ACT Audit Office

AUDITOR-GENERAL AN OFFICER OF THE ACT LEGISLATIVE ASSEMBLY

Public Interest Disclosure

Fact Sheet

January 2025

Approved

	29 January 2025
Michael Harris, Auditor-General	Date

Document History

Action	Date
Procedures approved and released	November 2013
Reviewed and released	December 2016
Reviewed and released	December 2018
Reviewed and released	January 2025
Next review	January 2028

Document Controller

Position
Senior Executive Responsible for Business Integrity Risk

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1 PUBLIC INTEREST DISCLOSURES

1.1 The ACT Audit Office welcomes feedback from the community on potential issues of interest and concern and topics for future audits.

1.2 Sometimes this information will amount to a public interest disclosure.

1.3 This Fact Sheet provides information on public interest disclosures and the Office's handling of them.

WHAT IS A PUBLIC INTEREST DISCLOSURE?

1.4 A public interest disclosure (PID) is the reporting of 'disclosable conduct', as defined by the *Public Interest Disclosure Act 2012* (the PID Act), that relates to an activity by an ACT Government instrumentality, officer, employee, contractor or anyone else who exercises a function on behalf of the ACT Government, including Ministers, Members of the ACT Legislative Assembly and Officers of the ACT Legislative Assembly (ACT Auditor-General, Electoral Commissioners and ACT Ombudsman).

Disclosable conduct

1.5 Disclosable conduct is activity by an ACT public sector employee or entity, that may relate to events happening now, in the past, or possibly in the future, that:

- is maladministration; and/or
- presents a substantial and specific danger to the health or safety of the public or to the environment.

WHO CAN MAKE A DISCLOSURE?

1.6 Anyone can make a disclosure.

1.7 The PID Act encourages and enables anyone to raise concerns. It guarantees those concerns will be seriously considered and investigated where warranted.

Inadvertent disclosures

1.8 A public interest disclosure does not have to be a formal complaint or report and can be made without the discloser asserting that the disclosure is made under the PID Act. This means that a disclosure could be made unintentionally, possibly during a casual conversation, or without the person claiming that the information is provided as a disclosure.

HOW CAN A DISCLOSURE BE MADE?

1.9 A disclosure can be made in any way - it can be oral (via the telephone or in person) or in writing (by an email, a feedback form or in a letter).

AUDIT OFFICE HANDLING OF DISCLOSURES

Disclosure Officers

1.10 The Office's Disclosure Officers are:

Mr Brett Stanton	Mr Michael Harris
Assistant Auditor-General, Performance Audit *	Auditor-General
Ph: 02 6207 0833	Ph: 02 6207 0833
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* also the Audit Office Senior Executive Responsible for Business Integrity Risk

Consideration of information

1.11 Information received from the community on potential issues of interest and concern and topics for future audits will be considered by the Audit Office's Disclosure Officers with reference to the PID Act.

1.12 Section 17 requires a Disclosure Officer to refer a disclosure to the Integrity Commission if:

- the Disclosure Officer is satisfied that the disclosure is about disclosable conduct and has been made in good faith; and
- is not about the ACT Integrity Commissioner.

1.13 The Disclosure Officer will assess the disclosure, and if they are satisfied on reasonable grounds that these requirements are met, will refer it to the ACT Integrity Commission as required by section 17 of the PID Act.

1.14 For further guidance on how public interest disclosures are managed, please refer to the ACT Integrity Commission's *Public Interest Disclosure (Integrity Commission – Managing Disclosures and Conducting Investigations) Guidelines.*