

Policy No. PP021

Public Interest Disclosures Policy

1 INFORMATION ABOUT THIS POLICY

POLICY INFORMATION

Date Adopted by Board 05 September 2024	Resolution No. 17/041, 20/022, 24/080
Policy Responsibility General Manager	
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Last Review 05 September 2024	Next Scheduled Review September 2028

DOCUMENT HISTORY

DOCUMENT NO.	DATE AMENDED	SUMMARY OF CHANGES
	21/02/2020	Reviewed in line with review schedule. Item 15 altered to include risk assessments to be documented and in accordance with a risk management framework adopted by Council.
	09/05/2024	Policy updated to be reflective of the NSW Ombudsman Model Policy.
	DD/MM/YYYY	
	DD/MM/YYYY	

FURTHER DOCUMENT INFORMATION AND RELATIONSHIPS

Related Legislation	<p>Public Interest Disclosures Act 2022 (PID Act)</p> <p>Local Government Act 1993</p> <p>Independent Commission Against Corruption Act 1988</p> <p>Ombudsman Act 1974</p> <p>NSW Government Information (Public Access) Act 2009 (GIPA Act)</p> <p>Privacy & Personal Information Protection Act NSW 1998 (PPIPA)</p> <p>Public Interest Disclosures Act 1994</p> <p>Goldenfields Water County Council Enterprise Award (as amended)</p>
Related Policies	<p>PP031 Code of Conduct Policy (Code of Conduct)</p> <p>PP010 Gifts and Benefits Policy</p> <p>PP020 Complaints Handling Policy</p>
Related Procedures, Protocols, Statements and Documents	

2 TABLE OF CONTENTS

1	INFORMATION ABOUT THIS POLICY.....	2
2	TABLE OF CONTENTS.....	3
3	PURPOSE.....	4
4	ACCESSIBILITY OF THIS POLICY.....	Error! Bookmark not defined.
5	SCOPE.....	4
6	WHAT IS CONTAINED IN THIS POLICY.....	5
7	HOW TO MAKE A REPORT OF SERIOUS WRONGDOING.....	5
8	PROTECTIONS.....	10
9	REPORTING DETRIMENTAL ACTION.....	12
10	ROLES AND RESPONSIBILITIES OF GOLDENFIELDS WATER.....	12
11	HOW WE WILL DEAL WITH VOLUNTARY PIDS.....	13
12	REVIEW AND DISPUTE RESOLUTION.....	16
13	OTHER OBLIGATIONS.....	16
	Annexure A — Names and contact details of disclosure officers for Goldenfields Water.....	18
	Annexure B — List of integrity agencies.....	19

3 PURPOSE

All agencies in NSW are required to have a Public Interest Disclosure (PID) Policy under section 42 of the *Public Interest Disclosures Act 2022* (PID Act).

At Goldenfields Water, we take reports of wrongdoing seriously. We are committed to building a 'speak up' culture where public officials are encouraged to report any conduct they reasonably believe involves wrongdoing.

This policy sets out:

- how we will support and protect individuals if they come forward with a report of serious wrongdoing;
- how we will deal with the report and our other responsibilities under the PID Act;
- who an individual should contact if they want to make a report;
- how to make a report; and
- the protections which are available under the PID Act.

Part of that 'speak up' culture is having in place a framework that facilitates public interest reporting of wrongdoing by:

- protecting those who speak up from detrimental action; and
- imposing duties on agencies who receive reports of wrongdoing to take appropriate action to investigate or otherwise deal with them.

In NSW, that framework is the PID Act.

This policy should be read in conjunction with:

- PP031 Code of Conduct;
- PP020 Complaints Management Policy;
- PP034 Fraud Prevention Policy; and
- Goldenfields Water's Values

4 SCOPE

This policy applies to, and is for the benefit of, all public officials in NSW. A public official is defined in section 3 of the Independent Commission Against Corruption (ICAC) Act 1988 as an individual having public official functions or acting in a public official capacity.

