser has not identified the material as a PID – it is up to the Department of Justice to assess information received and decide if it is a PID.
- disclosure is unsubstantiated following investigation – the discloser is protected when the information they provide is assessed as a PID, whether or not it is subsequently investigated or found to be substantiated.

Complaints concerning an expression of dissatisfaction about staff conduct, a service, procedure, practice or departmental policy that are not resolved at the point of service, should be pursued by following either the Individual employee grievances policy and procedure or the Client Complaint Management Policy.

PID Management Program

The Director-General has overall responsibility for ensuring that The Department of Justice develops, implements and maintains a PID management program. The Department of Justice PID management program encompasses:

- commitment to encouraging the internal reporting of wrongdoing.
- senior management endorsement of the value to Department of Justice of PIDs and the proper management of PIDs.
- a communication strategy to raise awareness among employees about PIDs and The Department of Justice PID procedure.
- a training strategy to give employees access to training about how to make a PID, information on the support available to a discloser, and advice on how PIDs will be managed.
- specialist training and awareness about PIDs for senior management and other staff who may receive or manage PIDs, disclosers or workplace issues relating to PIDs.
- the appointment of a specialist officer/unit to be responsible for issues related to the management of PIDs.
- ensuring effective systems and procedures are in place so that issues and outcomes from PIDs inform improvements to service delivery, business processes and internal controls.
- regular review of the PID Procedure and evaluation of the effectiveness of the PID management program.

The Director-General has designated the following roles and responsibilities for managing PIDs within The Department of Justice:

Role:	Responsibilities:	Officer:
PID Coordinator	▪ principal contact for PID issues within The Department of Justice ▪ document and manage implementation of PID management program ▪ review and update PID policy every 5 years or as required ▪ maintain and update internal records of PIDs received ▪ report data on PIDs to Queensland Ombudsman ▪ assess PIDs received ▪ provide acknowledgment of receipt of PID to discloser ▪ undertake risk assessments in consultation with disclosers and other relevant officers ▪ liaise with other agencies about referral of PIDs	Director, Ethical Standards Unit **Contact details:** **(07) 3738 9822** **By email:** ethicalstandards@justice.qld.gov.au **By post:** Director, Ethical Standards Unit Department of Justice GPO Box 69 Brisbane Qld 4001
	▪ allocate Investigator (as required) and Support Officer (to be determined on a case by case basis) to PID matter	**By phone:** 07 3738 9822 **In person:** Ethical Standards Unit State Law Building 50 Ann Street, Brisbane
PID Support Officer	The responsibilities may include: ▪ provide advice and information to discloser on The Department of Justice G PID procedure ▪ provide referrals to other sources of advice or support as required ▪ facilitate updates on progress of investigation ▪ proactively contact discloser to check on their welfare throughout PID management process (the frequency of contact will be determined on a case by case basis and documented in the risk management assessment form). Similar support may be provided to other participants involved in an investigation. If you are involved in an investigation and need support, please contact the PID co-ordinator.	As appointed by the Director, Ethical Standards Unit.
Investigator	▪ conduct investigation of information in PID in accordance with terms of reference ▪ prepare report for delegated decision-maker, or as otherwise instructed	An appropriate internal or external investigator will be appointed for each PID investigated depending upon the type of disclosure and other relevant considerations.
Delegated decision-maker	▪ review investigation report and determine outcome of the matter	An appropriate decision-maker will be appointed for each PID investigated.

Why make a PID?

Employees who speak up about these matters can be the most important sources of information to identify and address problems in public sector administration. The Department of Justice supports the disclosure of information about wrongdoing because:

- implementing systems for reporting and dealing with wrongdoing contributes to the integrity of The Department of Justice.

- the outcomes of PIDs can include improvements to systems that prevent fraud and other economic loss to The Department of Justice.
- the community's trust in public administration is strengthened by having strong processes in place for reporting wrongdoing.

When making a PID the discloser receives the protections provided under the PID Act, including:

- confidentiality – the discloser's name and other identifying information will be protected to the extent possible.
- protection against reprisal – the discloser is protected from unfair treatment by Department of Justice and employees of The Department of Justice as a result of making the PID.
- immunity from liability – the discloser cannot be prosecuted for disclosing the information but is not exempt from action if they have engaged in wrongdoing.
- protection from defamation – the discloser has a defence against an accusation of defamation by any subject officer.

