

Public Interest Disclosure Framework

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1. Policy statement

Queensland Rural and Industry Development Authority (QRIDA) is committed to implementing and maintaining an organisational environment that encourages and facilitates employee awareness and appropriate internal control systems to continue to achieve high standards of professional and ethical conduct.

QRIDA values the disclosure of information about suspected wrongdoing in the public sector so that it can be properly assessed and, if necessary, appropriately investigated. QRIDA provides support to an employee or others who make disclosures about matters in the public interest. This framework ensures that practical and effective procedures are implemented which comply with the requirements of the *Public Interest Disclosure Act 2010* (PID Act).

QRIDA employees and Board of Directors should be aware of the Public Interest Disclosure (PID) Standards and conduct themselves in a lawful and ethical manner consistent with this framework and any other relevant laws and policies at all times, including the QRIDA Code of Conduct.

2. Purpose

This framework details the QRIDA policy and procedures for:

- (a) The management program for PIDs that is consistent with the standards issued by the Queensland Ombudsman (Public Interest Disclosure Standard 1/2019);
- (a) Ensuring that PIDs are properly assessed and, where appropriate, investigated and dealt with, including the protection from reprisal by QRIDA for disclosures (Public Interest Disclosure Standard 2/2019); and
- (b) Recording and reporting of PID data (Public Interest Disclosure Standard 3/2019).

3. Principles

This framework supports QRIDA's commitment to the following principles:

- (a) Informing QRIDA Board of Directors and employees of the compliance requirements and responsibilities under the PID Act and the 2019 PID Standards;
- (b) Identifying wrongdoing as early as possible and improving accountability;
- (c) Ensuring protection from reprisal is afforded to persons making PIDs; and
- (d) Protecting QRIDA from legal liability and maintaining a positive corporate reputation.

4. Scope

This framework applies to all QRIDA Board of Directors and QRIDA employees and incorporates the Standards issued by the Office of the Queensland Ombudsman.

5. Responsibilities

The QRIDA Executive Leadership Team (ELT) is responsible for approving this framework and ensuring that a PID management program is properly maintained in line with the PID Act and the PID Standards:

In accordance with the PID Act, the QRIDA Board of Directors, ELT has an overall responsibility for:

- (a) Communicating the expectation that all QRIDA employees are required to conduct their duties to the highest professional and ethical standards and always act in the public interest;
- (b) Promoting the Public Interest by encouraging the internal reporting of wrongdoing;
- (c) Ensuring the QRIDA PID Framework is readily accessible to the public via the QRIDA website;
- (d) Ensuring PIDs are properly assessed, investigated and actioned;
- (e) Determining whether a PID is to be referred to another Agency e.g. CCC for suspected corrupt conduct in accordance with the *Crime and Corruption Act 2001*;
- (f) Ensuring QRIDA employees who make a PID are given appropriate support and protection;
- (g) Establishing reasonable procedures to protect QRIDA employees who make PIDs from reprisals that are, or may be, taken against them in accordance with the *Public Interest Disclosure Act 2010*;
- (h) Ensuring appropriate consideration is given to the interests of QRIDA employees who are the subject of a PID; and
- (i) Assessing and implementing improvements to service delivery, business processes and internal controls arising from the investigation of issues arising from PIDs.

The **Chief Operating Officer (CEO)** is responsible for the receiving of PIDs as the delegated officer in QRIDA.

The **Executive Manager Corporate Governance and Performance** is responsible for the management of PIDs which includes:

- (a) Providing support, advice and information to business units on ethical standards and the management of PIDs;
- (b) Providing support to the ELT on the effective management, assessment and required action associated with PIDs;
- (c) Monitoring and coordinating all QRIDA reporting compliance to the Queensland Ombudsman on PIDs;
- (d) Reviewing this procedure regularly to ensure the procedure remains current; and
- (e) Recommending amendments to this procedure as required.

The **Senior Manager Organisational Development** is responsible for:

- (a) Managing a discloser's level of protection and support;
- (b) Managing reprisals against a discloser; and
- (c) Providing advice and support on human resource aspects that may result from an investigation undertaken and the application of QRIDA policies and corresponding procedures e.g. disciplinary action, grievance management and performance management.

