



## Public Interest Disclosure Policy

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### Version History

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V1.0	June 2012	Reviewed by Ethical Standards Branch, Public Service Commission
V1.1	November 2012	Approved by Tourism Queensland Board
V1.2	January 2013	Updated company name to Tourism and Events Queensland
V1.3	June 2015	Reviewed based on changes to Crime and Corruption Commission Act 2001 and recommendations from Queensland Ombudsman.
V1.4	July 2018	Administrative amendments based on feedback from the Queensland Ombudsman.
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V2.0	August 2020	Reviewed to comply with Public Interest Disclosure Standards

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## 1. Purpose

Tourism and Events Queensland (TEQ) believe that Public Interest Disclosures (PIDs) and the ability to make such disclosures without retaliation or reprisal is critically important, not only to uphold our legislative obligations but also to maintain transparency and the public's trust in TEQ.

TEQ will support any Discloser, however any person that is found to have deliberately made false or misleading allegations, or allegations not in accordance with the Public Interest Disclosure Act 2010 (PID Act), will not be protected under this Policy.

TEQ supports the disclosure of information about wrongdoing and is committed to taking action if wrongdoing is identified therefore improving the integrity and performance of the organisation.

## 2. Scope

This policy applies to all TEQ Board members and employees, public sector officers and any member of the public who seeks to make a PID to TEQ in accordance with the [PID Act](#).

This Policy only applies to PIDs that are made in relation to TEQ. PIDs that are regarding other government agencies are to be made in accordance with the relevant agencies' policy and/or procedure.

If a complaint is made that does not qualify as a PID, the complainant will be advised that they will not be protected under this Policy and the Public Interest Disclosure Procedure, and may elect to proceed through the appropriate channel.

If a complaint is made that does qualify as a PID but subsequent investigation determines that there is no substance to the allegation, the Discloser will still be protected under this Policy as if the investigation did substantiate the allegation.

## 3. Legislation and Related Information

This policy has been prepared to comply with the [Public Interest Disclosure Act 2010](#) and the [Public Interest Disclosure Standards published by the Queensland Ombudsman](#).

The Policy should be read in conjunction with the Public Interest Disclosure Procedure and TEQ's Code of Conduct.

Other relevant legislation includes:

- Crime and Corruption Act 2001
- Public Sector Ethics Act 1994

## 4. Definitions

Term	Definition
Discloser	The person who makes the PID.
Subject Officer	The person about whom a PID is made
PID Coordinator	The PID Coordinator delegated by the CEO, is responsible for educating employees and the overall management of the PID process, including acting as a principal point of contact.
Support Officer	The person delegated by the Chief Executive Officer or the PID Coordinator with responsibility for providing support to a disclosure, subject officer or witness who is involved in the management of a PID
Public Sector Officer	A public officer of a public sector entity as defined at section 7 of the PID Act
Corrupt Conduct	Corrupt Conduct is defined formally in the <a href="#">Crime and Corruption Act 2001</a> but can be summarised as being any conduct relating to the performance of an officer's duties that is dishonest, lacks impartiality, involves a breach of trust or a misuse of officially obtained information. To be corrupt conduct, the conduct must, if proven, be a criminal offence and/or be serious enough for which dismissal is considered to be one of the disciplinary options available. Trying to influence a public official to act improperly is also classed as corrupt conduct
Reprisal	A person must not cause or attempt to cause detriment to another person because (or in the belief) that person has made or intends to make a PID and includes physical and psychological injury, property damage/loss, intimidation, harassment, threats, discrimination or disadvantage.