Who can a PID be disclosed to?

A PID must be made to the '**proper authority'** to receive disclosures of the type being made.

Disclosers are encouraged to make a disclosure to an appropriate officer of Department of Justice first. If the matter is not resolved, or the discloser is concerned about confidentiality, the disclosure may be made to another appropriate agency.

Who to contact within The Department of Justice:	Other agencies that can receive PIDs:
Any person (including employees) can make a disclosure to: • **the relevant supervisor or manager.** • **the human resources unit** • **the Director-General or the senior leader of the relevant division** • **the Ethical Standards Unit.** **The Department of Justice's preferred approach is to make a disclosure to the Director, Ethical Standards Unit.** **If you are a member of the public (not The Department of Justice employee) you may use the Client Complaints Policy.**	Disclosures can be made to an agency that has a responsibility for investigating the information disclosed: • Crime and Corruption Commission (CCC) for disclosures about corrupt conduct including reprisal • Queensland Ombudsman for disclosures about maladministration • Queensland Audit Office for disclosures about a substantial misuse of resources • Department of Child Safety, Seniors and Disability Services for disclosures about danger to the health and safety of a person, child or young person with a disability • Office of the Public Guardian for disclosures about danger to the health and safety of a person with a disability • Department of Environment, Science and Innovation disclosures about danger to the environment • A Member of the Legislative Assembly (MP) for any wrongdoing or danger • The Chief Judicial Officer of a court or tribunal in relation to a disclosure about wrongdoing by a judicial officer.

Any The Department of Justice employee who receives a disclosure that may be a PID must advise the PID Co-ordinator for assessment and reporting.

A disclosure can **only** be made to a **journalist** if the following conditions have been met:

- a valid PID was initially made to a proper authority, and
- the proper authority:
  - decided not to investigate or deal with the disclosure, or
  - investigated the disclosure but did not recommend taking any action, or

- failed to notify the discloser within six months of making the disclosure whether or not the disclosure was to be investigated or otherwise dealt with.

A journalist can be publishing in either print or electronic news media.

A person who makes a disclosure to a journalist in these circumstances is protected under the PID Act. However, disclosers should be aware that journalists are not bound under the confidentiality provisions of section 65 of the PID Act.

If these conditions are not met, The Department of Justice staff disclosing information to a journalist or otherwise sharing information externally (for example on social media) is likely to breach confidentiality and be considered as a disciplinary matter.

How to make a PID

A discloser can make a PID in any way, including anonymously, either verbally or in writing. To assist in the assessment, and any subsequent investigation of a PID, disclosers are requested to:

- provide contact details. This could be an anonymous email address that is created for the purpose of making the disclosure (subject to restrictions on the handling of public records) or a telephone number. If you use an anonymous email account, you should monitor it for any response from the department.
- provide as much information as possible about the suspected wrongdoing, including:
  - who was involved
  - what happened
  - when it happened
  - where it happened
  - whether there were any witnesses, and if so who they are
  - any evidence that supports the PID, and where the evidence is located
  - any further information that could help investigate the PID
- provide this information in writing.

Deciding whether a matter is a PID

If there is any doubt as to whether a matter is a PID, further information may be obtained by the Ethical Standards Unit to inform the decision. If doubt still remains, the matter will be considered and managed as a PID.

It is an offence under the PID Act to intentionally give false or misleading information intending it be acted on as a PID. Employees may be subject to disciplinary action for intentionally giving false or misleading information in a PID, or during an investigation into a PID.

Where a discloser states they are making a PID, but it is assessed that the matter is not a PID The Department of Justice will advise the discloser:

- that their information has been received but was not assessed as a PID.
- the reasons for the decision.
- the review rights available if the discloser is dissatisfied with the decision and how to request review.
- any action The Department of Justice proposes to take in relation to the matter.
- any other options the discloser has in relation to the matter.

Assessing a PID

The disclosure will be assessed in accordance with the PID Act, the PID standards, The Department of Justice's Public Interest Disclosure Policy and any other relevant procedure(s).

Once the matter has been assessed as a PID, The Department of Justice will provide reasonable information to the discloser in writing including:

- that their information has been received and assessed as a PID.