QRIDA Managers are responsible for:

- (a) Ensuring employees under their supervision or management are informed of this procedure during induction and comply with it on an ongoing basis;
- (b) Demonstrating positive ethical standards and values to employees through their own conduct;

- (c) Assisting employees to resolve ethical dilemmas as required;
- (d) Creating an environment that supports the reporting of any alleged wrongdoing; and
- (e) Providing appropriate support to employees who report suspected wrongdoing.

QRIDA employees are responsible for:

- (a) Familiarising themselves with the requirements of this procedure;
- (b) Acting in accordance with this procedure and the QRIDA Code of Conduct;
- (c) Conducting their duties to a high professional and ethical standard;
- (d) Seeking appropriate management guidance if they have an ethical dilemma;
- (e) Referring PIDs to the Chief Operating Officer, CEO, the board chairman (in the case where the CEO may be subject of the PID) or another proper authority under the Act;
- (f) Cooperating fully with investigations as a result of a PID and maintaining appropriate confidentiality; and
- (g) Refraining from reprisal action.

6. Context QRIDA - PID Standards

6.1 Public Interest Disclosure Management (PID Standard 1/2019)

6.1.1 Procedure

The *Public Interest Disclosure Act* provides protection for QRIDA employees who make a PID to a Proper Authority. A QRIDA employee is not liable, civilly, criminally or under an administrative process (including disciplinary action), for making a PID to a Proper Authority. In certain circumstances a PID may be made to a journalist. A PID may only be made to a journalist and the discloser afforded the rights under the PID Act where:

- (a) A person or QRIDA employee has already made a PID; and
- (b) QRIDA either:
 - (i) Decided not to investigate or deal with the PID; or
 - (ii) Investigated the PID but did not recommend any action be taken; or
 - (iii) Did not notify the discloser within six months whether or not the PID would be dealt with or investigated.

The PID Act also protects persons other than QRIDA employees who make certain PIDs. Any person e.g. member of the public, is entitled to protection from reprisal for making a PID. The Act protects any person who makes a PID concerning danger to a person who has a disability, certain offences against environmental legislation or conduct amounting to reprisal.

PIDs may be made in any manner e.g. in writing, over the telephone or in person or anonymously.

6.1.2 Organisational Commitment

ELT shall arrange for the implementation and maintenance of an appropriate management program for PIDs in QRIDA. The management program shall include:

- (a) A communications strategy that ensures that employees receive and can access information about QRIDA's PID Management and procedures by:

- Providing all new QRIDA officers with information about PIDs at induction, including a clear explanation of how to make a PID;
 - Publishing information about QRIDA's PID management program on the intranet that is readily accessible to all officers; and
 - Communicating regularly with all officers to raise their awareness about PIDs, QRIDA's PID management program and procedures, including communications that target the specific information needs of officers who directly or indirectly supervise or manage other officers.
- (b) An appropriate training strategy on the identification of wrongdoing, how to make a PID and the support and protection afforded to disclosers by:
- Giving all QRIDA officers access to regular training about the identification of wrongdoing, how to make a PID, the protection and support afforded to disclosers and how QRIDA deals with PIDs;
 - Providing regular training to all QRIDA officers who directly or indirectly supervise or manage other officers about QRIDA's obligations under the PID Act, the PID procedures, protection of confidentiality and prevention of reprisal;
 - Providing comprehensive training to the PID Coordinator and all officers with designated responsibility for receiving, assessing, investigating and/or decision-making in relation to PIDs about QRIDA's obligations under the PID Act, the PID procedures, protection of confidentiality, risk assessment and prevention of reprisal, and the specialised knowledge and skills required to perform the tasks assigned (for example, investigation skills training, decision-making training); and
 - Providing regular training to officers nominated to undertake the role of a PID Support Officer about QRIDA's obligations under the PID Act, the PID procedures, protection of confidentiality, prevention of reprisal, and the skills required to provide effective support.
- (c) Effective systems and procedures are in place to inform improvements to service delivery, business processes and internal controls from issues arising from PIDs by:
- Implementing procedures to regularly analyse PIDs and identify systemic issues and trends; and
 - Implementing systems to enable learnings from PID analyses to inform improvements to service delivery, personnel management, business processes and internal controls; and
- (d) Provide regular reports on the implementation and oversight of the PID management program to the chief executive officer and conduct regular reviews of the effectiveness of the PID Management Program.

