

Unclassified



NSW Police Force

Public Interest Disclosures Guidelines for the NSW Police Force

Professional Standards Command

Unclassified

Public Interest Disclosures – Guidelines for the NSW Police Force

The *Public Interest Disclosures Act 1994* (the PID Act) sets out the system under which NSW public officials can make complaints about NSW government agencies in ways that minimise the risk of reprisal.

Essential Summary

For the purposes of the PID Act, a public official is an individual who is an employee, or is otherwise in the service, of a NSW public authority. For the NSW Police Force (NSWPF), this means a person employed under the *Police Act 1990* and all temporary staff, contractors and volunteers.

PIDs can be made about corrupt conduct, maladministration, serious and substantial waste of public money; and/or failure to properly fulfil functions under the Government Information (Public Access) Act 2009.

A disclosure will be protected by the PID Act if it meets all of the requirements under the Act and meets a 'threshold test'. That is, it is information that the person making the disclosure **honestly believes on reasonable grounds, shows or tends to show, any of the above.**

For a report to be considered a PID under the PID Act, it **must** be made to certain designated officers within the NSWPF, being as follows:

- The Principal Officer, being the Commissioner of Police
- The Nominated Disclosures Coordinator, being the Manager, Complaints Services, Investigations and Field Services, Professional Standards Command (PSC)
- Nominated Disclosures Officers:
 - The Assistant Commissioner, PSC
 - All Professional Standards Managers, except the Professional Standards Manager, PSC
 - The Manager, Administrative Officer Conduct Unit, PSC.

PIDs may also be made to a NSW investigating authority under the PID Act (eg the Law Enforcement Conduct Commission (LECC), NSW Ombudsman, NSW Auditor General, NSW Information Commissioner, Independent Commission Against Corruption (ICAC)). NSWPF staff can also make PIDs about other public authorities. To do so, they must make their disclosure either directly to a nominated disclosure officer of that agency, according to that agency's policies and procedures, or alternatively, to an appropriate investigating authority.

Document Control Sheet

Document Properties

Title	Public Interest Disclosures – Guidelines for the NSW Police Force
Subject	A guide to making and managing public interest disclosures within the NSW Police Force
Command responsible	Professional Standards Command
Authorisation	Commander, Professional Standards Command
Security Classification	Unclassified
Publication date	August 2017
Current version number	6
Review date	August 2019
Document number	TRIM Number: D/2014/316376
Copyright statement	Copyright of this document is vested in the Commissioner of Police. © 2017

Modification History

Version #	Version approval date	Author/Position	Summary of changes
4	April 2014	Corporate Advice – Policy and Projects, Professional Standards Command	As per TRIM: D/2014/56090
5	January 2016	Professional Standards Command	Protective Marking added to document.
6	December 2017	Corporate Advice – Policy and Projects, Professional Standards Command	PIDS to be reported in writing only. NSWPF PID Database to be centralised and will be managed by the Nominated Disclosures Coordinator only. Update document classification under GIPA Act 2009

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1. Message

The NSW Police Force (NSWPF) has made a strong commitment to promoting ethical conduct through executive and senior management support, strong leadership, risk management systems, policies and guidelines and education and training. This commitment extends to the protection and support of staff who report individual or systemic wrongdoing.

2. Scope

All NSWPF public officials are obliged to report misconduct. Point 10 of the *Code of Conduct and Ethics* states:

An employee of the NSW Police Force must report the misconduct of other NSW Police Force staff.

While there are established avenues for NSWPF staff to make internal reports of wrongdoing in the NSWPF, as NSW public officials, they may also make reports of serious wrongdoing under the *Public Interest Disclosures Act 1994* (the PID Act). The PID Act has set up a scheme for people who work in the NSW public sector (public officials) to come forward with important information about wrongdoing and to receive protections. The PID Act also allows public officials to make reports of serious wrongdoing in other NSW public agencies.

