



Public Interest Disclosure Policy and Procedure

NIISQ Agency

October 2024

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1.0 Audience

This policy and procedure applies to all National Injury Insurance Agency Queensland (NIISQ Agency or Agency) employees, and any external person making a Public Interest Disclosure (PID) to the NIISQ Agency under the *Public Interest Disclosure Act 2010* (PID Act). For the purpose of this document, *employee* means:

- any NIISQ Agency employee, whether permanent, temporary, full time, part time or casual and includes the Chief Executive Officer (CEO); and
- any volunteer, student, contractor, consultant, agency temp, secondee or anyone who works in any other capacity for the agency.

2.0 Purpose

This policy and procedure supports compliance with the PID Act and highlights the PID process for public officers, disclosers and third-party members. By complying with the PID Act, the NIISQ Agency will:

- promote the public interest by facilitating PIDs of wrongdoing
- ensure that PIDs are properly assessed and, where appropriate, properly investigated and dealt with
- ensure appropriate consideration is given to the interests of persons who are the subject of a PID
- ensure protection from reprisal is afforded to persons making PIDs.

As required under the PID Act, the CEO will implement procedures to ensure that:

- any public officer who makes a PID is given appropriate support
- PIDs made to the NIISQ Agency are properly assessed and, where appropriate, properly investigated and dealt with
- appropriate action is taken in relation to any wrongdoing which is the subject of a PID
- a management program for PIDs made to the NIISQ Agency, consistent with the standards issued by the Queensland Ombudsman, is developed and implemented
- public officers who make PIDs are offered protection from reprisal by the NIISQ Agency or other public officers of the NIISQ Agency.

3.0 Policy statement

The NIISQ Agency is committed to fostering an ethical, transparent culture. In pursuit of this, the Agency values the disclosure of information about suspected wrongdoing so that it can be properly assessed and, if necessary, appropriately investigated. The NIISQ Agency will provide support to an employee or others who make disclosures about matters in the public interest. This policy and procedure demonstrates this commitment, and ensures that practical and effective procedures are implemented which comply with the requirements of the PID Act.

4.0 What is a PID?

Under the PID Act, any person can make a disclosure about a:

- substantial and specific danger to the health or safety of a person with a disability
- the commission of an offence, or contravention of a condition imposed under a provision of legislation mentioned in Schedule 2 of the PID Act, if the offence or contravention would be a substantial and specific danger to the environment
- reprisal because of a belief that a person has made, or intends to make a disclosure.

In addition, public sector officers can make a disclosure about the following public interest matters:

- corrupt conduct
- maladministration that adversely affects a person's interests in a substantial and specific way
- a substantial misuse of public resources
- a substantial and specific danger to public health or safety
- substantial and specific danger to the environment.

A discloser can have either a 'reasonable belief' that wrongdoing has occurred or provide evidence which tends to show the wrongdoing has occurred.

A PID is a disclosure of information about certain types of wrongdoing or danger. The PID Act distinguishes between PIDs made by public officer and those made by anyone else, as follows:

PID by a public officer	PID by any other person
<p>A public officer can make a disclosure about the following public interest matters:</p> <ul style="list-style-type: none"> • corrupt conduct, as defined by the <i>Crime and Corruption Act 2001</i> • maladministration that adversely affects another person's interests in a substantial and specific way • a substantial misuse of public resources • a substantial and specific danger to public health or safety • a substantial and specific danger to the environment. 	<p>Any person (including a public officer) can make a disclosure about:</p> <ul style="list-style-type: none"> • a substantial and specific danger to the health or safety of a person with a disability • the commission of an offence, or contravention of a condition imposed under a provision of legislation mentioned in Schedule 2 of the PID Act, if the offence or contravention would be a substantial and specific danger to the environment • reprisal because of a belief that a person has made, or intends to make a disclosure

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 NIISQ Agency 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 PIC, whether or not it is subsequently or found to be substantiated.

5.0 Why make a PID?

Employees who are prepared to speak up about public sector misconduct, wastage of public funds, suspected unlawful activity or danger to health, safety or the environment can be the most important sources of information to identify and address problems in public sector administration. The NIISQ Agency supports the disclosure of information about wrongdoing because:

- implementing systems for reporting and dealing with wrongdoing contributes to the integrity of the NIISQ Agency
- the outcomes of PIDs can include improvements to systems that prevent fraud and other economic loss to the NIISQ Agency
- the community's trust in public administration is strengthened by having strong processes in place for reporting wrongdoing.