People working in the Parliament, government departments, statutory authorities and local councils in NSW, as well as NSW magistrates, judges, local councilors and members of Parliament are all public officials.

The General Manager, other nominated disclosure officers and managers within Goldenfields Water have specific responsibilities under the PID Act. This policy also provides information on how people in these roles will fulfil their responsibilities. Other public officials who work in and for the public sector, but do not work for Goldenfields Water may use this policy for information on who they can report wrongdoing to within Goldenfields Water.

This policy does not apply to:

- people who have received services from Goldenfields Water and want to make a complaint about those services
- people, such as contractors, who provide services to Goldenfields Water.

5 WHAT IS CONTAINED IN THIS POLICY

This policy will provide with information on the following:

- ways to make a voluntary PID to Goldenfields Water under the PID Act.
- the names and contact details for the nominated disclosure officers in Goldenfields Water.
- the roles and responsibilities of people who hold roles under the PID Act and who are employees of Goldenfields Water.
- what information will be received once a voluntary PID is made.
- protections available to people who make a report of serious wrongdoing under the PID Act and what we will do to protect an individual.
- Goldenfields Water's procedures for dealing with disclosures.
- Goldenfields Water's procedures for managing the risk of detrimental action and reporting detrimental action.
- Goldenfields Water's record-keeping and reporting requirements.
- how Goldenfields Water's will ensure it complies with the PID Act and this policy.

If you require further information about this policy, how public interest disclosures will be handled and the PID Act you can:

- confidentially contact a nominated disclosure officer within Goldenfields Water, or
- contact the PID Advice Team within the NSW Ombudsman by phone: (02) 9286 1000 or email: pidadvice@ombo.nsw.gov.au, or
- access the NSW Ombudsman's PID guidelines which are available on its website.

If you require legal advice with respect to the PID Act or your obligations under the PID Act, you may need to seek independent legal advice.

6 HOW TO MAKE A REPORT OF SERIOUS WRONGDOING

6.1 What is serious wrongdoing?

Reports must be of one or more of the following categories of *serious wrongdoing* to be a voluntary PID. Serious wrongdoing is defined in the PID Act as:

- *corrupt conduct* — such as a public official accepting a bribe
- *serious maladministration* — such as an agency systemically failing to comply with proper recruitment processes when hiring staff
- *a government information contravention* — such as destroying, concealing or altering records to prevent them from being released under a Government Information Public Access application
- *a local government pecuniary interest contravention* — such as a senior council staff member recommending a family member for a council contract and not declaring the relationship

- a *privacy contravention* — such as unlawfully accessing a person’s personal information on an agency’s database
- a *serious and substantial waste of public money* — such as an agency not following a competitive tendering process when contracting with entities to undertake government work.

When you make your report, you do not need to state to Goldenfields Water what category of serious wrongdoing you are reporting or that you are reporting serious wrongdoing.

6.1 Reports, complaints, and grievances

When a public official reports suspected or wrongdoing in the public sector, their report will be a PID if it has certain features which are set out in the PID Act.

Some internal complaints or internal grievances may also be PIDs, if they have the features of a PID. If an internal complaint or grievance is a report of serious wrongdoing, we will consider whether it is a PID. If it is a PID, we will deal with it as set out in this policy.

It is important that we quickly recognise that we have received a PID. Once a PID is received, the person who has made the report is entitled to certain protections and we have certain decisions that we must make on how we will deal with the PID and how we will protect and support the person who has made the report.

Council officials are encouraged to report all wrongdoing and misconduct, not only reports of serious wrongdoing as defined under the PID Act. Council will deal with these appropriately and in accordance with established policies and procedures, even if they are not a PID.