- the action to be taken by Department of Justice in relation to the disclosure, which could include referring the matter to an external agency, or investigating.
- the likely timeframe involved.
- the name and contact details of the Department of Justice PID support officer and arrangements that
- Department of Justice has put in place to support the discloser.
- the discloser's obligations regarding confidentiality.
- the protections the discloser has under the PID Act.
- the commitment of the Department of Justice to keep appropriate records and maintain confidentiality, except where permitted under the PID Act.
- how updates regarding intended actions and outcomes will be provided to the discloser.
- contact details for the Department of Justice Employee Assistance Program, for The Department of Justice staff.

If the PID has been made anonymously and the discloser has not provided any contact details, The Department of Justice will not be able to acknowledge the PID or provide any updates.

Referring a PID

If The Department of Justice decides there is another proper authority that is better able to deal with the PID, the PID may be referred to that agency. This may be because:

- the PID concerns wrongdoing by that agency or an employee of that agency.
- that agency has the power to investigate or remedy the matter.

Before referring the PID to another agency, The Department of Justice will conduct a risk assessment, and will not proceed with the referral if there is an unacceptable risk of reprisal.

It may also be necessary to refer the PID to another agency because of a legislative obligation, for example, refer a matter to the Crime and Corruption Commission where there is a reasonable suspicion that the matter involves or may involve corrupt conduct (as required by section 38 of the *Crime and Corruption Act 2001*).

The confidentiality obligations of the PID Act permit appropriate officers of Department of Justice to communicate with another agency about the referral of a PID. Officers will exercise discretion in their contacts with any other agency under the Ethical Standards Unit's instruction and guidance.

The discloser will be advised of the action taken by The Department of Justice.

Risk assessment and protection from reprisal

Upon receiving a PID, The Department of Justice will conduct a risk assessment to assess the likelihood of the discloser (or witnesses or affected third parties, where appropriate) suffering reprisal action as a result of having made the disclosure. This assessment will take into account the actual and reasonably perceived risk of the discloser (or witnesses or affected third parties, where appropriate) suffering detriment, the Ethical Standards Unit will consult with the discloser to the extent practicable.

A risk assessment will be undertaken if the discloser is anonymous on the basis of information available in the PID. The risk assessment will also take into account the risk to persons who may be suspected of making the PID.

Consistent with the assessed level of risk, The Department of Justice will develop and implement a risk management plan and arrange any reasonably necessary support or protection for the discloser (or witnesses or affected third parties, where appropriate).

The Department of Justice will regularly reassess the risk of reprisal while the PID is being managed, in consultation with the discloser, and review the risk management plan if required.
In the event of reprisal action being alleged or suspected, The Department of Justice will:

- attend to the safety of the discloser (or witnesses or affected third parties, where appropriate) as a matter of priority.
- review its risk assessment, risk management plan and any protective measures needed to mitigate any further risk of reprisal.

- manage any allegation of a reprisal as a PID in its own right, where it meets the definition criteria.

Reprisal

If a person making a PID has concerns about reprisal being taken against them or them suffering a detriment because of the disclosure, they should advise the Ethical Standards Unit, which will consider appropriate protections per the *PID Act.*

Section 40 of the *PID Act* makes it an offence for an employee to take a reprisal because of a belief that another person has made or intends to make a PID.

During an investigation or other action to deal with a PID, all The Department of Justice staff must continue to behave in accordance with the expectations described in the department's Workplace Policy.

Declining to take action on a PID

Under the PID Act, the Department of Justice may decide not to investigate or deal with a PID in various circumstances, including:

- the information disclosed has already been investigated or dealt with by another process.
- the information disclosed should be dealt with by another process.
- the age of the information makes it impractical to investigate.
- the information disclosed is too trivial and dealing with it would substantially and unreasonably divert The Department of Justice from the performance of its functions.
- another agency with jurisdiction to investigate the information has informed The Department of Justice
- that an investigation is not warranted.

If a decision is made not to investigate or deal with a PID The Department of Justice will give the discloser written reasons for that decision.

If the discloser is dissatisfied with the decision they can request a review by writing to the Director-General of The Department of Justice within 28 days of receiving the written reasons for decision.

Confidentiality

Section 65 of the *PID Act* makes it an offence for a person to make a record of, or intentionally or recklessly, disclose confidential information received in the administration of the PID Act to anyone, except where authorised to do so by the PID Act.

