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| Public Interest Disclosure Policy |
| Human Resources Branch |
| Policy Number: PCY14/001 |
| Approved: February 2014 |
| Next review: January 2017 |
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| Owner of Policy | Director, Human Resources |
| File Number  | PCY14/001 |
| Date of Effect | February 2014 |
| Related Policy and Legislation  | Fraud PoliciesResolving Staff Grievances PolicyAustralian Public Service *Code of Conduct and APS Values**Public Service Act 1999, Regulations and Commissioner’s Directions**Crimes Act 1958**National Library of Australia Act 1960**Public Interest Disclosure Act 2013* |
| Related Procedures and Guidelines | Public Interest Disclosure ProceduresManaging Misconduct Policy and Procedures |
| Stakeholders | All Staff (including former employees) |
| Version Number | V1 |
| Review Date | January 2017 |
| Approved by | Director-General |

**Introduction**

The Library is committed to the highest standards of ethical and accountable conduct. The Library encourages the reporting of wrongdoing under the *Public Interest Disclosure Act*, and will act on disclosures where appropriate and protect disclosers from any reprisals or threats of reprisals as a result of making a disclosure.

This Policy and associated procedures supersede the Whistle-blower provisions that existed under the *Public Service Act* and earlier Library whistle-blower procedures.

**Policy Purpose**

The Public Interest Disclosure Policy aims to ensure that disclosures made under the legislation are managed in accordance with the standards required by the Commonwealth Ombudsman’s Office and good practice. Specifically the Policy and related procedure are to ensure that public interest disclosures are:

1. treated seriously,
2. investigated properly; and
3. that no reprisals attach to a staff member making a disclosure.

**What are public interest disclosures?**

The Library acknowledges that not all disclosures of information will be a "public interest disclosure" for the purposes of the PID Act (a PID) and neither are discoveries. A disclosure of information will only be a PID if it meets the following requirements:

1. it is made by a public official[[1]](#footnote-1) or a person who has been a public official;
2. the information tends to show (on reasonable grounds) one or more instances of "disclosable conduct"; and
3. the disclosure is made to an appropriate person.

Only if each of the above requirements has been met will the disclosure be covered by the PID Act and disclosers have the benefit of the protections that it confers. Accordingly, it is important that persons who are contemplating making a disclosure of information and who want to have the benefit of the protections of the PID Act seek independent legal advice.

An overview of the key requirements is set out in the Flowchart [attached](#AttachmentA).

Comprehensive Library Procedures under the PID Act are to be read in conjunction with the Policy and legislation.



1. See Procedure for definition of *public official* [↑](#footnote-ref-1)