6.2 QRIDA Receiving and Assessing PIDs – (PID Standard No. 2/2019)

6.2.1 Preparing a PID

A QRIDA officer or person providing information as a PID should express in their own words what has happened and provide as much relevant information or documentation as possible to enable the matter to be dealt with expediently. If possible, it is useful for the officer or person to provide the following information preferably in writing:

- (a) What happened;
- (b) Who was involved;

- (c) When it happened;
- (d) Where it happened;
- (e) Whether anyone saw what happened (including contact details for any witnesses);
- (f) Whether the officer or person providing the information has reported the matter to any other agency; and
- (g) What outcome the officer or person providing the information seeks as an outcome e.g. a review of the tendering process for a procurement.

If documents are included with the information provided, it is useful for the officer or person to explain the documents relevance to the information provided as a PID.

An officer or person providing information as PID is encouraged to provide contact details for follow up action; however, the officer or person can remain anonymous.

6.2.2 Receiving a PID

The preferred option for receiving all matters or information provided as a PID in QRIDA is directly to the delegated officer, being the Chief Operating Officer

However, this does not negate a discloser's right to make the disclosure to:

- (a) The Minister for Agricultural Industry Development and Fisheries (Minister responsible for QRIDA);
- (b) The CEO;
- (c) The QRIDA Board Chairman;
- (d) A manager who directly or indirectly supervises or manages the discloser where the discloser is a QRIDA employee; and
- (e) A QRIDA officer who has the function of receiving or taking action on the type of information being disclosed e.g. Senior Manager Organisational Development (relating to the conduct of a QRIDA officer that could be a reprisal) and the Trained Safety Advisor (where there is a substantial and specific danger to public health or safety).

The **Chief Operating Officer** shall:

- (a) Receive all matters or information provided as a PID either directly from the discloser or from another person designated to receive a PID (see section 6.2.2 (a) – (e) above). Where a matter or information provided as a PID has been received by a QRIDA officer designated in section 6.2.2 (d) and (e) above, that officer shall:
 - (i) Encourage the QRIDA officer or person to document the matter or information in writing, if received verbally;
 - (ii) Provide the written matter or information received to the Chief Operating Officer on the same day of receipt and not commence any investigator action; and
 - (iii) Where the matter or information provided has been made verbally and the QRIDA Officer or person does not wish to record the information in writing, document the matter or information in an email to the Chief Operating Officer on the same day of receipt and not commence any investigator action.

- (b) Maintain appropriate confidentiality of the matters or information provided as a PID including the person providing the information, except where disclosure is permitted under the PID Act;
- (c) In conjunction with the Executive Manager Corporate Governance and Performance, assess all matters or information provided as a PID and apply the requirements of the Act to ensure the information provided is a PID. This assessment shall include:
 - (i) Has the matter or information provided been made to a proper authority;
 - (ii) Is the matter or information provided an appropriate disclosure; and
 - (iii) Is the matter or information provided about public interest information;
- (d) Assess whether the discloser can receive protection under the Act (the type of protection available will be determined on the basis of a risk assessment – see section 6.2.6) except in cases where the discloser is anonymous; and
- (e) Determine what further action is to be taken in accordance with existing QRIDA policies and corresponding procedures, where the matter or information is not assessed as being a PID but indicates a different type of wrongdoing requiring further review and action. This will include situations where there may be evidence or a suspicion of fraud and corruption having occurred. In these situations, reference should also be made to the QRIDA Fraud and Corruption Control Framework.

The Executive Manager Corporate Governance and Performance shall record the PID in the PID Register in accordance with the requirements outlined in section 6.2.4 of this Procedure.

A QRIDA employee who gains confidential information from receiving a PID or is involved in dealing with a PID must not make a record of the information, or intentionally or recklessly disclose the information to anyone, other than under the requirements and provisions of the PID Act or other relevant legislation.

6.2.3 False or Misleading Information

It is an indictable (criminal) offence for a QRIDA officer or person to intentionally give false or misleading information intending it to be treated as a PID.

Where a QRIDA employee intentionally gives false or misleading information intending it to be treated as a PID, this would amount to a breach of the QRIDA Code of Conduct and may result in the commencement of disciplinary action.

