



Australian Government



Services
Australia

▶ Procedures for dealing with public interest disclosures

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Procedures for dealing with public interest disclosures

I, Chris Birrer, Acting Chief Executive Officer, Services Australia, establish these procedures under subsection 59(3) of the *Public Interest Disclosure Act 2013*.



Dated: 18 December 2023

1. INTRODUCTORY MATTERS

Section 3 of this document constitutes Services Australia's procedures for facilitating and dealing with public interest disclosures for the purposes of subsection 59(3) of the ***Public Interest Disclosure Act 2013 (PID Act)***.

Services Australia is committed to the highest standards of ethical and accountable conduct. Services Australia encourages the reporting of wrongdoing under the PID Act and will act on disclosures where appropriate and protect disclosers from any reprisals or threats of reprisals as a result of making a disclosure. These protections will also extend to other public officials providing assistance to a public interest disclosure, for example as a witness.

The operation of these procedures will be reviewed regularly to ensure their continued effectiveness.

In these procedures, all references to the Principal Officer are to the Chief Executive Officer (CEO) and include references to their delegates.

2. WHAT ARE PUBLIC INTEREST DISCLOSURES

It is important to note that not all disclosures of information that might be made to Services Australia will be a 'public interest disclosure' for the purposes of the PID Act (a PID). A disclosure of information will only be a PID to which these procedures relate if it meets the following requirements:

- a) it is made by a public official or a person who has been a public official;¹
- b) the information tends to show, or the discloser believes on reasonable grounds that the information tends to show, one or more instances of 'disclosable conduct' as defined by the PID Act;²
- c) the disclosure is made to an appropriate person;³ and
- d) the disclosure is not made in the course of performing the discloser's ordinary functions as a public official.

¹ This includes a current or former APS employee or contracted service provider: see section 69 of the ***PID Act***.

² What does and does not constitute 'disclosable conduct' is defined in sections 29-33 of the PID Act.

³ Generally, to constitute a PID, the disclosure must first be made to an 'authorised internal recipient' or a supervisor of the discloser as defined in sections 34 and 8 (respectively) of the PID Act. In some limited circumstances, a disclosure can be made to an external party. The PID Act sets out strict requirements which must be met for such external disclosures to be afforded the protections contained in the PID Act: see section 26 of the ***PID Act***.

An overview of these key requirements, prepared by the Commonwealth Ombudsman, is available [online](#).

Only if each of the above requirements has been met will the disclosure be covered by the PID Act, and the discloser have the benefit of the protections that it confers. Accordingly, it is important that persons contemplating making a disclosure of information carefully review the contents of the PID Act and seek legal advice where appropriate in order to determine whether the disclosure can be made in a way that attracts the protections of the PID Act.