## 5. What is a PID?

A PID is a disclosure in the public interest, of information about wrongdoing in the public sector. For an allegation to be considered a PID and attract the protections under the [PID Act](#) it must meet the following three elements:

- Public interest information** (as outlined in section 6 below)
- An appropriate disclosure:** The person disclosing the information must have an honest belief, on reasonable grounds, that there is wrongdoing or danger (subjective test), or the information must tend to indicate the wrongdoing (objective test).
- Made to a proper authority:** For example a public sector entity (e.g. TEQ, QLD Audit Office); Crime and Corruption Commission (for corrupt conduct), Queensland Ombudsman (for maladministration), a Member of the Legislative Assembly, or a Chief Judicial Officer (if the disclosure relates to a wrongdoing by a judicial officer)

## 6. What can a PID be about?

Any person can make a PID about:

- a substantial and specific danger to the health or safety of a person with a disability.
- a substantial and specific danger to the environment (as set out in [Schedule 2 of the Act](#))
- the conduct of another person that could, if proven, be a reprisal.

A TEQ employee and public sector officers can make a disclosure about:

- Corrupt conduct as defined in the Crime and Corruption Act 2001 (for example criminal conduct such as fraud or assault)
- Maladministration that adversely affects a person's interests in a substantial and specific way (for example making a decision that is unlawful or discriminatory)
- A substantial misuse of public resources (for example the purchase of unnecessary goods or services)
- A substantial and specific danger to public health or safety, or the environment.

## 7. How PIDs can be made?

Any member of the public, public sector officers or employees of TEQ can make a PID in relation to TEQ verbally or in writing by contacting:

- the TEQ Chief Executive Officer,
- the leader of a TEQ employee
- TEQ Board Member
- the Public Interest Disclosure Coordinator, or
- Emverio Workplace Complaints ([www.workplacecomplaint.com](http://www.workplacecomplaint.com)) by phoning 1300 454 574 or emailing [complain@workplacecomplaint.com](mailto:complain@workplacecomplaint.com)

TEQ's preference is that all PID's be made to the PID Coordinator by using the contact details below:

Tourism and Events Queensland  
GPO Box 328  
Brisbane, Queensland 4001  
Telephone: 07 3535 3535  
Email: [PID@queensland.com](mailto:PID@queensland.com)

Please provide as much information as possible relating to the suspected wrongdoing, including:

- Who was involved
- What happened
- When it happened
- Where it happened
- Whether there were 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
- Contact details (to provide support and feedback)

Anonymous disclosures will be accepted and TEQ is committed to assessing and where appropriate, investigating anonymous PIDs where sufficient information has been provided. Anonymous disclosers are advised that declining to provide name and contact information means it may not be possible to keep the discloser informed of progress in handling the disclosure, or offer the [PID Act](#) protections.

## 8. External report options

A discloser may choose to make a disclosure to an external proper authority as outlined to section 5. This can be done as a first step, or if not satisfied with TEQ's response.

If a disclosure is made to a person or an entity other than a proper authority, the person making the disclosure will not receive the protections of the [PID Act](#).

## 9. Disclosure to a journalist

A discloser may be protected if they choose to make a disclosure to a journalist. Protections apply if a person has made a disclosure of substantially the same information and TEQ:

- decided not to investigate or deal with the matter, or
- investigated the disclosure but decided not to recommend the taking of any action in relation to the matter, or
- did not notify the discloser within 6 months after the date of the disclosure was made, whether the matter would be investigated or not.

## 10. False or misleading information

It is an offence under the [PID Act](#) to intentionally make a false or misleading statement intending it be acted upon as a PID. It is an indictable offence which carries a maximum penalty of 2 years imprisonment or substantial fine. Any employee who deliberately makes a false or misleading statement will be subject to disciplinary action.

## 11. How will a Public Interest Disclosure be dealt with?

TEQ will take all reasonable steps to preserve confidentiality. In doing so, TEQ will:

- take reasonable action to protect any person who makes a PID from retribution or negative action as a result of making the disclosure;
- investigate the matter that has been disclosed, exercising due process and natural justice;
- preserve confidentiality where practicable and maintain all necessary records securely; and
- report on the matter (e.g. the Queensland Ombudsman) in a manner that is appropriate in the circumstances.

If the discloser has elected not to remain anonymous, TEQ will make contact with the discloser to acknowledge the receipt of the PID, and advise of the timeframe and process to follow. TEQ will keep the discloser informed throughout the process, including the outcome of any investigation.