While Department of Justice will make every attempt to protect confidentiality, a discloser's identity may need to be disclosed:

- for full investigation of the PID;
- under a legal requirement (e.g. during criminal prosecution processes);
- to provide safety or welfare;
- for natural justice / procedural fairness (after considering the risk of reprisal);
- under right to information/information privacy legislation.

The Department of Justice will ensure that communication with all parties involved will be arranged discreetly to avoid identifying the discloser wherever possible.

Disclosers should be aware that while Department of Justice will make every attempt to keep their details confidential, it cannot guarantee that others will not try to deduce their identity.

If you make a disclosure, you are reminded that the matters surrounding the investigation will be confidential and Department of Justice staff are directed to maintain the integrity of the process by not discussing it with your work colleagues or other unauthorised persons. All statements and correspondence in regard to the matter are strictly confidential. Please note that the confidentiality provision will not preclude you from sharing this information with your union representative/approved support person/legal representative.

The Department of Justice takes confidentiality seriously and breaches of confidentiality may attract disciplinary action. The Ethical Standards Unit will consider the potential impact of either a lawful discloser of

a discloser's identity (in accordance with the circumstances listed above) or reported breaches and appropriate management strategies will be adopted, if required.

Support for disclosers

The Department of Justice recognises that providing appropriate support to a discloser is an important feature of effective PID management.

The Department of Justice will treat all PIDs appropriately. The Director, Ethical Standards Unit, will take your concerns seriously and ensure your privacy and confidentiality (as far as possible) throughout the appropriate process. You can also be confident of a commitment to protection against reprisal and bullying.

The Department of Justice staff and their immediate family members (including partner, child, and other family member residing with the employee) are able to access professional counselling and well-being support through the Employee Assistance Program. The service provider's telephone number is 1800 604 640.

In some cases the discloser may not be a Department of Justice employee, however this policy covers both Department of Justice employees and members of the public who make a PID. The level of support and support services offered will alter for disclosers who are members of the public, however this will be assessed on a case by case basis in the PID assessment form.

The Queensland Ombudsman can also provide information and advice for people who are considering making or have made a PID.

The CCC is involved in the PID process, however its role is as an integrity agency to which PIDs are made.

If an employee suffers an injury (such as a psychological condition, for example), arising out of or in the course of their employment, the employee has a right to lodge a claim for workers' compensation under the *Workers' Compensation and Rehabilitation Act 2003*. Employees should contact WorkCover for further information.

For those making a PID, section 36 of the *PID Act* states that a person is not liable civilly, criminally or under an administrative process for making a PID. Under section 73(2)(f) of the *Industrial Relations Act 2016*, it constitutes an unfair dismissal if an employee is dismissed on the basis of making a PID or because of a belief that an employee has made or may make a PID in accordance with the *PID Act.*

Where required, interpreters or other accessibility assistance will be provided to employees or other persons wanting to make a PID.

For more information on how to make a PID read Thinking about blowing the whistle: a guide for individuals working in the public sector This is available at the Queensland Ombudsman's website.

Making a PID does not prevent **reasonable management action**. If the discloser is a The Department of Justice staff member, the discloser will continue to be managed in accordance with normal, fair and reasonable management practices during and after the handling of the PID.

Investigating a PID

If a decision is made to investigate a PID, this will be done with consideration for the:

- principles of natural justice;
- obligation under the PID Act to protect confidential information;
- obligation under the PID Act to protect officers from reprisal;
- interests of subject officers.

If as a result of investigation, the information about wrongdoing provided in the PID is substantiated, appropriate action will be taken.

Where the investigation does not substantiate wrongdoing, The Department of Justice will consider a review of systems, policies and procedures to identify whether there are improvements that can be made and consider if staff training is required, where necessary.

Rights of subject officers

The Department of Justice acknowledges that for officers who are the subject of a PID the experience may be stressful. Department of Justice will protect their rights by:

- assuring them that the PID will be dealt with impartially, fairly and reasonably in accordance with the principles of natural justice;
- confirming that the PID is an allegation only and a determination will be made on investigation;
- providing them with information about their rights and the progress and outcome of any investigation; and
- referring them to the Employee Assistance Program for support.