Following receipt of a matter or information provided as a PID and where it is suspected that a QRIDA officer or person has intentionally given false or misleading information intending it to be treated as a PID the Chief Operating Officer shall:

- (a) Advise the CEO of suspected false information;
- (b) Following consultation with the CEO instigate an investigation, in accordance with QRIDA policies and corresponding procedures, into the alleged false or misleading information given by an employee or person;
- (c) Consult with the Executive Manager Corporate Governance and Performance on any aspects of the investigation as required;

- (d) Consult with the Senior Manager Organisational Development on any human resource aspects relating to the investigation in accordance with QRIDA policies and corresponding procedures;
- (e) Following a review of the investigation report and consultation with the CEO, take appropriate action in line with relevant QRIDA policies and corresponding procedures against an employee who gives false or misleading information; and
- (f) Following a review of the investigation report and consultation with the CEO and any legal advice as required, refer to an appropriate Agency e.g. Queensland Police Service, a person who has intentionally given false or misleading information intending it to be treated as a PID.

6.2.4 Taking Action on a PID

Where the Chief Operating Officer has made an assessment of the matter or information provided (see section 6.2.2 of this Procedure) and determined that it is a PID, the Chief Operating Officer in consultation with the CEO shall determine what appropriate action is to be undertaken including:

- (a) Determining not to investigate or deal with the PID if:
 - (i) The substance of the PID has already been or could be investigated or dealt with by another appropriate process i.e. complaints management, grievance management, fraud and corruption etc;
 - (ii) The age of the matter or information makes it impracticable to investigate i.e. it is reasonably unlikely that sufficient evidence could be obtained;
 - (iii) After reasonable consideration determining that the PID is too trivial to warrant investigation and that dealing with the PID would substantially and unreasonably divert the use of resources for that purpose; and
 - (iv) Another entity that has jurisdiction to investigate the PID has advised that investigation of the PID is not warranted.
- (b) Determining that the PID should be referred to another Agency e.g. Crime and Corruption Commission (CCC) for corrupt conduct. (Before referring a PID to another Agency consideration must be given to whether there is an unacceptable risk that a reprisal would happen because of the referral. In considering whether there would be an unacceptable risk, the Chief Operating Officer must, if practicable, consult with the Discloser. A PID is not to be referred to another Agency if it is considered there is an unacceptable risk unless other legislation requires QRIDA to refer the PID to another Agency such as the case with corrupt conduct and referral to the CCC); and
- (c) Determining what investigation action is required including the type of investigation, scope of the investigation and who shall undertake the investigation and provide a report to ELT or the QRIDA Board as deemed appropriate. The report should include recommendations for any improvements to service delivery, business processes, internal controls and disciplinary action (following consultation with Senior Manager Organisational Development) if required.

The Executive Manager Corporate Governance and Performance shall:

- (a) Prepare for the Chief Operating Officer's signature written advice to the discloser of QRIDA's decision not to investigate or deal with a PID and that they may apply to the CEO for a review of the decision within 28 days of receiving the written reasons from QRIDA;

- (b) Assist the CEO and Chief Operating Officer with any reviews arising from QRIDA's decision not to investigate a PID;
- (c) As required assist the CEO or Chief Operating Officer with advice on referrals of a PID to another Agency and prepare any written correspondence to an Agency where a PID is to be referred;
- (d) Make appropriate notation on relevant files and the PID Register where a PID is referred to another Agency or of QRIDA's decision not to investigate a PID;
- (e) Support the CEO and Chief Operating Officer in investigations resulting from a PID; and
- (f) The CEO in consultation with the Senior Manager Organisational Development shall determine what action is to be taken in relation to any wrongdoing identified in the PID following the investigation and the application of natural justice and due processes identified in QRIDA policies and corresponding procedures. This may include referral to the appropriate authorities if a suspected criminal offence was identified.