## 12. Protection of disclosers

Disclosers should not suffer any form of detrimental action as a result of making a disclosure, including:

- Unfair treatment
- Harassment
- Intimidation
- Victimisation
- Unlawful discrimination

TEQ is committed to ensuring that no disciplinary or adverse action, including workplace reprisals by leaders, occurs as a result of a disclosure being made.

If any of the above does occur, a discloser has the right to request that TEQ take positive action to protect them. Disclosers should also advise the person handling their disclosure immediately.

### 13. Support and feedback to disclosers

TEQ will initiate and coordinate action to support disclosers particularly for employees suffering detriment as a result. Actions may include:

- Providing moral and emotional support;
- Appointing a support officer to assist the discloser throughout the process;
- Referring the discloser to TEQ's Employee Assistance Program or arranging for other professional counselling;
- Ensuring that any suspicions of reprisal, victimisation or harassment are dealt with;
- Maintaining contact with the discloser.

### 14. Confidentiality

Maintaining confidentiality is very important in the handling of a disclosure. Confidentiality not only protects the discloser against reprisals, but any other people affected by a disclosure. Confidential information includes:

- The fact a disclosure has been made.
- Any information that may identify the disclosure or any person who may be the subject of a disclosure.
- The actual information that has been disclosed.
- Information relating to the disclosure that, if known, may cause detriment.

In protecting the confidentiality of the discloser TEQ will ensure that the details of a disclosure, the investigation and related decisions will be kept secure.

While every attempt to protect confidentiality will be made, there will be occasions when disclosure of a discloser's identity may be necessary. These include:

- Providing natural justice to the subject officer.
- Responding to a court order or legal directive (e.g. subpoena, notice to produce, direction by a parliamentary committee).
- In court proceedings.

TEQ will advise a discloser if their identity needs to be revealed for any reason listed above and seek their consent, if possible.

While TEQ are prepared to take all steps necessary to protect the confidentiality of the information that a discloser has provided, the discloser also has some obligations. The fewer people who know about the disclosure – both before and after it is made – the more likely it is that TEQ will be able to keep the discloser's identity confidential and protect them from any detrimental action in reprisal. TEQ encourage disclosers to not talk about their disclosure to work colleagues or any other unauthorised person.

TEQ will ensure that all record keeping and reporting will be done in accordance with legislative and administrative requirements of the [PID Act](#).

## 15. Reprisal

In the event that a Discloser has experienced reprisal after making a PID, TEQ will first take steps to mitigate the effects of the reprisal. Once measures have been taken to support the Discloser, the allegation of reprisal will be investigated.

## 16. Protection of subject officers

TEQ is committed to treating disclosures fairly. The rights of any person who is the subject of, or is associated with a disclosure, are important. Employee/s who are the subject of a disclosure are entitled to confidentiality and the presumption of innocence.

Employees who are the subject of a PID may seek assistance from their legal representative or union and may also wish to contact the TEQ's Employee Assistance Program for advice and support.

## 17. Responsibilities

### Employees

All employees are responsible for

- being aware of the possibility that corrupt conduct may exist in the workplace and report any concerns to their leader or the PID Coordinator in accordance with the policy and procedure.
- completing the compulsory Code of Conduct and Public Interest Disclosure training as scheduled by TEQ.

### Public Interest Disclosure Coordinator

The PID Coordinator is responsible for educating employees, and the overall management of the PID process.

### Leaders

Leaders are responsible for maintaining an ethical culture and will therefore lead by example and conduct themselves as outlined in the Code of Conduct and in accordance with the [PID Act](#)

Leaders will also be responsible for ensuring that Disclosers are able to continue their work in an environment that is free from reprisal, report reprisal where it is suspected or has occurred, and ensure employees are aware of their obligations in relation to this Policy.

## 18. Other Related Policies, Procedures and Information

- Public Interest Disclosure Procedure
- Public Interest Disclosure Management Program
- Code of Conduct
- Dispute Settlement Procedure
- Complaints Management Policy
- Complaints Management Procedure
- [www.ombudsman.qld.gov.au](http://www.ombudsman.qld.gov.au)