There are certain legislative provisions in the PID Act and the *Police Act 1990* (the Police Act) which overlap. Where this is the case, the legislative provisions of the PID Act will apply where an internal report is assessed as being a public interest disclosure (PID).

3. Guidelines

3.1 What is a public interest disclosure?

A PID is a report of serious wrongdoing made by a NSW public official about a NSW public agency, under the provisions of the PID Act. In the NSWPF, a public official is anyone who is an employee, or is otherwise in the service, of the NSWPF (see below for further information).

For a report to be considered a PID, it must:

- be made by a public official
- be about a NSW public official or agency
- be made to designated persons within that agency
- pass a threshold test
- be about one or more of five specific categories of wrongdoing covered by the PID Act

- not be false or misleading; not question the merits of government policy; and not be made to avoid dismissal or disciplinary action.

3.2 Who is a public official?

As defined by Section 4A of the PID Act, a public official is an individual who is an employee, or is otherwise in the service of, a NSW public authority. For the NSWPF this means:

- a person employed under the Police Act
- all temporary staff, contractors and volunteers.

This includes:

- all permanent sworn and unsworn NSWPF employees, whether full-time or part-time
- temporary or casual staff
- ministerial employees, being special constables (security) and members of the police band
- consultants and individual contractors working for the NSWPF
- volunteers performing public official functions for, or on behalf of, the NSWPF (Volunteers in Policing or 'VIPs').

In these guidelines, the terms 'staff' or 'staff member' will be used when referring to public officials within the NSWPF, as defined above.

3.3 Who can receive public interest disclosures in the NSWPF?

For a report to be considered a PID under the PID Act, it must be made to certain designated officers within the NSWPF, being:

- The Principal Officer, being the Commissioner of Police
- The Nominated Disclosures Coordinator, being the Manager, Complaints Services, Investigations and Field Services, Professional Standards Command
- Nominated Disclosures Officers:
 - The Assistant Commissioner, Professional Standards Command
 - All Professional Standards Managers, except the Professional Standards Manager, Professional Standards Command
 - The Manager, Administrative Officer Conduct Unit, Professional Standards Command.

It is preferable that PIDs be made to a Nominated Disclosures Officer (NDO). However, they can also be made to the Principal Officer and the Nominated Disclosures Coordinator (NDC). NDOs are responsible for assessing and managing PIDs. However, if the NDC receives a PID directly, the NDC will share the same responsibilities as NDOs.

The NDO will inform the internal reporter whether or not the disclosure has been deemed a PID. If the disclosure is assessed as being a PID and requiring investigation, the relevant investigator will keep the internal reporter informed of the progress and outcome of any investigation, as per usual investigatory practices.

The NDO is also responsible for assessing the internal reporter's need for support and will consult with the Internal Witness Support Unit (IWSU) to determine whether the internal reporter should be placed on the IWSU program. If the internal reporter is deemed to be eligible for the IWSU program and volunteers to join the program, the Manager, IWSU will make arrangements for the internal reporter to be allocated an IWSU Case Officer.

3.4 What are the requirements of the threshold test?

For a report to be assessed as a PID, it must pass a specific threshold test, which is that the reporter must have an honest belief on reasonable grounds that the information they have shown or tends to show that wrongdoing has occurred, or is occurring.

Honest belief

A belief is more than a suspicion. This means that it is more likely for a person to accept the idea that wrongdoing occurred than reject it. An honest belief is a belief that is genuinely held. The PID Act provides that a belief is presumed to be honest unless there is evidence that it is not.

Reasonable grounds

The test applied here is whether, from an objective viewpoint, the basis for the person's belief is reasonable. That is, would a reasonable person in the same circumstances believe that wrongdoing had occurred? The belief cannot be based on personal animosity or prejudice.

Shows or tends to show

This means there must be sufficient information to indicate that the wrongdoing has happened or is happening.

