

The Public Interest Disclosure Act

The *Public Interest Disclosure Act 2013* (PID Act) promotes integrity and accountability across the APS by encouraging the disclosure of information about suspected wrongdoing.

If you become aware of a situation where you suspect serious wrongdoing, for example, fraud or other misconduct by a public official, and you are a former or current public official, you can report your concerns under the Public Interest Disclosure Scheme (PID scheme). The scheme covers most Commonwealth agencies and provides protections for public officials who make disclosure reports.

Under the PID Act, the Australian Statistician and the Australian Bureau of Statistics (ABS) are committed to:

- protecting people from reprisal action relating to the reporting of disclosures;
- taking action to investigate suspecting wrongdoing; and
- taking remedial action where an investigation finds wrongdoing.

This form has been designed by the ABS to assist current or former Public Officials to disclose information under the PID Act. The form outlines the requirements and important facts which potential disclosures need to consider.

Wrongdoing that can be reported

Allegations of wrongdoing made through the PID scheme are called Public Interest Disclosures (Disclosures). You can disclose information if you believe, on reasonable grounds, that it tends to show disclosable conduct made by:

- an agency
- a public official in connection with their position as a public official
- a contracted service provider for a Commonwealth contract, in connection with entering into, or giving effect to, that contract.

Disclosable conduct includes:

- contravention of a law
- corruption
- conduct that perverts the course of justice
- wastage of public funds
- conduct that is an abuse of public trust
- conduct that is a danger to health, safety or the environment
- falsifying scientific research
- maladministration
- conduct that is an abuse of a public official's position
- conduct that, if proved, would result in disciplinary action against a public official

The following examples do not amount to disclosable conduct:

- disagreement with government policy, action or expenditure
- personal work-related conduct (for example bullying or harassment) unless it constitutes reprisal action or is of a significant nature.
- judicial conduct
- conduct of parliamentarians
- the proper activities of intelligence agencies.

Alternative mechanisms for reporting non disclosable conduct

Where a current or former public official wishes to report suspected wrongdoing involving conduct not constituting 'serious wrongdoing' or not meeting the requirements of a PID, they may consider the available options for reporting the wrongdoing including:

- APS Code of Conduct
- ABS Privacy Officer
- ABS Complaints Review Officer
- ABS Fraud Officer
- Following the Resolving Workplace Issues and Dispute Resolution guidelines
- Resolution through line management intervention

Who can make a public interest disclosure?

It is a requirement of the PID Act that you must be a current or former 'Public Official'. A 'Public Official' includes any person who is or was employed or appointed by the Australian Government (including members of the Defence Force and the Australian Federal Police), staff of Commonwealth companies, Commonwealth authorities and statutory agencies, the Parliamentary Service, statutory officeholders and service providers under contract to the Commonwealth.

In certain circumstances, a PID Act Authorised officer may choose to deem a discloser a Public Official for the purposes of the PID Act.

Who will see this information?

For the purposes of making a disclosure under the PID Act, the Australian Statistician has appointed Authorised Officers to receive and assess disclosures. Information provided in this form may be viewed by PID Act Authorised Officers, ABS Investigative Officers and the Australian Statistician. Depending on the circumstances, some details may be disclosed to other parties if the ABS deems it necessary to protect you from detrimental or reprisal actions as a result of making the disclosure.

Additionally, if conduct is reported that may constitute corruption that is serious or systemic in nature, the PID Act Authorised officer, ABS Investigative Officers and the Australian Statistician are legally obligated to refer the conduct to the National Anti-Corruption Commission.

Lodging this form with the ABS

The completed form can be lodged with the ABS PID Act Authorised Officers by emailing pid@abs.gov.au.

To gain the protections of the PID Act, a public official must comply with the Act. This means that if you disclose wrongdoing to someone who is not authorised to receive it, your disclosure will not be covered.

The information you disclose, as well as any investigation or findings from the ABS, should be kept confidential between yourself and the PID Act Authorised Officers. This will reduce the risk of reprisals being taken against you.

Assistance and Further information

If you are a current staff member, further information about the PID Act, including protections that apply can be found by Searching 'Public Interest Disclosure' on Services@ABS.

For advice on completing and providing this form to the ABS, or for further information on how the ABS conducts investigations and mitigates risks of reprisal please contact an ABS Authorised Officer by emailing pid@abs.gov.au.



Disclosable conduct being disclosed under the PID Act:

The information being disclosed constitutes the following type of disclosable conduct under the PID Act:

With regards to the disclosable conduct being reported:

Who is involved:
*[people involved
in, or aware of,
the disclosable
conduct and
allowed it to
happen/continue]*

When did it
occur:

Where did it
occur:

If there are multiple instances of disclosable conduct, please attach further details of all instances at the end of this form.

Background, relevant events or information/evidence regarding the disclosable conduct:

[You do not need to prove that what you suspect is true so long as you honestly and reasonably believe it involves disclosable conduct]



Has anything been done in response to the wrongdoing?

[This includes anything you did in response and whether the wrongdoing has been, or is currently being investigated through another investigative mechanism]



In disclosing information under the PID Act:

<p>Do you believe that the information is a public interest disclosure under the PID Act?</p> <p><i>In providing your answer, please consider whether the disclosure of this information is not contrary to the public interest.</i></p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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<p>Are you concerned about possible reprisal action being taken against you as a result of making a disclosure?</p> <p><i>Please note that to limit risk of reprisal action, you should not communicate your involvement in this disclosure to any party other than those ABS staff authorised to receive and investigate disclosures under the PID Act.</i></p> <p><i>The PID Act Authorised Officer receiving this disclosure will assist the ABS in assessing what risks exist, and where appropriate, apply strategies to protect you from reprisals.</i></p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
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<p>If you answered 'yes' to the above question, please provide information regarding:</p> <ul style="list-style-type: none"> • the types of reprisal action you believe may be taken against you • who you believe may take reprisal action against you • the likelihood of any reprisal action you believe may be taken against you • any received threat(s) or history of conflict that exists with the person(s) you fear reprisal from
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Person disclosing information under the PID Act:

Personal information in this form will be used for the purpose of the PID Act.

Where appropriate, and with your consent, your personal information may be provided for the purposes of the PID Act to the Australian Statistician, Authorised Officers, Officers investigating the reported conduct, the National Anti-Corruption Commission and the Commonwealth Ombudsman.

The ABS privacy policy (www.abs.gov.au/privacy) explains how you can make a privacy related inquiry or lodge a privacy complaint.

You can remain anonymous, or use a pseudonym, however:

- *the ABS has the discretion not to investigate if you cannot be contacted for further information.*
- *the ABS may not be able to notify you about the handling of your disclosure.*

Full Name

Contact
Address

Email

Phone
number

I wish to remain anonymous.

If you would like to be contacted for further information, or to be notified about the handling of your disclosure, please provide a point of contact above

I am a current or former Public Official, evidenced by:

Evidence to support your position may include your title, agency, AGS number, length of service or other information which can identify you as a public official

If you wish to remain anonymous, please provide as much information as possible without disclosing your identity

Consent

- I consent for my personal details to be provided to other parties for the purposes of the PID Act.
- I do not consent for my personal details to be provided to other parties for the purposes of the PID Act.

In providing this information to an Authorised Officer of the ABS, I hereby state that:

- the information provided relating to disclosable conduct is not of a frivolous or vexatious nature; and
- I am aware that I am not exempt from liability if I am a participant in the wrongdoing being disclosed.

Signed Date

For persons wishing to remain anonymous, a signature is not required. If filling electronically please type your name.