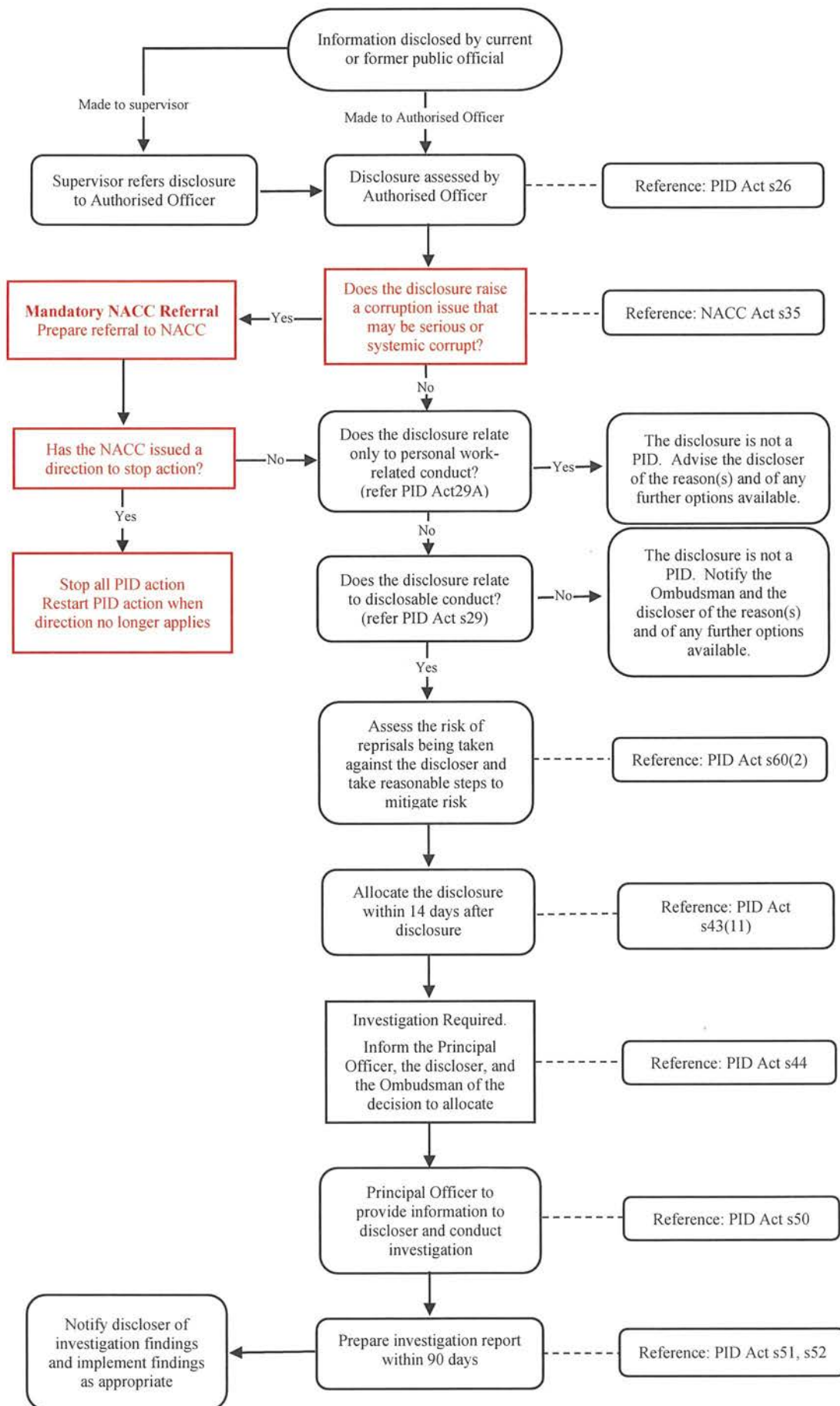
In addition, making a disclosure will not protect a discloser from the consequences of their own wrongdoing, including where they have been involved in the misconduct they are reporting. The discloser's immunity from liability under the PID Act relates only to the act of making the public interest disclosure, not the conduct the disclosure is about.

Similarly, the immunities under the PID Act do not extend to protect a person from liability for knowingly making false or misleading statements.

Summaries of the rights and responsibilities of a discloser and a person who is the subject of a disclosure under this procedure are set out at [Attachment A](#) and [Attachment B](#) respectively.

Further guidance material is available from the [Commonwealth Ombudsman](#).

3. HANDLING PUBLIC INTEREST DISCLOSURES WORKFLOW



4. PROCEDURES

3.1 AUTHORISED OFFICERS

Services Australia maintains a list of Authorised Officers for the purposes of the PID Act who have been appointed by the Principal Officer. A public official can make a disclosure to an Authorised Officer of Services Australia if the PID relates to Services Australia, or the discloser belongs, or previously belonged to, Services Australia.

Contact details for the Authorised Officers can be accessed online from the Services Australia intranet and website.

3.2 DISCLOSURE TO A SUPERVISOR

A public official may make a disclosure to their supervisor (defined as any public official who supervises or manages the discloser). If a public official discloses information to a supervisor and the supervisor has reasonable grounds to believe that the information concerns, or could concern, disclosable conduct, the supervisor must give the information to an Authorised Officer of Services Australia as soon as reasonably practicable.

Under the PID Act, a supervisor must also explain the following matters to a discloser:

- that their disclosure could be treated as an internal disclosure
- the procedures under the PID Act for the disclosure to be given to an authorised officer, allocated to an agency and investigated by a principal officer of the agency
- the circumstances (if any) in which a disclosure must be referred to an agency, or other person or body, under another law of the Commonwealth, and
- the civil and criminal protections the PID Act provides to protect disclosers and witnesses from reprisal action.