This may include:

- direct observation of the wrongdoing
- corroborative observation by others
- evidence such as unbalanced accounts, missing items of value or contradictory records.

Taken together, an 'honest belief on reasonable grounds that information shows or tends to show' means that a PID cannot be based on a mere allegation or suspicion that is unsupported by any facts, circumstances or evidence.

For further information on definitions, staff should consult the NSW Ombudsman's Public Interest Disclosures Unit. There should be no reasonable alternative explanations for the conduct or activities observed.

3.5 What types of conduct can be classified as a public interest disclosure?

Reports about the following categories of wrongdoing¹ can be classified as being a PID:

Corrupt Conduct

Corrupt conduct is defined in sections 8 and 9 of the Independent Commission Against Corruption Act 1988 (ICAC Act). The definition used in the ICAC Act is intentionally broad and includes the dishonest or partial exercise of official functions by a public official.

Maladministration

Maladministration is conduct that involves action or inaction of a serious nature that is contrary to law, unjust, oppressive or improperly discriminatory, or based wholly or partly on improper motives.

Serious and substantial waste of public money

Serious and substantial waste is the uneconomical, inefficient or ineffective use of resources which could result in loss or wastage of public resources.

Government information contravention

A government information contravention is a failure to properly fulfil functions under the *Government Information (Public Access) Act 2009* (GIPA Act).

Further explanation and examples of the above are available on the NSW Ombudsman's Public Interest Disclosures website; specifically, Guideline B2 entitled 'What should be reported?' Staff may also ring the NSW Ombudsman's Public Interest Disclosures Unit for further advice (details are provided under 'Resources' below).

3.6 When will a report not be considered a public interest disclosure?

A report will not be considered to be a PID if it:

- is not made to a person nominated in the PID Act or NSWPF guidelines

¹ A fifth category of wrongdoing, being local government pecuniary interest contravention, is also included in the legislation. A local government pecuniary interest contravention is a breach of an obligation imposed by the *Local Government Act 1993* in connection with financial matters. This type of wrongdoing is unlikely to be encountered by NSWPF public officials during the course of their duties. Nevertheless, public officials should be aware of it as a category of wrongdoing under the PID Act.

- is an unsupported allegation
- is false or misleading
- principally questions the merits of government policy
- is made with the sole or substantial motive of avoiding dismissal or other disciplinary action (ie management action).

3.7 How to make a disclosure

A PID must be made in writing to the Principal Officer, being the Commissioner of Police; the NDC or an NDO.

If a staff member wishes to make a disclosure to an external agency, they will need to do so in accordance with that agency's policy, procedures and guidelines. Staff should refer to the 'Resources' section on page 20 for relevant contact details.

The NSW Ombudsman has developed a reporting template that staff may wish to use in making a written report. The template is available at:
<http://www.ombo.nsw.gov.au/news-and-publications/publications/guidelines/public-interest-disclosures/ensuring-your-internal-reporting-policy-is-best-practice-checklist-public-interest-disclosures>

3.8 Sanctions for making false or misleading disclosures

It is important that all staff be aware that under section 28 of the PID Act, it is a criminal offence to wilfully make a false or misleading statement when making a PID. The maximum penalty for making a false or misleading statement is 50 penalty units or imprisonment for 12 months, or both. The NSWPF will not support staff who willingly make false statements and action will be taken in response.

3.9 Handling of disclosures

Disclosures will be assessed by the NDC or an NDO. If the Commissioner receives a PID, he will forward it to his Professional Standards Manager (who is an NDO) within three days for appropriate assessment.

The NDC or NDO will send a letter of receipt and a copy of these guidelines to the internal reporter within seven days of receiving the report. They will then assess the report as to whether or not it is a PID and will advise the internal reporter of the outcome of their assessment within 21 days of receiving the report.