6.2.5 Informing the Discloser on how the PID is to be Managed

The Executive Manager Corporate Governance and Performance shall support the Chief Operating Officer on receipt of a PID by providing for the Chief Operating Officer's signature, reasonable ongoing written advice to the discloser on how the PID is to be managed and progressed including:

- (a) Confirmation of receipt of the PID;
- (b) A contact person in QRIDA when seeking further information or reporting concerns about possible reprisals;
- (c) Action proposed to be taken by QRIDA e.g. investigation;
- (d) The likely timeframes for dealing with the PID;
- (e) Progress of investigations and updates;
- (f) The discloser's involvement in any investigation;
- (g) That QRIDA will keep the discloser's information confidential, except where disclosure is permitted under the PID Act;
- (h) Protection under the PID Act and support provided by QRIDA; and
- (i) How the discloser will be advised of the outcomes of the PID.

If the PID has been made anonymously and the discloser has not provided any contact details, QRIDA will not be able to acknowledge the PID or provide any updates.

6.2.6 Support and Protection

The Discloser

Where a matter or information provided has been assessed as being a PID, the Executive Manager Corporate Governance and Performance shall in conjunction with the Chief Operating Officer:

- (a) Undertake a risk assessment of a potential reprisal to the discloser;
- (b) Consult with the Senior Manager Organisational Development and determine what level of protection and support is required for the discloser. The level of protection and support shall mainly apply to QRIDA employees, however where a discloser is not a QRIDA

employee consideration will need to be given as to what level of support or protection QRIDA is required to provide under the PID Act;

- (c) Ensure 'reasonable management action' will be established for the discloser during and after the handling of the PID; and
- (d) Provide a recommendation to the CEO on the level of protection and support required for a discloser including the development of a protection plan if the risk is assessed as sufficiently high. Where feasible the plan shall be developed in consultation with the discloser.

The Senior Manager Organisational Development shall:

- (a) Manage the discloser's level of protection and support approved by the CEO including the regular checking of the discloser's well-being if required; and
- (b) Provide advice to the CEO and Chief Operating Officer of the discloser's well-being and recommend any further protection or support required.

Information and support will be provided to the discloser until the matter is finalised.

6.2.7 QRIDA Officer Subject of a PID

The Senior Manager Organisational Development shall promote awareness to QRIDA employees and specifically any employee subject of a PID, the following support and information available include:

- (a) Facility to use the ASSURE program for assistance and support;
- (b) Ability to seek their Employee Association (i.e. union, if a member) or their own private legal representation to assist with the processes resulting from a PID;
- (c) The principles of "natural justice" being applied to a PID; and
- (d) Their rights and the progress and outcome of any investigation.

Information and support will be provided to a subject officer until the matter is finalised.

6.2.8 Managing Reprisals

The Chief Operating Officer in conjunction with the Senior Manager Organisational Development and Executive Manager Corporate Governance and Performance shall ensure that effective systems and procedures are in place to monitor potential reprisals against a discloser.

A person must not take a reprisal. A QRIDA employee who takes a reprisal commits an indictable (criminal) offence under the PID Act.

Also, reprisals by a QRIDA employee against a discloser amount to a breach of the QRIDA Code of Conduct and may result in the instigation of disciplinary action.

The Senior Manager Organisational Development shall:

- (a) Advise the CEO, Chief Operating Officer and Executive Manager Corporate Governance and Performance of any alleged or suspected reprisal against a discloser;
- (b) Following consultation with the CEO and Chief Operating Officer and in conjunction with the Executive Manager Corporate Governance and Performance commence an

- investigation into the suspected or alleged reprisal in accordance with QRIDA policies and corresponding procedures;
- (c) Following consultation with the CEO and Chief Operating Officer and in conjunction with the Executive Manager Corporate Governance and Performance determine and implement any further protection or support to the discloser;
 - (d) Take appropriate action in line with relevant QRIDA policies and corresponding procedures against an employee who instigates a reprisal;
 - (e) Provide relevant assistance as required to a discloser who suffers detriment as a result of a reprisal including any rights of appeal or review under the PID Act e.g. where disciplinary action has been taken or there is a transfer or unfair treatment against a discloser (QRIDA employee) or where action is commenced under the *Workers' Compensation and Rehabilitation Act 2003*, *Anti-Discrimination Act 1991* or other relevant legislation; and
 - (f) In conjunction with the Executive Manager Corporate Governance and Performance provide assistance to the CEO where the discloser takes legal proceedings against QRIDA for damages as a result of reprisal by a QRIDA employee.