6.2 When will a report be a PID?

There are three types of PIDs in the PID Act. These are:

- *Voluntary PID*: This is a PID where a report has been made by the public official because they decided, of their own accord, to come forward and disclose what they know.
- *Mandatory PID*: This is a PID where the public official has made a report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- *Witness PID*: This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

This policy mostly relates to making a voluntary PID and how we will deal with voluntary PIDs. People who make a mandatory PID or a witness PID are still entitled to protection. More information about protection is available in section 8 of this policy.

You can find more information about mandatory and witness PIDs in the Ombudsman’s guidelines ‘Dealing with mandatory PIDs’ and ‘Dealing with witness PIDs’.

Voluntary PIDs are the kind of PIDs most people have in mind when they think about public interest reporting and ‘whistleblowing’.

They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

A report is a voluntary PID if it has the following five features, which are set out in sections 24 to 27 of the PID Act:

1. A report is made by a public official
2. It is made to a person who can receive voluntary PIDs
3. The public official honestly and reasonably that the information they are providing shows (or tends to show) serious wrongdoing
4. The report was made orally or in writing
5. The report is voluntary (meaning it is not a mandatory or witness PID)

If the report has all five features, it is a voluntary PID.

You will not be expected to prove what you reported happened or is serious wrongdoing. You do have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Even though you do not have to prove the serious wrongdoing happened or provide evidence, a mere allegation with no supporting information is unlikely to meet this test. Allegations made for an improper purpose or that are vexatious in nature, will be dealt with in accordance with PP031 Code of Conduct.

If we make an error and do not identify that you have made a voluntary PID, you will still be entitled to the protections under the PID Act.

If you make a report and believe we have made an error by not identifying that you have made a voluntary PID, you should raise this with a nominated disclosure officer. If you are still not satisfied with this outcome, you can seek an internal review. You may also contact the NSW Ombudsman. Further information on rights to internal review and conciliation is found in section 11 of this policy.

7.3 Who can make a voluntary PID?

Any public official can make a voluntary PID. You are a public official if:

- you are employed by Goldenfields Water
- you are a contractor, subcontractor or volunteer who provides services, or exercises functions, on behalf of Goldenfields Water, or
- you work for an entity (such as a non-government organisation) who is contracted by Goldenfields Water to provide services or exercise functions on behalf of Goldenfields Water — if you are involved in undertaking that contracted work.

A public official can make a PID about serious wrongdoing relating to *any* agency, not just the agency they are working for. This means that we may receive PIDs from public officials outside our agency. It also means that you can make a PID to any agency, including an integrity agency like the ICAC and the NSW Ombudsman. Annexure B of this policy has a list of integrity agencies.

6.5 Who can I make a voluntary PID to?

For a report to be a voluntary PID, it must be made to certain public officials.

6.5.1 Making a report to a public official who works for Goldenfields Water

You can make a report inside Goldenfields Water to individuals appointed to the following positions:

Disclosures Officers

- General Manager
- Corporate Services Manager
- Production and Services Manager
- Operations Manager
- Engineering Manager
- Accountant
- Human Resources Coordinator
- Northern Distribution Coordinator
- Mechanical Coordinator
- ICT Coordinator

Contact details for current disclosure officers and their contact details can be found at Annexure A of this policy.

You may also make a report to the person who directly, or indirectly, supervises you. It can also be the person who you directly, or indirectly, report to. Your manager will make sure that the report is communicated to a disclosure officer on your behalf or may accompany you while you make the report to a disclosure officer.

6.5.2 Making a report to a recipient outside of Goldenfields Water

You can also make your report to a public official in another agency (meaning an agency you do not work for) or an integrity agency. These include:

- the *head of another agency* — this means the head of any public service agency
- an *integrity agency* — a list of integrity agencies is located at Annexure B of this policy
- a *disclosure officer for another agency* — ways to contact disclosure officers for other agencies is in an agency's PID policy which can be found on their public website
- a *Minister or a member of a Minister's staff* but the report *must be made in writing*.

If you choose to make a disclosure outside of Goldenfields Water, it is possible that your disclosure will be referred to us so that appropriate action can be taken.