When making a PID the discloser will receive the following protections provided under the PID Act:

- confidentiality – 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 the NIISQ Agency and its employees as a result of making a 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.

6.0 Roles and responsibilities

The following roles and responsibilities apply to this policy and procedure:

Role	Responsibilities
CEO	<ul style="list-style-type: none"> assign a responsible officer for ensuring that the NIISQ Agency develops, implements and maintains a PID management program.
Director, People Culture and Communication (Responsible Officer)	<ul style="list-style-type: none"> obtain senior management endorsement of the value to the NIISQ Agency of PIDs and the proper management of PIDs establish reasonable procedures to deal with PIDs maintain employee awareness and understanding of the Agency's PID process, including specialist training for key roles ensure effective systems and procedures are in place so that issues and outcomes from PIDs inform improvements to service delivery, business processes and internal controls receive and assess PIDs and keep a record of disclosures review Agency decisions not to investigate or deal with PIDs on request.
Manager, People and Safety (PID Coordinator)	<ul style="list-style-type: none"> review and update the PID policy and procedure annually receive and assess PIDs maintain a central record of disclosures provide acknowledgement of receipt of PID to the discloser undertake risk assessments in consultation with disclosers and other relevant officers report data on PIDs to the Queensland Ombudsman and act as a key point of contact for all PID related issues within the NIISQ Agency liaise with other agencies about referral of PIDs allocate an Investigator and/or Support Officer to PID matters.
PID Support Officer	<ul style="list-style-type: none"> provide advice and information to the discloser on the Agency's PID procedure provide personal support and referral to other sources of advice or support as required facilitate updates on progress of investigation proactively contact discloser throughout PID management process
Investigator	<ul style="list-style-type: none"> conduct investigation of information in PID in accordance with terms of reference prepare a report for the Responsible Officer
Managers and supervisors	<ul style="list-style-type: none"> promote and support an environment in which the reporting of wrongdoing or danger is encouraged refer any PID disclosures to the PID Coordinator.
Employees	<ul style="list-style-type: none"> be aware of the possibility that corrupt conduct, maladministration, wasting of public funds, danger to public health and safety, the environment or a person with a disability, and reprisal, may exist in the workplace encourage the internal reporting of wrongdoing report any concerns to a manager/supervisor or the NIISQ Agency PID Coordinator.

7.0 Procedure

7.1 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 the NIISQ Agency first. If the matter is not resolved, or the discloser is concerned about confidentiality, the disclosure may be made to another appropriate agency.

NIISQ Agency authorities	External authorities
<p>Any person (including non-Government employees) can make a disclosure to:</p> <ul style="list-style-type: none"> • a member of the People and Safety team, including the Manager as PID Co-ordinator • any person in a supervisory or management position as identified in the organisational structure • the Director, People Culture and Communication • the CEO. <p>All disclosures of information received by a NIISQ Agency employee must be referred to the PID Coordinator.</p>	<p>Disclosures can also be made to agencies that have responsibility for investigating the information disclosed:</p> <ul style="list-style-type: none"> • Crime and Corruption Commission (CCC) for disclosures about corrupt conduct including reprisal • Queensland Ombudsman for disclosures about maladministration • Queensland Audit Office for disclosures about substantial misuse of resources • Department of Child Safety, Seniors and Disability Services for disclosures about danger to the health and safety of a child or person with a disability • Office of the Public Guardian for disclosures about dangers to the health and safety of a person with a disability • Department of Environment and Science disclosures about danger to the environment • Member of the Legislative Assembly • the Chief Judicial Officer of a court or tribunal in relation to a disclosure about wrongdoing by a judicial officer.

A disclosure can also be made to a journalist if the conditions outlined in Section 20 of the PID Act are met.

7.2 How to make a PID

A discloser can make a PID openly or 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 email address that is created for making the disclosure or a telephone number)
- provide as much information as possible about the suspected wrongdoing, including:
 - who was involved
 - what, when and where it happened
 - were there 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 assist in investigating the complaint
- provide all information in writing.