If a report does not meet the requirements of the PID Act, it will be assessed as to whether it amounts to a complaint under Part 8A of the Police Act; whether it amounts to an allegation of misconduct under Part 5 of the *Government Sector Employment Act 2013* (the GSE Act); or whether it requires other follow up. If appropriate, the internal reporter will be afforded relevant protections.

3.10 Confidentiality

Many staff will want their report to remain confidential. This can help to prevent any reprisal action being taken against them for making a disclosure.

The NSWPF is committed to keeping an internal reporter's identity, and the fact that they have made a disclosure, confidential. However there may be situations where this may not be possible or appropriate. The NSWPF will discuss with the internal reporter whether or not it is possible to keep their report confidential.

If confidentiality cannot be maintained, the NSWPF will develop a plan to support and protect the internal reporter from risks of reprisal. The internal reporter will be involved in developing this plan.

3.11 Protection against legal action

If a staff member makes a disclosure in accordance with the PID Act, they will not be subject to any liability and no action, claim or demand can be taken against them for making the disclosure. They will not have breached any confidentiality or secrecy obligations and they will have the defence of absolute privilege in defamation.

However, if a staff member knowingly makes a false or misleading report, then the NSWPF will take action in response and penalties may apply.

See 'Sanctions for making false or misleading disclosures' on page 9 for further information.

3.12 Protection against reprisals

Section 20 of the PID Act provides protection for internal reporters who make disclosures by imposing penalties on anyone who takes detrimental action against another staff member substantially in reprisal for them having made a PID.

If a staff member believes that detrimental action has been, or is being, taken against them or another staff member as a reprisal for making a PID, they should tell the designated person to whom the original report was made, who will take the required action. If the staff member is unaware of who received the original report, they should notify the NDC or an NDO, who will then contact the designated person who took the original report.

Criminal penalties apply for taking detrimental action, with a maximum penalty of 100 penalty units or imprisonment for 2 years, or both. In proceedings for an offence of detrimental action, the onus is on the defendant to prove that the action was not substantially in reprisal for the internal reporter having made a PID. Detrimental action is also a form of misconduct that justifies managerial action by the NSWPF.

Detrimental action means action causing, comprising or involving any of the following:

- Injury, damage or loss - includes physical injury, damage to property or theft of property.

- Intimidation or harassment - intimidation or harassment is conduct of a serious, retaliatory nature, which can include threats to the safety of the internal reporter or their family; physical intimidation; stalking; ostracism; persistent verbal abuse or derogatory language, repeatedly offending, degrading or humiliating an internal reporter, particularly in front of other colleagues, leaving offensive messages or 'practical jokes' intended to belittle, cause offence or physical harm.
- Discrimination, disadvantage or adverse treatment in relation to employment - involves treating an internal reporter differently to other staff in the same position, in a way that is adverse or places the internal reporter at a disadvantage, where there is no legitimate, unrelated basis for that decision.
- Dismissal from, or prejudice in, employment - this does not include action taken that is not causally connected to the making of the disclosure (as opposed to the content of the disclosure or other information that becomes available), such as action taken in response to serious misconduct by the internal reporter.
- Disciplinary proceedings - disciplinary action may be taken against any staff member irrespective of their status as an internal reporter. However, the decision maker will need to be able to show that the internal reporter has been involved in misconduct and will also need to show that any action taken is reasonable, proportional and consistent with similar matters involving staff who have not made an internal report, should it be alleged that the disciplinary action was taken in reprisal.

Staff who take detrimental action against an internal reporter may also be required to pay damages for any loss suffered by that person. It should be noted that liability for damages lies with the person who is found to have taken reprisal action and not the NSWPF.

These provisions extend to cases where the staff member who takes the detrimental action does so because they believe or suspect that the other staff member made or may have made a disclosure, even if the other staff member did not in fact make a disclosure.