6.5.2.1 Making a report to a Member of Parliament or journalist

Disclosures to a Member of Parliament (MP) or journalists are different to other reports. You can only disclose a report of wrongdoing as a voluntary PID to an MP or journalist in the following circumstances:

- You must have first made the same disclosure (described here as a 'previous disclosure') to someone who can receive disclosures.
- The previous disclosure must be true.
- You did not make the previous disclosure anonymously.
- You did not give a written waiver of your right to receive information relating to your previous disclosure.
- You did not receive the following from Goldenfields Water:

- notification that Goldenfields Water will not investigate the serious wrongdoing and will also not refer the previous disclosure to another agency, or
- the following information at the end of the investigation period:
 - notice of Goldenfields Water’s decision to investigate the serious wrongdoing
 - a description of the results of an investigation into the serious wrongdoing
 - details of proposed or recommended corrective action because of the previous disclosure or investigation.

Investigation period means:

- after six months from the previous disclosure being made, or
- after 12 months if you applied for an internal review of the agency’s decision within six months of making the disclosure.

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary PID.

6.6 What form should a voluntary PID take?

You can make a voluntary PID:

- *in writing* — this could be an email or letter to a person who can receive voluntary PIDs.
- *orally* — have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.
- *anonymously* — write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Even if you choose to remain anonymous, you will still be protected under the PID Act. It may be difficult, however, for us to investigate the matter(s) you have disclosed if we cannot contact you for further information.

6.7 What should I include in my report?

You should provide as much information as possible so we can deal with the report effectively. The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- witnesses
- other information you have that supports your report.

6.8 What if I am not sure if my report is a PID?

You should report all wrongdoing you become aware of regardless of whether you think it is serious wrongdoing. It is important for us to understand what is or may be occurring.

We are then responsible for making sure your report is handled appropriately under the PID Act, or if it is not a PID, in line with our other procedures. Even if your report is not a PID, it may fall within another one of the agency’s policies for dealing with reports, allegations or complaints.

6.9 Deeming that a report is a voluntary PID

The General Manager can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the 'deeming power'.

By deeming that a report is a voluntary PID, it ensures that reporters are provided with protection under the PID Act.

If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to the General Manager to request that they consider deeming your report to be a voluntary PID.

A decision to deem a report to be a voluntary PID is at the discretion of the General Manager. For more information about the deeming power, see the Ombudsman's guideline 'Deeming that a disclosure is a voluntary PID'.

7 PROTECTIONS

7.1 How is the maker of a voluntary PID protected?

When you make a voluntary PID you receive specific protections under the PID Act.

We are committed to taking all reasonable steps to protect you from detriment from making a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.

We will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.

The maker of a voluntary PID is protected in the following ways:

- *Protection from detrimental action*
 - A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.
 - Once we become aware that a voluntary PID by a person employed or otherwise associated with Goldenfields Water that concerns serious wrongdoing relating to Goldenfields Water has been made, we will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.
 - It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.
 - A person may seek compensation where unlawful detrimental action has been taken against them.
 - A person can apply for a court order (injunction) where detrimental action is threatened or has occurred (for example, an order to prevent dismissal or to require reinstatement).

Note that a person who makes a PID can still be subject to reasonable management action (such as ordinary performance reviews and performance management). Provided such action is not taken because of the PID, it is not detrimental action under the PID Act.

- *Immunity from civil and criminal liability*

Some public officials are often subject to a duty of confidentiality that prevents them disclosing certain information that they obtain or become aware of at work. Sometimes, to make a PID, public officials will need to breach or disregard such confidentiality duties. If that

happens, a public official cannot be disciplined, sued or criminally charged for breaching confidentiality.

- *Confidentiality*

Public officials and agencies must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.

- *Protection from liability for own past conduct*

The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

7.2 Protections for people who make mandatory and witness PIDs

Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

- *A mandatory PID:* This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- *A witness PID:* This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

Protections for makers of mandatory and witness PIDs are detailed in the table below.