If circumstances prevent the discloser from providing the information in writing, the employee who received the PID should record the date, time and circumstances of the PID and ask the discloser to confirm the contents before signing it. This information should then be forwarded to the PID Coordinator.

Anonymous disclosures

The PID Act allows for information, or a complaint, to be made anonymously. When information, or a complaint, is received anonymously about wrongdoing or danger, the information must still be assessed to determine if the information is a PID.

Disclosing anonymously can make it difficult to seek clarification or more information, to inform of progress or to provide feedback on the action to be taken, or which has been taken on the PID.

An anonymous discloser may also experience difficulties in relying upon the protections afforded by the PID Act.

7.3 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 to inform the decision. If doubt still remains, the matter will be considered and managed as a PID.

Mere disagreements over policy do not meet the threshold for a PID under the PID Act.

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 NIISQ Agency 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 NIISQ Agency proposes to take in relation to the matter
- any other options the discloser has in relation to the matter.

7.4 Assessing a PID

Any disclosures made to the NIISQ Agency or referred by another entity will be assessed in accordance with the PID Act, the [public interest disclosure standards](#), this procedure and any other relevant procedures.

Once the matter has been assessed, the NIISQ Agency's PID Coordinator will advise the discloser:

- that their information has been received and assessed as a PID
- the action to be taken by the Agency 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 NIISQ Agency Support Officer they can contact for updates or advice
- the protection's the discloser has under the PID Act
- the commitment of the NIISQ Agency to keep appropriate records and maintain confidentiality, except where permitted under the PID Act
- how updates regarding the intended actions and outcomes will be provided to the discloser
- contact details for the [Employee Assistance Program](#) (for NIISQ Agency employees only).

If the PID has been made anonymously and the discloser has not provided any contact details, the Agency will not be able to acknowledge the PID or provide updates. In this case the Director People, Culture and Communication will determine whether the disclosure should be referred to the CCC or another agency for review and investigation.

The principle of natural justice (procedural fairness) will apply to all investigations of matters that are subject of PIDs. The NIISQ Agency is committed to treating the PID appropriately and making the process fair for both the discloser and the person who is subject to the disclosure.

7.5 Referring a PID

A disclosure may be referred to another agency or proper authority when:

- the PID received concerns wrongdoing by that agency or their employee and/or
- that agency has the necessary power/jurisdiction, expertise/technical knowledge to investigate or remedy the matter (i.e. referral to the CCC where a matter involves corrupt conduct).

Before referring the PID to another agency, the PID Coordinator will conduct a risk assessment using the [PID Risk Assessment template](#). If there is an unacceptable risk of reprisal, the PID Coordinator will not proceed with the referral. If the risk is acceptable, the PID Coordinator will seek consent from the discloser to forward the information to the proper authority or invite the disclosure to redirect the information to the proper authority.

The confidentiality obligations of the PID Act permit appropriate officers of the NIISQ Agency to communicate with another agency about the referral of a PID. Officers will exercise discretion when in contact with another agency.

7.6 Risk assessment and protection from reprisal

Disclosers should not suffer any form of detriment from making a PID. Upon receiving a PID, the NIISQ Agency will conduct a risk assessment to assess the likelihood of the discloser (or witnesses or affected third parties) 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 suffering from detriment and will include consultation with the discloser.

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.

The PID Coordinator will determine the appropriate level of protection and support for a discloser by developing a risk management plan.

In the event of reprisal action being alleged or suspected, the NIISQ Agency will:

- attend to the safety of the discloser (or witnesses or affected third parties) 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.

7.7 Declining to take action on a PID

Under the PID Act, the NIISQ Agency 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 NIISQ Agency from the performance of its functions
- another agency with jurisdiction to investigate the information has informed the NIISQ Agency that an investigation is not warranted.

If a decision is made to not investigate or deal with a PID, the PID Coordinator will provide the discloser written justification for that decision. If the discloser is dissatisfied with the decision, they may request a review by writing to the CEO of the NIISQ Agency within 28 days after receiving the written reasons for the decision.

7.8 Communication with disclosers

Under the PID Act, the NIISQ Agency must give reasonable information to a discloser.