Staff and management responsibilities

All Department of Justice staff, especially managers and supervisors should make themselves familiar with this policy and their obligations under the *Code of Conduct for the Queensland Public Service*. They must provide clear guidance to staff on how to handle complex issues and how to deal with an ethical dilemma when faced with potential wrongdoing. Advice is available from the Ethical Standards Unit.

Managers must ensure staff are provided with information about making a disclosure and are familiar with the process of making a public interest disclosure. All staff should also be able to identify potential situations where behaviour may be unethical or fraudulent and know how to report it. Managers and supervisors have obligations in this regard under section 40 of the *Public Sector Act 2022* and the *Workplace Policy*.

Right to Review

There are several circumstances in which the department may decide not to deal with or investigate a PID. Upon being advised of the reasons for such a decision you may within 28 days request a review.

If you are not happy with the outcome of the department's dealing with the PID you can request further information from the department or contact the Queensland Ombudsman to request a review of the matter.

You may also wish to seek independent legal advice or you can apply to the Supreme Court for a review of the decision under the *Judicial Review Act 1991*.

Record-keeping

In accordance with its obligations under the PID Act and the *Public Records Act 2002*, Department of Justice will ensure that:

- accurate data is collected about the receipt and management of PIDs.
- anonymised data is reported to the Office of the Queensland Ombudsman in their role as the oversight agency, through the PID reporting database.

Records about disclosures, investigations, and related decisions will be kept secure and accessible only to appropriately authorised people involved in the management of the PID.

Information Privacy

Personal information collected during a PID assessment or investigation process will be used as necessary to appropriately deal with the matter subject of the PID. It may be disclosed to relevant parties and/or agencies subject to statutory protections and will be managed in accordance with the *Information Privacy Act 2009*, the PID Act and the *Public Records Act 2002*. The personal information will not be otherwise disclosed unless with the individual's consent or as required by a law.

Responsibilities for this policy

The Director, Ethical Standards Unit, is responsible for the preparation, review and maintenance of the policy. This policy will be reviewed 5 years from date of approval.

Version History

Version	Notes	Change Officer(s)	Date of Change
1.0	Approved	Director-General	01 January 2011
2.0	Approved	Director-General	30 March 2012
3.0	Approved	Director-General	08 December 2014
3.1	Formatting updated	Executive Director, ESU	24 July 2015
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6.0	*Public Sector Act 2022* changes	Executive Director, ESU	07 March 2023
6.1	Minor updates	Executive Director, ESU	13 December 2023
6.2	New template and formatting	Director, ESU	14 February 2024
6.3	Formatting and minor updates	Director, ESU	02 April 2024
6.4	Minor Change	A/Director, ESU	06 May 2025

Appendix: Definitions (meanings of words and acronyms used in this Policy)

Term	*Definition*
Administrative action	(a) means any action about a matter of administration, including, for example: (i) a decision and an act; and (ii) a failure to make a decision or do an act, including a failure to provide a written statement of reasons for a decision; and (iii) the formulation of a proposal or intention; and (iv) the making of a recommendation, including a recommendation made to a Minister; and (v) an action taken because of a recommendation made to a Minister; and (b) does not include an operational action of a police officer or of an officer of the Crime and Corruption Commission.
Confidential information	(a) includes — (i) information about the identity, occupation, residential or work address or whereabouts of a person — (A) who makes a public interest disclosure; or (B) against whom a public interest disclosure has been made; and (ii) information disclosed by a public interest disclosure; and (iii) information about an individual's personal affairs; and (iv) information that, if disclosed, may cause detriment to a person; and (b) does not include information publicly disclosed in a public interest disclosure made to a court, tribunal or other entity that may receive evidence under oath, unless further disclosure of the information is prohibited by law.
Corrupt conduct	As defined in section 15 of the *Crime and Corruption Act 2001* (1) ***Corrupt conduct*** means conduct of a person, regardless of whether the person holds or held an appointment, that— (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of— (i) a unit of public administration; or (ii) a person holding an appointment; and (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that— (i) is not honest or is not impartial; or (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and (c) would, if proved, be— (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment. (2) ***Corrupt conduct*** also means conduct of a person, regardless of whether the person holds or held an appointment, that— (a) impairs, or could impair, public confidence in public administration; and (b) involves, or could involve, any of the following— (i) collusive tendering; (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)— (A) protecting health or safety of persons; (B) protecting the environment;