3.13 Rights of staff the subject of a disclosure

The NSWPF is committed to ensuring that staff who are the subject of a disclosure are treated fairly and reasonably. Staff the subject of a report will:

- be treated fairly and impartially
- be told their rights and obligations under NSWPF policies and procedures and the PID Act
- be provided with and/or advised of support available
- be kept informed during any investigation
- be given the opportunity to respond to any allegation made against them
- be told the result of any investigation

- have their identity kept confidential where possible.

3.14 PIDs about other NSW public agencies

While carrying out their duties as members of the NSWPF, staff may become aware of serious wrongdoing in other NSW public agencies. Under Section 8 of the PID Act, a NSWPF staff member can make a PID about that agency. However, in order to do so, they must make their report according to that agency's reporting process or alternatively, to a relevant investigating authority, as defined in Section 4 of the PID Act.

3.15 Disclosure to an external investigating authority

A disclosure may be protected by the PID Act if made to one of the external investigating authorities listed below, as per Section 4 of the Act. Sections 10 to 13 of the PID Act set out the provisions for making those disclosures.

- Law Enforcement Conduct Commission (LECC) – police misconduct
- LECC Inspector – for disclosures about PIC or its staff
- Ombudsman – for maladministration
- Independent Commissioner Against Corruption (ICAC) – for corrupt conduct
- ICAC Inspector – for disclosures about ICAC or its staff
- Auditor General – for serious and substantial waste
- Information Commissioner – for disclosures about breaches of the GIPA Act
- Division of Local Government, Department of Premier and Cabinet – for local government pecuniary interest contraventions.

Contact should be made with the relevant authority for advice on how to make a disclosure to that authority. The 'Resources' section on page 19 provides contact details for these authorities.

Internal reporters should be aware that the external investigating authority may discuss the matter with the NSWPF. If this does occur, the NSWPF will:

- respect and support the internal reporter's decision to make the disclosure externally
- co-operate with any processes proposed by the external investigating authority
- maintain the confidentiality of the staff member who made the disclosure and any person subject of the disclosure wherever possible and appropriate
- offer to appoint a support person
- assess the risk of reprisal or detrimental action and put in place strategies to minimise risk
- effectively manage the workplace if reprisals occur

- take appropriate action against any person who threatens or takes reprisal action against the NSWPF internal reporter who made the disclosure
- take appropriate action in response to proven findings
- implement organisational reforms if systemic issues are identified.

3.16 Misdirected disclosures

There may be instances where staff members mistakenly make a PID to the wrong investigating authority. According to the provisions of section 15 of the PID Act, if the staff member honestly believed at the time that the disclosure was made, that they reported to the appropriate investigating authority, their report will still be considered to be a PID, provided that:

- the investigating authority refers the disclosure to the appropriate investigating authority, public official or public authority under Part 4 of the PID Act; or
- the investigating authority could have referred the disclosure under Part 4 but did not do so because it has power to investigate the matter concerned under the relevant investigation Act.

3.17 Disclosure to a member of Parliament or a journalist

To have protections under the PID Act, the staff member making the disclosure to a Member of Parliament (MP) or a journalist must have already made substantially the same disclosure to one of the following:

- the Principal Officer, being the Commissioner of Police; the NDC; or an NDO; or
- an investigating authority, in accordance with the PID Act

and

the NSWPF or investigating authority that received the disclosure must have:

- decided not to investigate the matter; or
- decided to investigate the matter, but not completed the investigation within six months of the original report having been made; or
- investigated the matter but not recommended any action as a result; or
- not told the internal reporter within six months of the disclosure being made whether or not the matter will be investigated.

Further, the internal reporter must have reasonable grounds for believing that the disclosure was 'substantially true and it is in fact substantially true' when making a report to an MP or journalist, in order to be protected under the PID Act.

If a staff member makes a report to a person or organisation that is not listed in the PID Act, they will not be protected under the PID Act and could be in breach of legislation and/or the NSWPF Code of Conduct and Ethics. For further advice, staff should contact the NDC or the NSW Ombudsman's Public Interest Disclosures Unit.