The NIISQ Agency will acknowledge receipt of the PID in writing as soon as practicable. The discloser will be provided with information that meets the requirements of the PID Act and the standards issued by the Queensland Ombudsman, including:

- the PID action that will be taken in response to the PID
- the protections under the PID Act
- confidentiality obligations of the discloser and the NIISQ Agency
- support arrangements.

The NIISQ Agency will maintain contact with the discloser and provide regular updates during the management of the PID.

In accordance with the PID Act, after finalising action in response to the PID, the NIISQ Agency will advise the discloser in writing of the PID action taken and the results of the PID action.

7.9 Confidentiality

While the NIISQ Agency will make every attempt to protect confidentiality, a discloser's identity may need to be disclosed to:

- provide natural justice to subject officers
- respond to a court order, legal directive or court proceedings.

The NIISQ Agency 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 the NIISQ Agency will make every attempt to keep their details confidential, it cannot guarantee that others will not try to deduce their identity.

Strict confidentiality must be maintained in relation to reporting and investigation of PIDs. All NIISQ Agency records of PIDs will be held and securely filed by the People and Safety team.

7.10 Support for disclosers

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

An assessment will be undertaken to identify the support needs of the discloser. Where appropriate, a PID Support Officer will be assigned to the discloser. The PID Support Officer will assist the discloser to access information about PIDs, protections available under the PID Act and the PID management process. The PID Support Officer will proactively contact the discloser to offer support.

Information and support will be provided to the discloser until the matter is finalised.

Making a PID does not prevent reasonable management action. That means that the discloser will continue to be managed in accordance with normal, fair and reasonable management practices during and after the handling of the PID.

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

The NIISQ Agency is committed to respecting, protecting and promoting human rights. Under the *Human Rights Act 2019*, the NIISQ Agency has an obligation to act and make decisions in a way that is compatible with human rights and, when making a decision, to give proper consideration to human rights. When making a decision about public interest disclosures, decision-makers must comply with that obligation. Further information about the *Human Rights Act 2019* is available at <https://www.forgov.qld.gov.au/humanrights>.

7.11 Investigating a PID

If the matter is required to be investigated by the NIISQ Agency, the PID Coordinator will be responsible for coordinating the investigation which may be completed by an independent investigator.

Key considerations during an investigation include:

- 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 NIISQ Agency will review systems, policies and procedures to identify whether there are improvements that can be made and consider if staff training is required.

7.12 Rights of subject officers

The NIISQ Agency acknowledges that for officers who are the subject of a PID the experience may be stressful. The Agency 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 until information or evidence obtained through an investigation substantiates the allegation
- providing them with information about their rights and the progress and outcome of any investigation
- referring them to the [Employee Assistance Program](#) for support (for NIISQ employees and family only).

Information and support will be provided to a subject officer until the matter is finalised.

7.13 Where to lodge a disclosure

There are a number of ways to lodge a disclosure including:

- in person – request a meeting with a member of the People and Safety team
- by phone – call a People and Safety team member via MS Teams or outlook number listed
- by email – MAISQPeople@niiis.qld.gov.au
- by letter – attention PID Coordinator, NIISQ Agency, GPO Box 1391 BRISBANE Q 4001

Disclosures regarding corrupt conduct can also be made directly to the Crime and Corruption Commission:

- by phone – 336 06060 or 1800 061 611 (toll free outside Brisbane)
- by email – mailbox@ccc.qld.gov.au
- by letter – Director, Complaints Section, CCC, GPO Box 3123, Brisbane Q4001

8.0 Record keeping

In accordance with its obligations under the PID Act and the *Public Records Act 2002*, the NIISQ Agency will ensure that:

- accurate data is collected about the receipt and management of PIDs
- anonymised data is reported to 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.

9.0 Related documents

The following documents relate to this policy and procedure:

- [Crime and Corruption Act 2001](#)
- [Disability Services Act 2006](#)
- [Public Interest Disclosure Act 2010](#)
- [Public Service Act 2008](#)
- [Public Records Act 2002](#)
- [Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Program](#)
- [Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosure](#)
- [Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting](#)

10.0 Definitions

The following definitions apply to this policy and procedure:

Term	Definition
Confidential information	a) includes — <ul style="list-style-type: none"> (i) information about the identity, occupation, residential or work address or whereabouts of a person— <ul style="list-style-type: none"> (A) who makes a public interest disclosure; or (B) against whom a public interest disclosure has been made; (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