Protection	Mandatory PID	Witness PID
Detrimental action — It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.	✓	✓
Right to compensation — A person can initiate proceedings and seek compensation for injury, damage or loss suffered because of detrimental action being taken against them.	✓	✓
Ability to seek injunction — An injunction can be sought to prevent the commission or commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.	✓	✓
Immunity from civil and criminal liability — a person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for: <ul style="list-style-type: none"> • breaching a duty of secrecy or confidentiality, or • breaching another restriction on disclosure. 	✓	✓

8 REPORTING DETRIMENTAL ACTION

If you experience adverse treatment or detrimental action, such as bullying or harassment, you should report this immediately. You can report any experience of adverse treatment or detrimental action directly to Goldenfields Water, or to an integrity agency. A list of integrity agencies is at Annexure B of this policy.

9 ROLES AND RESPONSIBILITIES OF GOLDENFIELDS WATER

Certain people within Goldenfields Water have responsibilities under the PID Act.

9.1 General Manager

The General Manager is responsible for:

- fostering a workplace culture where reporting is encouraged
- receiving disclosures from public officials
- ensuring there is a system in place for assessing disclosures
- ensuring the Goldenfields Water complies with this policy and the PID Act
- ensuring that the Goldenfields Water has appropriate systems for:
 - overseeing internal compliance with the PID Act
 - supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action
 - implementing corrective action if serious wrongdoing is found to have occurred
 - complying with reporting obligations regarding allegations or findings of detrimental action
 - complying with yearly reporting obligations to the NSW Ombudsman.

9.2 Disclosure officers

Disclosure officers are responsible for:

- receiving reports from public officials
- receiving reports when they are passed on to them by managers
- ensuring reports are dealt with appropriately, including by referring the matter to the appropriate complaint unit (if relevant)
- Ensuring that any oral reports received are recorded in writing.

9.3 Managers

The responsibilities of managers include:

- receiving reports from persons that report to them or that they supervise
- passing on reports they receive to a disclosure officer.

9.4 All employees

All employees must:

- report suspected serious wrongdoing or other misconduct
- use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of Goldenfields Water
- treat any person dealing with or investigating reports of serious wrongdoing with respect.

All employees must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.

10 HOW WE WILL DEAL WITH VOLUNTARY PIDS

10.1 How we will acknowledge that we have received a report

When a Goldenfields Water disclosure officer receives a voluntary PID report, or looks like it may be a voluntary PID, the person who made the report will receive the following information:

You will receive an acknowledgment that the report has been received. This acknowledgement will:

- state that the report will be assessed to identify whether it is a PID;
- state that the PID Act applies to how we deal with the report;
- provide clear information on how you can access this PID policy; and
- provide you with details of a contact person and available supports.

If the report is a voluntary PID, we will inform you as soon as possible how we intend to deal with the report. This may include:

- that we are investigating the serious wrongdoing
- that we will refer the report to a different agency (if appropriate) to deal with the voluntary PID. If we do this, we will provide you with details of this referral
- If we decide to not investigate the report and to not refer it to another agency for it to be investigated, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.

If we decide to investigate the serious wrongdoing, we will provide you with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.

- If we investigate the serious wrongdoing, we will provide you with the following information once the investigation is complete:
 - a description of the results of the investigation — that is, we will tell you whether we found that serious wrongdoing took place.
 - information about any corrective action because of the investigation/s — this means we will tell you what action we took in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by our agency, what we have put in place to address that serious wrongdoing.
- Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that we have in place which led to serious wrongdoing.
- There may be some details about both the findings made because of the investigation and the corrective action taken that cannot be revealed to you. We will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations we have.
- If you have made an anonymous report, in many cases we may not be able to provide this information to you.

10.2 How we will deal with voluntary PIDs

Once a report that may be a voluntary PID is received we will look at the information contained in the report to see if it has the features of a voluntary PID. This assessment is undertaken to identify whether the report is a voluntary PID or another type of disclosure, and to make sure that the right steps are followed. If it is a voluntary PID, we will ensure that we comply with the requirements in the PID Act.