6.3 PID Recording and Reporting (PID Standard 3/2019)

In accordance with its obligations under the PID Act and the *Public Records Act 2002*, QRIDA will ensure that:

- (a) Accurate data is collected about the receipt and management of PIDs in a timely manner; and
- (b) Anonymised data is reported to the Office of the Queensland Ombudsman in their role as the oversight agency, through the PID reporting database.

Records about disclosures, investigations, and related decisions will be kept secure and accessible only to appropriately authorised people involved in the management of the PID.

The **Executive Manager Corporate Governance and Performance** shall:

- (a) Develop a secure and confidential reporting system to record the receipt and management of PIDs. This system shall include the use of a PID Register to record the following information to support external reporting requirements (e.g. Queensland Ombudsman):
 - (i) The date the PID was received and where it was received from;
 - (ii) The status of the discloser e.g. QRIDA employee, officer from another Agency, member of the public, anonymous;
 - (iii) The gender and status of the subject officer e.g. QRIDA employee or non-staff member;
 - (iv) The relationship between the discloser and subject officer;
 - (v) The location (geographical region) of the subject officer;
 - (vi) A summary of the allegation / information received;
 - (vii) Whether the PID was referred to another Agency (name of Agency) and why e.g. corrupt conduct to the CCC;
 - (viii) The involvement of an external agency or party;
 - (ix) The action taken to minimise any risk of reprisal;

- (x) Date inquiry / investigation commence and was completed;
 - (xi) The outcome of the assessment, inquiry or investigation;
 - (xii) The date the PID was resolved or closed;
 - (xiii) When the outcome was advised to the discloser;
 - (xiv) Where a PID was not investigated the reason for the decision; and
 - (xv) Other legal processes associated with the PID; and
- (b) Prepare all required external reporting for the Chief Operating Officer or CEO’s signature.

ELT shall review PID investigation reports and recommendations and arrange for implementation of improvements to service delivery, business processes and internal controls.

6.3.1 Confidentiality

QRIDA will respect and protect the confidentiality of information acquired in the course of their work and must not disclose any such information to a third party or unless there is a legal or professional duty to disclose the information as provided for in the Code of Conduct, the *Information Privacy 2009 Act* and the QRIDA Access to Information Framework.

QRIDA will ensure that communication with all parties involved will be arranged discreetly to avoid identifying the discloser wherever possible. Officers involved in the PID process will be trained in the PID process and of the obligation of confidentiality in the performance of their roles. Private and /or sensitive information is also protected at QRIDA through the relevant security, access and storage policies and procedures that have been implemented. Disclosers should be aware that while QRIDA will make every attempt to keep their details confidential, it cannot guarantee that others will not try to deduce their identity.

7. Human Rights Act 2019

QRIDA is committed to respecting, protecting and promoting human rights. Under the Human Rights Act 2019, QRIDA has an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision, to give proper consideration to human rights. When making a decision about this framework, decision makers must comply with that obligation.

8. Definitions and Glossary Terms

Term	Definition
Administrative action	(a) means any action about a matter of administration, including, for example: <ul style="list-style-type: none"> (i) a decision and an act; and (ii) a failure to make a decision or do an act, including a failure to provide a written statement of reasons for a decision; and (iii) the formulation of a proposal or intention; and (iv) the making of a recommendation, including a recommendation made to a Minister; and (v) an action taken because of a recommendation made to a Minister; and

Term	Definition
	(b) does not include an operational action of a police officer or of an officer of the Crime and Corruption Commission.
Appropriate Disclosure	<p>An appropriate disclosure is where:</p> <ul style="list-style-type: none"> • the discloser has an honest and reasonable belief that the information provided tends to show the conduct or danger; and • the information tends to show the conduct or danger regardless of the discloser’s belief.
Confidential information	<p>(a) includes —</p> <ul style="list-style-type: none"> (i) information about the identity, occupation, residential or work address or whereabouts of a person — <ul style="list-style-type: none"> (A) who makes a public interest disclosure; or (B) against whom a public interest disclosure has been made; and (ii) information disclosed by a public interest disclosure; (iii) information about an individual's personal affairs; and (iv) information that, if disclosed, may cause detriment to a person; and <p>(b) does not include information publicly disclosed in a public interest disclosure made to a court, tribunal or other entity that may receive evidence under oath, unless further disclosure of the information is prohibited by law.</p>
Corrupt conduct	<p>As defined in section 15 of the <i>Crime and Corruption Act 2001</i></p> <p>(1) Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—</p> <ul style="list-style-type: none"> (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of— <ul style="list-style-type: none"> (i) a unit of public administration; or (ii) a person holding an appointment; and (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that— <ul style="list-style-type: none"> (i) is not honest or is not impartial; or (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and (c) would, if proved, be— <ul style="list-style-type: none"> (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment. <p>(2) Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that;</p> <ul style="list-style-type: none"> (a) impairs, or could impair, public confidence in public administration; and (b) involves, or could involve, any of the following—

