

Shire of Cocos (Keeling) Islands

Public Interest Disclosure – Guide

Version 1.0 | Date Issued: July 2025

Review Due: 8 July 2027

Contents

1. About Public Interest Disclosures
2. We Should All Speak Up
3. What Is a Public Interest Disclosure?
4. What's the Difference Between a PID, a Grievance, and a Complaint?
5. Why Should I Speak Up?
6. Who Is the PID Officer?
7. Can I Make a Disclosure?
8. What Is Public Interest Information?
9. Definitions: Public Authority, Officer, Contractor
10. What Is a Public Function?
11. Who Can I Make a Disclosure To?
12. Other Reporting Avenues
13. Protections Under the PID Act
14. Your Responsibilities as a Discloser
15. Making a Disclosure
16. What Happens After Disclosure?
17. Confidentiality and Victimisation
18. Contact Information
19. Further Assistance
20. Acknowledgement

1. About Public Interest Disclosures

The *Public Interest Disclosure Act 2003 (WA)* (PID Act) encourages people to report wrongdoing in the public sector without fear of reprisal. This guide provides key information to help you understand how to make a disclosure, your protections, and responsibilities.

2. We Should Speak Up

Public authorities rely on honest reporting to identify and resolve misconduct, risks, or mismanagement. Speaking up helps maintain accountability and integrity.

3. What Is a Public Interest Disclosure (PID)?

A PID is a report made under the PID Act about suspected wrongdoing by a public authority, officer, or contractor performing a public function. It must contain public interest information and be made to a proper authority.

4. What's the Difference Between a PID, a Grievance, and a Complaint?

- PID: Serious wrongdoing affecting the public interest.
- Grievance: A personal workplace issue, e.g. performance management or interpersonal conflict.
- Complaint: Dissatisfaction with a service or decision, usually resolved through a standard complaints process.

5. Why Should I Speak Up?

By reporting wrongdoing, you help:

- Prevent further misconduct or harm
- Improve public services
- Protect public health, safety, and the environment
- Ensure proper use of public resources

6. Who Is the PID Officer

The Shire's Chief Executive Officer designates a PID Officer under section 23(1)(a) of the PID Act. The PID Officer is responsible for receiving and managing disclosures.

Designated PID Officer

Name: Ibrahim Macrae

Position: Manager Governance, Risk and Planning

Email: ibrahim.macrae@cocos.wa.gov.au

Phone: (08) 9162 6649

Address: 256 Jalan Melati, Shire Administration Office, Home Island, Cocos (Keeling) Islands, INDIAN OCEAN 6799

Please mark disclosures as "Private and Confidential"

7. Can I Make a Disclosure

Yes, if:

- You believe the information is or may be true.
- The information shows or tends to show wrongdoing under the PID Act.
- The disclosure is made to a proper authority.

8. What Is Public Interest Information?

Public interest information includes:

- Improper conduct
- Corruption or criminal offence
- Misuse or mismanagement of public resources
- Substantial risk to health, safety, or the environment
- Maladministration affecting individuals

9. Definitions

- Public Authority: State agency, local government (like the Shire), or public university.
- Public Officer: Employees, elected members, judicial officers, police, etc.
- Public Sector Contractor: Any person or business contracted to provide public services.

10. What Is a Public Function?

The wrongdoing must be related to the person or body performing a public duty or function.

11. Who Can I Make a Disclosure To?

Disclosures must be made to a proper authority based on the type of wrongdoing. This may include:

- The Shire's PID Officer
- The Corruption and Crime Commission
- The Ombudsman
- The Auditor General
- The Australian Federal Police
- The Public Sector Commission

12. Other Reporting Avenues

Depending on the issue, you might consider:

- CCC – Serious misconduct
- PSC – Minor misconduct
- Australian Federal Police – Criminal matters
- Ombudsman – Maladministration
- Equal Opportunity Commission – Discrimination

13. Protections Under the PID Act

If you make a valid disclosure:

- You are protected from civil/criminal liability.
 - Your identity is kept confidential.
 - Your employment is protected from dismissal or reprisal.
- Note:* You are not protected from consequences of your own misconduct.

14. Your Responsibilities as a Discloser

You must:

- Have reasonable belief your information is true.
- Keep the disclosure confidential.
- Cooperate with investigations.
- Not make a knowingly false or misleading disclosure (offence: \$12,000 fine or 1 year imprisonment).

15. Making a Disclosure

- Contact the PID Officer to seek advice.
- Clearly state the disclosure is being made under the PID Act.
- Provide facts and evidence where possible.
- Disclosures can be made in writing or verbally.

Anonymous disclosures are allowed but harder to investigate and protect.

16. What Happens After Disclosure?

The PID Officer will assess whether:

- The matter qualifies under the PID Act
- Investigation is required
- The matter needs to be referred elsewhere

You will be informed within three months of the action taken and given a final outcome report once the matter is closed.

17. Confidentiality and Victimisation

- Your identity and all related information must remain confidential.
- Retaliation against disclosers is unlawful.
- Report any suspected victimisation to the PID Officer or CEO.

Victims of reprisals may also seek remedies through:

- The Equal Opportunity Commission
- The Supreme Court
- Civil legal action

18. Contact Information

Shire of Cocos (Keeling) Islands

PID Officer: Ibrahim Macrae

Phone: (08) 9162 6649

Email: ibrahim.macrae@cocos.wa.gov.au

Mail: PO Box 1094, Home Island WA 6799

Office: 256 Jalan Melati, Home Island

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19. Further Assistance

Public Sector Commission Advisory Line:

- Phone: (08) 6552 8888
- Toll Free: 1800 676 607
- Website: www.wa.gov.au/public-interest-disclosures

20. Acknowledgement

This guide is based on material provided by the Public Sector Commission, adapted to suit the operational context of the Shire of Cocos (Keeling) Islands.