



What is a Public Interest Disclosure?

www.ibac.vic.gov.au

Protecting people who make genuine disclosures about improper conduct in the public sector is critical for an effective integrity and anti-corruption system.

Public Interest Disclosure

If you make a report about wrongdoing in the Victorian public sector and your report meets certain legal thresholds, you'll be protected under the *Public Interest Disclosures Act 2012* (Vic) (PID Act). Your identity as the person who made the report will be kept confidential and you'll be protected from bullying, harassment or legal action.

How to report corruption and misconduct

Reports about wrongdoing can be made directly to IBAC. Alternatively, some Victorian public sector agencies are authorised to receive public interest disclosures and may have a Public Interest Disclosure Coordinator who you can make a disclosure to. These agencies will report the matter to IBAC.

When a Public Interest Disclosure is reported, the identity of whoever made the complaint stays confidential and is legally protected. People who make complaints won't be fired, disciplined or bullied for making the complaint and no legal action can be taken against them.

Not all government agencies can receive Public Interest Disclosures. For a list of those that can, see page 2. If you are unsure what agency to report to, you can contact IBAC directly.

How are potential Public Interest Disclosures assessed?

IBAC uses specific criteria set out in the PID Act to decide whether a complaint is a public interest disclosure.

A Public Interest Disclosure should clearly show or suggest 'improper conduct' or 'detrimental action' by a public officer.

Improper conduct must be either criminal conduct or other wrong conduct specified under the Act. Examples include:

- serious professional misconduct
- intentional or reckless breach of public trust
- conduct that negatively impacts the honest performance of a public officer.

Detrimental action is action directed towards a person because they reported alleged improper conduct. It includes:

- harassment or discrimination
- other retaliation (such as unfairly firing someone).

To receive protection under the PID Act, your complaint must meet the criteria above.

Entities that can receive public interest disclosures

State government departments

- Department of Premier and Cabinet
- Department of Education
- Department of Health
- Department of Families, Fairness and Housing
- Department of Treasury and Finance
- Department of Energy, Environment and Climate Action
- Department of Jobs, Skills, Industry and Regions
- Department of Justice and Community Safety
- Department of Transport and Planning
- Department of Government Services.

Administrative offices

- Invest Victoria
- Latrobe Valley Authority
- Local Government Inspectorate
- Major Transport Infrastructure Authority
- Office of Projects Victoria
- Office of the Chief Parliamentary Counsel
- Office of the Governor
- Office of the Victorian Government Architect
- Public Record Office Victoria
- Safer Care Victoria: the Office for Safety and Quality Improvement
- Service Victoria
- Victorian Government Solicitors Office
- Victorian Skills Authority.

All local councils

Other entities

- Independent Broad-based Anti-corruption Commission (IBAC)
- Victorian Public Sector Commission
- Victorian Inspectorate (if the Public Interest Disclosure relates to IBAC or an IBAC officer, a Public Interest Monitor or, until 2 August 2024, the Office of the Special Investigator or a former OSI officer)
- Victorian Ombudsman
- Victoria Police
- The Office of the Special Investigator (if the Public Interest Disclosure relates to conduct of Victoria Police personnel arising from the use of Nicola Maree Gobbo as a human Source)
- Judicial Commission of Victoria
- Integrity and Oversight Committee (if the Public Interest Disclosure relates to the Victorian Inspectorate)
- Speaker of the Legislative Assembly or the Legislative Council (if the Public Interest Disclosure relates to a member of parliament).

Find out more

There are helpful resources available on the IBAC website at www.ibac.vic.gov.au/PID, including:

- IBAC fact sheet – *Reporting corruption and misconduct*
- IBAC complaint form.

If you work with an agency authorised to receive Public Interest Disclosures or you are a Public Interest Disclosure Coordinator, the following resources are also available:

- *Guidelines for handling public interest disclosures*
- *Guidelines for public interest disclosure welfare management*
- *Public interest disclosure procedures: key issues to consider*
- PowerPoint presentation for Public Interest Disclosure Coordinators to raise awareness inside their organisations.

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IBAC is Victoria's anti-corruption agency. We are responsible for preventing and exposing public sector corruption and police misconduct. We do this by:

- investigating serious corruption and police misconduct
- educating the public sector, police and community about the risks and impacts of corruption and police misconduct and how to prevent it.

To report corruption or misconduct, visit **www.ibac.vic.gov.au** or call **1300 735 135**.

If you need information in languages other than English, call the Translating and Interpreting Service on **13 14 50** or visit **www.ibac.vic.gov.au/mylanguage**