	<p>(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.</p>
<p>Corrupt Conduct</p>	<p>As defined in section 15 of the Crime and Corruption Act 2001</p> <p>1) Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—</p> <ul style="list-style-type: none"> (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of— <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (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. <p>(2) Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—</p> <ul style="list-style-type: none"> (a) impairs, or could impair, public confidence in public administration; and (b) involves, or could involve, any of the following— <ul style="list-style-type: none"> (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)— <ul style="list-style-type: none"> (A) protecting health or safety of persons; (B) protecting the environment; (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— <ul style="list-style-type: none"> (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.
<p>Detriment</p>	<p>includes –</p> <ul style="list-style-type: none"> (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	<p>As defined in section 11 of the Disability Services Act 2006, for the purposes of this procedure:</p> <p>(1) A disability is a person’s condition that—</p> <p style="padding-left: 40px;">(a) is attributable to—</p> <p style="padding-left: 80px;">(i) an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment; or</p> <p style="padding-left: 80px;">(ii) a combination of impairments mentioned in subparagraph (iii); and</p> <p style="padding-left: 40px;">(b) results in—</p> <p style="padding-left: 80px;">(i) a substantial reduction of the person’s capacity for communication, social interaction, learning, mobility or self care or management; and</p> <p style="padding-left: 80px;">(ii) the person needing support.</p> <p>(2) or subsection (1), the impairment may result from an acquired brain injury.</p> <p>(3) The disability must be permanent or likely to be permanent.</p> <p>(4) The disability may be, but need not be, of a chronic episodic nature.</p>
Discloser	<p>A person who makes a disclosure in accordance with the PID Act.</p>
Investigation	<p>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.</p>
Journalist	<p>A person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.</p>
Maladministration	<p>As defined in schedule 4 of the PID Act, maladministration is administrative action that—</p> <p>(a) was taken contrary to law; or</p> <p>(b) was unreasonable, unjust, oppressive, or improperly discriminatory; or</p> <p>(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</p> <p>(d) was taken—</p> <p style="padding-left: 40px;">(i) for an improper purpose; or</p> <p style="padding-left: 40px;">(ii) on irrelevant grounds; or</p> <p style="padding-left: 40px;">(iii) having regard to irrelevant considerations; or</p> <p>(e) was an action for which reasons should have been given, but were not given; or</p> <p>(f) was based wholly or partly on a mistake of law or fact; or</p> <p>(g) was wrong.</p>
Natural justice	<p>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:</p> <ul style="list-style-type: none"> • avoid bias • give a fair hearing • act only on the basis of logically probative evidence.
Proper authority	<p>A person or organisation that is authorised under the PID Act to receive disclosures.</p>
Public officer	<p>A public officer, of a public sector entity, is an employee, member or officer of the entity.</p>
Reasonable belief	<p>A view which is objectively fair or sensible.</p>

Reasonable management action	<p>Action taken by a manager in relation to an employee, includes any of the following taken by the manager—</p> <ul style="list-style-type: none"> (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	<p>The term ‘reprisal’ is defined under the PID Act as causing, attempting to cause or conspiring to cause detriment to another person in the belief that they or someone else:</p> <ul style="list-style-type: none"> • 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. <p>Reprisal under the <i>PID Act 2010</i> is a criminal offence and investigations may be undertaken by the Queensland Police Service.</p>
Subject officer	<p>An officer who is the subject of allegations of wrongdoing made in a disclosure.</p>
Substantial and specific	<p>Substantial means 'of a significant or considerable degree'. It must be more than trivial or minimal and have some weight or importance.</p> <p>Specific means 'precise or particular'. This refers to conduct or detriment that can be identified or particularised as opposed to broad or general concerns or criticisms.</p>

11.0 Version control

The Director, People Culture and Communication is the owner of this policy. It will be reviewed on an annual basis.

Ver.	Date	Author	Approver	Details
1.0	23 November 2022	Manager Policy Risk and Assurance, NIISQ Agency	CEO, NIISQ Agency	Initial procedure
2.0	15 October 2024	Director, People Culture and Communication, NIISQ Agency	CEO, NIISQ Agency	Harmonised to Queensland Treasury processes for consistency and aligned to the Queensland Ombudsman’s PID procedure template.