3.18 Roles and responsibilities

3.18.1 The Principal Officer

The Principal Officer for the NSWPF is the Commissioner of Police. The Principal Officer is responsible for:

- ensuring that the working environment is one that encourages staff to report wrongdoing
- ensuring that an effective internal reporting system is established to appropriately deal with reports of wrongdoing; support staff who report; and ensure that reprisals are not tolerated and are appropriately dealt with
- ensuring that an effective internal reporting policy is established that contains a clear statement that the NSWPF is committed to the highest standards of ethical and accountable conduct and will support staff who report wrongdoing
- ensuring that staff are aware of the policy and the protections of the PID Act through effective communication and training
- ensuring that experienced and skilled disclosures officers (including the NDC) are responsible for receiving and dealing with reports of wrongdoing
- ensuring that adequate resources, both financial and human, are dedicated towards achieving these outcomes.

Given that the Commissioner is able to receive PIDs, the holder of that office has responsibilities as per the NDO role below. If the Commissioner receives a PID, he must forward it to his Professional Standards Manager within three days for appropriate action.

Irrespective of whether the Commissioner receives a report, his responsibilities include:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, where this is practical and appropriate
- ensuring that the internal reporter is advised of any decisions made about a report and, if further action is recommended, given regular progress updates and a report of the outcome
- providing adequate resources to any person appointed to investigate a report of to support an internal reporter
- minimising any risk of reprisal that the internal reporter faces
- ensuring that the workplace situation is effectively managed, particularly if there is conflict or if reprisal action is threatened or takes place
- taking appropriate remedial action in response to any findings that substantiate the allegations of wrongdoing
- implementing any organisational reform that is necessary to address any systemic issues identified.

3.18.2 Nominated Disclosures Coordinator

The responsibilities of the NDC are as follows:

- ensuring that the NSWPF PID policy, guidelines and standard operating procedures are kept up to date
- providing guidance to NDOs as necessary and at regular meetings eg Professional Standards Managers' Forums
- maintaining a centralised database of all PID reports received across the NSWPF (the NSWPF PID Database)
- providing six monthly reports to the NSW Ombudsman on the NSWPF's compliance with the PID Act
- providing an annual report to the Minister for Police and Emergency Services and a copy to the NSW Ombudsman on the NSWPF's compliance with the PID Act
- receiving PIDs as per the role of the NDO as below.

3.18.3 Nominated Disclosures Coordinator

The responsibilities of NDOs are as follows:

- ensuring that written acknowledgement of the report and a copy the NSWPF PID policy and guidelines are given to the internal reporter within seven days of the report being received
- determining whether or not the report is a PID
- deciding how the report will be dealt with
- ensuring that a written advice about how the report will be dealt with is given to the internal reporter as soon as possible, and preferably within 21 days of the report having been made
- in consultation with the internal reporter, assessing the likelihood of their identity remaining confidential in the workplace if the report is investigated
- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, where this is practical and appropriate
- advising the internal reporter to only discuss the matter with authorised people and not alert anyone who is the subject of a report that a PID has been made about them
- explaining to the internal reporter what will happen in relation to the information received
- advising the internal reporter to notify the NDC or Commissioner immediately of any suspicions that they have that reprisal action is occurring or has been threatened against them
- if it is not possible to maintain confidentiality, developing a strategy for supporting the internal reporter and anyone who is the subject of a report and preventing reprisals

- in consultation with the internal reporter, assessing the likelihood of them being exposed to reprisal or workplace conflict
- in consultation with the internal reporter, appointing an appropriate support person to assist them
- providing information to the internal reporter's commander to assist them in developing systems and strategies to minimise any risk of reprisal that the internal reporter faces
- reminding all supervisors, managers and commanders that they have an obligation to notify the NDO, NDC or Commissioner immediately of any suspicions they have or allegations they receive that reprisal action is occurring or has been threatened
- ensuring that the matter is appropriately investigated, if necessary and that the investigator provides regular updates on the matter to the internal reporter
- referring any reports of reprisals to the LECC and any evidence of reprisals to the Office of the Director of Public Prosecutions
- providing progress updates to the NDC, in order to allow the NDC to keep the NSWPF PID Database up to date.