Term	Definition
	<ul style="list-style-type: none"> (i) collusive tendering; (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)— <ul style="list-style-type: none"> (a) protecting health or safety of persons; (b) protecting the environment; (c) protecting or managing the use of the State’s natural, cultural, mining or energy resources; (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets; (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue; (v) fraudulently obtaining or retaining an appointment; and (c) would, if proved, be— <ul style="list-style-type: none"> (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment.
Chief Executive Officer (CEO)	Chief Executive Officer of QRIDA.
Code of Conduct	QRIDA Code of Conduct.
Detriment	includes – <ul style="list-style-type: none"> (a) personal injury or prejudice to safety; and (b) property damage or loss; and (c) intimidation or harassment; and (d) adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade or business; and (e) financial loss; and (f) damage to reputation, including, for example, personal, professional or business reputation.
Disability	As defined in section 11 of the Disability Services Act 2006, for the purposes of this procedure: <ul style="list-style-type: none"> (1) A disability is a person’s condition that— <ul style="list-style-type: none"> (a) is attribute to— <ul style="list-style-type: none"> (i) an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment; or (ii) a combination of impairments mentioned in subparagraph (i); and (b) results in— <ul style="list-style-type: none"> (i) a substantial reduction of the person’s capacity for communication, social interaction, learning, mobility or self-care or management; and (ii) the person needing support.

Term	Definition
	<p>(2) For subsection (a), the impairment may result from an acquired brain injury.</p> <p>(3) The disability must be permanent or likely to be permanent.</p> <p>(4) The disability may be, but need not be, of a chronic episodic nature.</p>
Discloser	A person who makes a disclosure in accordance with the PID Act.
Disclosure by a Public Officer or person	<p>A QRIDA officer who discloses information about—</p> <p>(a) the conduct of another person that could, if proved, be—</p> <p style="padding-left: 40px;">(i) corrupt conduct; or</p> <p style="padding-left: 40px;">(ii) maladministration that adversely affects a person’s interests in a substantial and specific way; or</p> <p>(b) a substantial misuse of public resources (other than an alleged misuse based on mere disagreement over policy that may properly be adopted about amounts, purposes or priorities of expenditure); or</p> <p>A QRIDA officer who discloses information about—</p> <p>(c) a substantial and specific danger to public health or safety; or</p> <p>(d) a substantial and specific danger to the environment.</p>
Employee	Award and senior executive positions engaged on a full-time, part-time, permanent, temporary or casual basis (not including agency staff).
Executive Leadership Team (ELT)	<p>Chief Executive Officer</p> <p>Chief Lending Officer</p> <p>Chief Operating Officer</p> <p>Chief Engagement Officer</p>
Investigation	For the purposes of this procedure, investigation includes any enquiry undertaken to establish whether the information provided in a PID can be substantiated, including a review or audit.
Maladministration	<p>As defined in schedule 4 of the PID Act, maladministration is administrative action that—</p> <p>(a) was taken contrary to law; or</p> <p>(b) was unreasonable, unjust, oppressive, or improperly discriminatory; or</p> <p>(c) was in accordance with a rule of law or a provision of an Act or a practice that is or may be unreasonable, unjust, oppressive, or improperly discriminatory in the particular circumstances; or</p> <p>(d) was taken—</p> <p style="padding-left: 40px;">(i) for an improper purpose; or</p> <p style="padding-left: 40px;">(ii) on irrelevant grounds; or</p> <p style="padding-left: 40px;">(iii) having regard to irrelevant considerations; or</p> <p>(e) was an action for which reasons should have been given, but were not given; or</p> <p>(f) was based wholly or partly on a mistake of law or fact; or</p>