10.2.1 Report not a voluntary PID

Even if the report is not a voluntary PID, it will still need to be dealt with in a manner consistent with Goldenfields Water's PP020 Complaints Management Policy.

If the report is not a voluntary PID, we will advise you that the PID Act does not apply to the report and how we will deal with its concerns.

If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or a disclosure officer, request an internal review or request that the matter be conciliated. Goldenfields Water may request the NSW Ombudsman to conciliate the matter.

10.2.2 Cease dealing with report as voluntary PID

Goldenfields Water may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID).

10.2.3 Where the report is a voluntary PID

If the report is a voluntary PID:

In most cases, we will investigate whether the serious wrongdoing disclosed in the report occurred, who was involved, responsible, and whether the people involved, or the agency engaged, in serious wrongdoing. There may be circumstances where we believe an investigation is not warranted — for example, if the conduct has previously been investigated.

There may also be circumstances where we decide that the report should be referred to another agency, such as an integrity agency. For example, reports about possible corrupt conduct may be reported to the ICAC in accordance with section 11 of the ICAC Act 1988.

Before referring a matter, we will discuss the referral with the other agency, and we will provide you with details of the referral and a contact person within the other agency. If we decide not to investigate a report and to not refer the matter to another agency, we must let you know the reasons for this and notify the NSW Ombudsman.

10.3 How we will protect the confidentiality of the maker of a voluntary PID

We understand that people who make voluntary PIDs may want their identity and the fact that they have made a report to be confidential.

Under the PID Act, information tending to identify a person as the maker of a voluntary PID (known as identifying information) is not to be disclosed by a public official or an agency.

Certain circumstances under the PID Act allow for the disclosure of identifying information. These include:

- where the person consents in writing to the disclosure
- where it is known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or Goldenfields Water considers it necessary to disclose the information to protect a person from detriment
- where it is necessary the information be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published

- when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

We will not disclose identifying information unless it is necessary and authorised under the PID Act.

10.4 How we will assess and minimise the risk of detrimental action

Goldenfields Water will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

Goldenfields Water will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators and witnesses.

Goldenfields Water will take steps to assess and minimise the risk of detrimental action.

Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied).

Detriment to a person includes:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's job
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage.

Detrimental action does not include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct
- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- reasonable management action taken by someone in relation to a person who made or may make a PID. For example, a reasonable appraisal of a PID maker's work performance.

10.5 How we will deal with allegations of a detrimental action offence

If Goldenfields Water become aware of an allegation that a detrimental action offence has occurred or may occur, Goldenfields Water will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable)
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

10.6 What we will do if an investigation finds that serious wrongdoing has occurred

If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, Goldenfields Water will take the most appropriate action to address that wrongdoing or misconduct. This is also known as corrective action.

Corrective action can include:

- a formal apology
- improving internal policies to adequately prevent and respond to similar instances of wrongdoing
- providing additional education and training to staff where required
- taking employment action against persons involved in the wrongdoing (such as termination of employment, relocation, a caution or reprimand)
- payment of compensation to people who have been affected by serious wrongdoing or other misconduct.

11 REVIEW AND DISPUTE RESOLUTION

11.1 Internal review

People who make voluntary PIDs can seek internal review of the following decisions made by Goldenfields Water:

- that Goldenfields Water is not required to deal with the report as a voluntary PID
- to stop dealing with the report because Goldenfields Water decided it was not a voluntary PID
- to not investigate the serious wrongdoing and not refer the report to another agency
- to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.

Goldenfields Water will ensure internal reviews are conducted in compliance with the PID Act.

If you make an application for an internal review, you must apply in writing within 28 days of being informed of the decision. The application should state the reasons why you consider Goldenfields Water's decision should not have been made. You may also submit any other relevant material with your application. Applications for internal review should be addressed to the General Manager.