3.18.4 Staff reporting wrongdoing

When preparing to make a disclosure, staff should not discuss their intentions in the workplace. The fewer people who are aware of the staff member's involvement in the disclosure before and after it has been made, the more effectively the NSWPF can protect them if workplace conflicts or reprisals occur.

If a staff member makes a PID, they will not be subject to any liability for making the disclosure. They will not have breached any confidentiality or secrecy obligations and they will have the defence of absolute privilege in any defamation action.

The responsibilities of internal reporters include:

- only discussing the matter with authorised people and not alerting anyone who is the subject of a report that a PID has been made
- raising any concerns that they have about reprisals or workplace conflict with the NDO assessing their report or the NDC
- assisting those assessing and dealing with the report, including supplying any information on request
- if needed, seeking support from their NDO, the NDC, commander or support officer or any authorised support services
- any time after they have reported, notifying their NDO, the NDC, their commander or their support officer of any suspicions they have that reprisal action is occurring or has been threatened.

3.18.5 Commanders

Commanders have a critical role in maintaining a safe work environment in which staff members feel confident in making a PID, in the knowledge that they will be supported by management. Commanders, managers or supervisors should refer any staff member wanting to make a PID to an NDO. Commanders who are aware that one of their staff have made a report are responsible for:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, where this is practical and appropriate
- providing support to the internal reporter, including ensuring that they have access to any necessary professional support
- ensuring that appropriate systems and strategies are established to minimise any risk of reprisal that the internal reporter faces
- notifying the relevant NDO if they believe a staff member is being subjected to reprisal as a result of reporting wrongdoing
- effectively managing the workplace situation, particularly if there is conflict or if reprisal action is threatened or takes place
- taking appropriate action against any person who threatens or takes reprisal action against a person for reporting wrongdoing.

3.18.6 Support staff

The NSWPF will ensure that staff who have made a genuine report are supported, regardless of whether or not their report is deemed to be a PID. Commanders are principally responsible for providing support to all staff affected by an internal report.

The IWSU is available to provide additional support and assistance to any internal reporter or witness if they are assessed as being eligible for the IWSU program. Staff should refer to the Internal Witness Support Guidelines or contact the IWSU for further information.

Staff who do not qualify for, or do not wish to be involved in, the IWSU program should be made aware of the other support options available to them by their commander, such as:

- the Employee Assistance Program (EAP)
- their general practitioner
- police chaplains
- peer support officers
- friends and family.

Support staff are responsible for:

- keeping the identity of the internal reporter and anyone who is the subject of a report confidential, where this is practical and appropriate
- initiating and coordinating appropriate action to support internal reporters, particularly those who are suffering any form of reprisal
- advising internal reporters and anyone who is the subject of a report on the avenues available within the organisation to handle any concerns they may have arising out of the report
- advising internal reporters and anyone who is the subject of a report on the external organisations and services they can access for support – such as stress management, counselling services, legal or career advice
- ensuring the internal reporter and anyone who is the subject of a report has access to any necessary professional support
- monitoring the workplace for reprisal or conflict
- notifying the relevant NDO immediately of any suspicions that reprisal action is occurring or is being threatened.

3.18.7 Staff the subject of a disclosure

The responsibilities of staff who are the subject of a report of wrongdoing include:

- only discussing the matter with authorised personnel
- not attempting to identify the internal reporter
- assisting those dealing with the report, including supplying any information on request
- not taking reprisals against another staff member for having made a PID, or for possibly having made a PID
- if necessary, seeking support from their commander or other appropriate sources.