Term	Definition
	(C) protecting or managing the use of the State's natural, cultural, mining or energy resources; (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets; (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue; (v) fraudulently obtaining or retaining an appointment; and (c) would, if proved, be— (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
Detriment	includes – (a) personal injury or prejudice to safety; and (b) property damage or loss; and (c) intimidation or harassment; and (d) adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade or business; and (e) financial loss; and (f) damage to reputation, including, for example, personal, professional or business reputation.
Disability	As defined in section 11 of the *Disability Services Act 2006*, for the purposes of this procedure: (1) A disability is a person's condition that— (a) is attributable to— (i) an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment; or (ii) a combination of impairments mentioned in subparagraph (i); and (b) results in— (i) a substantial reduction of the person's capacity for communication, social interaction, learning, mobility or self care or management; and (ii) the person needing support. (2) For subsection (1), the impairment may result from an acquired brain injury. (3) The disability must be permanent or likely to be permanent. (4) The disability may be, but need not be, of a chronic episodic nature.
Discloser	A person who makes a disclosure in accordance with the *Public Interest Disclosure Act 2010.*
Employee	Of an entity, includes a person engaged by the entity under a contract of service.
Investigation	For the purposes of this procedure, investigation includes any enquiry undertaken to establish whether the information provided in a PID can be substantiated, including a review or audit.
Journalist	A person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.

Term	Definition
Maladministration	As defined in schedule 4 of the *Public Interest Disclosure Act 2010*, maladministration is administrative action that— (a) was taken contrary to law; or (b) was unreasonable, unjust, oppressive, or improperly discriminatory; or (c) was in accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory in the particular circumstances; or (d) was taken— (i) for an improper purpose; or (ii) on irrelevant grounds; or (iii) having regard to irrelevant considerations; or (e) was an action for which reasons should have been given, but were not given; or (f) was based wholly or partly on a mistake of law or fact; or (g) was wrong.
Natural justice	Natural justice, also referred to as 'procedural fairness' applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected. The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are: • avoid bias; and • give a fair hearing. • act only on the basis of logically probative evidence.
Organisational support	• For the purposes of this procedure, organisational support may include actions such as, but not limited to: • • advising disclosers about agency resources available to handle any concerns they have as a result of making their disclosure • appointing a support officer to assist the discloser through the process • referring the discloser to the agency's Employee Assistance Program or arranging for other professional counselling • generating support for the discloser in their work unit where appropriate • ensuring that any suspicions of victimisation or harassment are dealt with • maintaining contact with the discloser
Proper authority	A person or organisation that is authorised under the *Public Interest Disclosure Act 2010* to receive disclosures.
Public officer	A public officer, of a public sector entity, is an employee, member or officer of the entity.
Reasonable belief	A view which is objectively fair or sensible.

Term	Definition
Reasonable management action	Action taken by a manager in relation to an employee, includes any of the following taken by the manager— (a) a reasonable appraisal of the employee's work performance; (b) a reasonable requirement that the employee undertake counselling; (c) a reasonable suspension of the employee from the employment workplace; (d) a reasonable disciplinary action; (e) a reasonable action to transfer or deploy the employee; (f) a reasonable action to end the employee's employment by way of redundancy or retrenchment; (g) a reasonable action in relation to an action mentioned in paragraphs (a) to (f); (h) a reasonable action in relation to the employee's failure to obtain a promotion, reclassification, transfer or benefit, or to retain a benefit, in relation to the employee's employment.
Reprisal	The term 'reprisal' is defined under the *Public Interest Disclosure Act 2010* as causing, attempting to cause or conspiring to cause detriment to another person in the belief that they or someone else: • has made or intends to make a disclosure; or • has been or intends to be involved in a proceeding under the disclosure Act against any person. Reprisal under the *Public Interest Disclosure Act 2010* is a criminal offence and investigations may be undertaken by the Queensland Police Service.
Subject officer	An officer who is the subject of allegations of wrongdoing made in a disclosure.
Substantial and specific	Substantial means 'of a significant or considerable degree'. It must be more than trivial or minimal and have some weight or importance. Specific means "precise or particular". This refers to conduct or detriment that is able to be identified or particularised as opposed to broad or general concerns or criticisms.