11.2 Voluntary dispute resolution

If a dispute arises between Goldenfields Water and a person who has made a report which is, or may be, a voluntary PID, we may request the NSW Ombudsman to conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where we and the maker of the report are willing to resolve the dispute.

12 OTHER OBLIGATIONS

12.1 Record-keeping requirements

Goldenfields Water must keep full and accurate records with respect to all information received in relation with the PID Act. This ensures that Goldenfields Water complies with its obligations under the *State Records Act 1998*.

12.2 Reporting of voluntary PIDs and annual return to the Ombudsman

Each year Goldenfields Water is to provide an annual return to the NSW Ombudsman which

includes:

- information about voluntary PIDs received by Goldenfields Water during each return period (yearly with the start date being 1 July)
- action taken by Goldenfields Water to deal with voluntary PIDs during the return period
- how Goldenfields Water promoted a culture in the workplace where PIDs are encouraged. The Corporate Services Manager shall be responsible for preparing the annual return.

12.3 How Goldenfields Water will ensure compliance with the PID Act and this policy

This policy will be formally reviewed every four years from the date of adoption or as required.

From time-to-time circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made, including branding, Council Officer titles or department changes and legislative name or title changes which are considered minor in nature and not required to be formally endorsed.

Breaches of this policy may result in an investigation of the alleged breach in line with relevant Council policies including the PP031 Code of Conduct. Any alleged criminal offence or allegation of corrupt conduct will be referred to the relevant external agency.

Any audits of the PID processes at Council will be undertaken as part of Council's internal audit schedule and reported through the Audit Risk and Improvement Committee to Council.

Annexure A — Names and contact details of disclosure officers for Goldenfields Water

Position	Incumbent	Contact Information
General Manager	Aaron Drenovski	E: Sammy.Jung@gwcc.nsw.gov.au M: 0418 739 540
Corporate Services Manager	Melody Carr	E: Melody.Carr@gwcc.nsw.gov.au M: 0429125592
Production and Services Manager	Geoffrey Veneris	E: Geoffrey.Veneris@gwcc.nsw.gov.au M: 0437 974 730
Operations Manager	Alex Dahlenburg	E: Alex.Dahlenburg@gwcc.nsw.gov.au M: 0474 476 928
Engineering Manager	Sammy Jung	E: Sammy.Jung@gwcc.nsw.gov.au M: 0418 739 540
Accountant	Erin Hemphill	E: Erin.Hemphill@gwcc.nsw.gov.au M: 0429 308 066
Human Resources Coordinator	Ali Wood Libby Kite	E: Ali.Wood@gwcc.nsw.gov.au M: 0427 110 529 E: Libby.Kite@gwcc.nsw.gov.au M: 0487 022 848
Northern Distribution Coordinator	Ian Basham	E: Ian.Basham@gwcc.nsw.gov.au M: 0428 693 392
Mechanical Coordinator	Shane Baldry	E: Shane.Baldry@gwcc.nsw.gov.au M: 0429 772 245
ICT Coordinator	Chris Durman	E: Chris.Durman@gwcc.nsw.gov.au M: 0438 042 853

Annexure B — List of integrity agencies

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	1800 451 524 between 9am to 3pm Monday to Friday Level 24, 580 George Street, Sydney NSW 2000 info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	02 9275 7100 GPO Box 12, Sydney NSW 2001 governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday GPO Box 500, Sydney NSW 2001 icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	02 9228 3023 PO Box 5341, Sydney NSW 2001 oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	02 9321 6700 or 1800 657 079 GPO Box 3880, Sydney NSW 2001 contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	02 9228 3023 GPO Box 5341, Sydney NSW 2001 oilc_executive@oilc.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	1800 472 679 GPO Box 7011, Sydney NSW 2001 ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	1800 472 679 GPO Box 7011, Sydney NSW 2001 ipcinfo@ipc.nsw.gov.au