3.18.8 All staff

The responsibilities of all staff include:

- reporting known and suspected wrongdoing within the NSWPF
- not making false or misleading reports of wrongdoing
- keeping the identity of internal reporters and anyone who is the subject of a report confidential
- assisting those dealing with a report, including supplying any information on request
- supporting staff who report wrongdoing
- not taking reprisals against another staff member that they suspect has reported wrongdoing

- notifying their manager or supervisor immediately of any suspicions that they have that reprisal to an internal reporter is occurring or has been threatened.

4. More information

More information about PIDs is available on the 'Public Interest Disclosure' page on the Professional Standards Command intranet site. Staff can also obtain advice and guidance from the NDC or an NDO; the NSW Ombudsman's Public Interest Disclosures Unit; or the NSW Ombudsman's website at www.ombo.nsw.gov.au.

5. Resources

The contact details for relevant authorities are listed below:

Disclosures about maladministration:

NSW Ombudsman

Phone: 02 9286 1000

Toll free (outside Sydney Metro): 1800 451 524

National Relay Service: 1300 555 727 then ask for 02 9286 1000

Facsimile: 02 9283 2911

Email: nswombo@ombo.nsw.gov.au

Web: www.ombo.nsw.gov.au

Address: Level 24, 580 George Street, Sydney NSW 2000

Disclosures about corrupt conduct:

Independent Commission Against Corruption (ICAC)

Phone: 02 8281 5999

Toll free: 1800 463 909

Tel. typewriter (TTY): 02 8281 5773

Facsimile: 02 9264 5364

Email: icac@icac.nsw.gov.au

Web: www.icac.nsw.gov.au

Address: Level 7, 255 Elizabeth Street, Sydney NSW 2000

Disclosures about serious and substantial waste:

Audit Office of NSW

Phone: 02 9275 7100

Facsimile: 02 9275 7200

Web: www.audit.nsw.gov.au

Address: Level 15, 1 Margaret Street Sydney NSW 2000

Disclosures about breaches of the GIPA Act:

Information and Privacy Commissioner

Toll free: 1800 472 679

National Relay Service: 133677

Email: ipcinfo@ipc.nsw.gov.au

Web: www.ipc.nsw.gov.au

Address: Level 17, 201 Elizabeth Street Sydney 2000

Disclosures about police misconduct:

Law Enforcement Conduct Commission

Phone: 02 9321 6700

Toll free: 1800 657 079

Facsimile: 02 9321 6799

Email: contactus@lecc.nsw.gov.au

Web: www.lecc.nsw.gov.au

Address: Level 3, 111 Elizabeth Street Sydney NSW 2000

Disclosures about LECC or LECC staff:

Office of the Inspector of the Law Enforcement Conduct Commission

GPO Box 5341

Sydney NSW 2001

Phone: (61) 2 9232 3350

Web: www.oilecc.nsw.gov.au

Disclosures about ICAC or ICAC staff:

ICAC Inspector

Phone: 02 [02 9228 5260](tel:0292285260)

Email:

oiicac_executive@oiicac.nsw.gov.au

Web: <http://www.oiicac.nsw.gov.au>

Address: PO Box 5341

Sydney NSW 2001

Disclosures about local government:

Office of Local Government

Phone: 02 4428 4100

Tel. typewriter (TTY): 02 4428 4209

Facsimile: 02 4428 4199

Email: olg@olg.nsw.gov.au

Web: www.olg.nsw.gov.au

Address: 5 O'Keeffe Avenue Nowra NSW 2541

Disclosures about Auditor-General, LECC Inspector, ICAC Inspector or:

Disclosures about the Auditor-General, LECC Inspector, ICAC Inspector can be made to the NSW Ombudsman.

Disclosures about the NSW Ombudsman

Disclosures about the NSW Ombudsman can be made to ICAC.