Term	Definition
	(g) was wrong.
Natural justice	<p>Natural justice, also referred to as ‘procedural fairness’ applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected. The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are:</p> <ul style="list-style-type: none"> • avoid bias; and • give a fair hearing. • act only on the basis of logically probative evidence.
Organisational support	<p>For the purposes of this procedure, organisational support means actions such as, but not limited to:</p> <ul style="list-style-type: none"> • providing moral and emotional support; • advising disclosers about agency resources available to handle any concerns they have as a result of making their disclosure; • appointing a mentor, confidante or other support officer to assist the discloser through the process; • referring the discloser to the agency’s Employee Assistance Program or arranging for other professional counselling; • generating support for the discloser in their work unit where appropriate; • ensuring that any suspicions of victimisation or harassment are dealt with; • maintaining contact with the discloser; and • negotiating with the discloser and their support officer a formal end to their involvement with the support program when it is agreed that they no longer need assistance.
Proper Authority	<p>A proper authority, is authorised to receive disclosures and can be:</p> <ul style="list-style-type: none"> (a) QRIDA; or (b) another public sector entity; or (c) a member of the Legislative Assembly.
Public Interest Disclosure	<p>Public Interest Disclosure is the disclosure of information about a suspected wrongdoing in the Public Sector or danger so that it can be properly assessed and investigated. For the disclosure to be considered as a PID, and attract the protections under the PID Act, it must be an appropriate disclosure, about public interest information made to a proper authority.</p>
QRIDA	Queensland Rural and Industry Development Authority

Term	Definition
Reasonable management action	<p>Action taken by a manager in relation to an employee, includes any of the following taken by the manager—</p> <ul style="list-style-type: none"> (a) a reasonable appraisal of the employee’s work performance; (b) a reasonable requirement that the employee undertake counselling; (c) a reasonable suspension of the employee from the employment workplace; (d) a reasonable disciplinary action; (e) a reasonable action to transfer or deploy the employee; (f) a reasonable action to end the employee’s employment by way of redundancy or retrenchment; (g) a reasonable action in relation to an action mentioned in paragraphs (a) to (f); and (h) a reasonable action in relation to the employee’s failure to obtain a promotion, reclassification, transfer or benefit, or to retain a benefit, in relation to the employee’s employment.
Reprisal	<p>The term ‘reprisal’ is defined under the PID Act as causing, attempting to cause or conspiring to cause detriment to another person in the belief that they or someone else:</p> <ul style="list-style-type: none"> • has made or intends to make a disclosure; or • has been or intends to be involved in a proceeding under the disclosure Act against any person. <p>Reprisal under the PID Act is a criminal offence and investigations may be undertaken by the Queensland Police Service.</p>
Subject Officer	<p>An officer who is the subject of allegations of wrongdoing made in a disclosure.</p>
Substantial and specific	<p>Substantial means 'of a significant or considerable degree'. It must be more than trivial or minimal and have some weight or importance. Specific means “precise or particular”. This refers to conduct or detriment that is able to be identified or particularised as opposed to broad or general concerns or criticisms.</p>

9. Legislative context

1. *Crime and Corruption Act 2011* (Qld)
2. *Information Privacy Act 2009* (Qld)
3. *Public Interest Disclosure Act 2010* (Qld)
4. *Public Records Act 2002* (Qld)
5. *Public Sector Ethics Act 1994* (Qld)
6. *Rural and Regional Adjustment Act 1994* (Qld)

10. Associated documentation

1. QRIDA Code of Conduct
2. QRIDA Risk Management Framework

- 3. QRIDA Recordkeeping Framework
- 4. QRIDA Access to Information Framework

11. References

- 1. Queensland Government – Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management program (PID Standard 1/2019)
- 2. Queensland Government – Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures (PID Standard 2/2019)
- 3. Queensland Government – Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting (PID Standard 3/2019)

12. Executive endorsement

Name: Cameron MacMillan	Position: Chief Executive Officer
Signature:	Date:

13. Version History

Date	Version	Action	Description / comments
2 May 2019	1.0		New framework updated to reflect the latest update of the Queensland Government PID Standards.
4 June 2021	1.1		Two yearly review - Minor name changes – added definition of Reasonable management action.