Reference material and supporting information for supervisors and managers can be accessed on the intranet.

3.3 PROTECTING CONFIDENTIALITY

The Authorised Officer and the Principal Officer will take all reasonable steps to protect the identity of a public official who has made a PID from the time the disclosure is made.

Only individuals directly involved in dealing with the PID (such as the Authorised Officer and the Principal Officer), or who are responsible for ensuring Services Australia's compliance with the PID Act, may be advised of the details of the PID. These individuals must not disclose the identity of the discloser or any information which is likely to reveal the identity of the discloser without the consent of the discloser.

It is an offence for a public official to disclose information that is likely to enable the identification of a person as a person who has made a public interest disclosure other than in accordance with the PID Act.

Similarly, if a person discloses information to another person or uses information otherwise than in accordance with the PID Act, the person commits an offence if the information was obtained by the person:

- in the course of conducting a disclosure investigation; or
- in connection with the performance of a function or the exercise of a power by the person under the PID Act.

Identifying information about a discloser will not be disclosed to a court, tribunal or commission except where necessary to give effect to the PID Act. Where the identity of a discloser is relevant to a corruption issue referred to the National Anti-Corruption Commission (**NACC**), the PID officer may be required to include the identity of the discloser in the referral.

If a person improperly discloses information about a PID investigation, including details about a discloser or witnesses, they may be in breach of the duty to maintain confidentiality in relation to official information they have gained in the course of their work. Furthermore, the person may be subject to other civil, criminal or disciplinary action (noting that disclosure of identifying information is an offence under s20 of the PID Act).

3.4 INITIAL CONSIDERATION AND ALLOCATION

Step 1: Consider whether a disclosure meets the requirements for a PID

When an Authorised Officer receives a disclosure of suspected wrongdoing, they will consider the information disclosed and determine whether there are reasonable grounds on which the disclosure could be considered to be an internal disclosure made in accordance with the PID Act. The Authorised Officer must also consider whether a mandatory referral to the NACC applies.

If the Authorised Officer is so satisfied:

- they will allocate the disclosure to one or more agencies for further handling and investigation in accordance with the process outlined at [Step 2](#).

If the Authorised Officer is not so satisfied:

- the disclosure will not be allocated and:
 - if contacting the discloser is reasonably practicable, inform the discloser in writing of:
 - the reasons why the disclosure will not be allocated to an agency; and
 - any other course of action that might be available to the discloser under other laws of the Commonwealth; and
 - if the disclosure relates to conduct that may need to be addressed under Services Australia's:
 - [Fraud and Corruption Control Plan](#);
 - [Code of Conduct Manual](#);
 - [Procedures for determining breaches of the APS Code of Conduct and the imposition of sanctions](#);
 - [Work Health and Safety Policy](#); or
 - any other of [Services Australia's policies or procedures](#) including [Reviewing Decisions and Action Policy](#);

the Authorised Officer may refer the matter to be dealt with in accordance with the relevant policy or procedure.

When an Authorised Officer decides not to allocate the handling of a disclosure to an agency, they must keep an appropriate written record of:

- the decision; and
- the reasons for the decision.

If the Authorised Officer suspects there is serious or systemic corrupt conduct:

- the disclosure must be referred to the NACC if the disclosure:
 - raises a corruption issue for NACC purposes; and
 - the corruption issue concerns a person who is, or was a staff member of the agency while that person is, or was, a staff member of the agency; and
 - there is a suspicion the issue could involve serious or systemic corrupt conduct.

If the disclosure must be referred to the NACC, the Authorised Officer must refer the matter as soon as reasonably practical after becoming aware of the issue.

Step 2: Allocate the disclosure

The Authorised Officer will use their best endeavours to decide the allocation within 14 days after the disclosure is made. If however, a mandatory referral to the NACC has been made and the NACC has issued a stop action direction preventing the PID process from continuing, the Authorised Officer must not allocate the disclosure or take further action until the direction no longer applies.

In deciding the agency or agencies to which a disclosure will be allocated, the Authorised Officer will have regard to:

- the principle that an agency should only deal with disclosures that relate to that agency; and
- such other matters (if any) as the Authorised Officer considers relevant.

In addition, if the Authorised Officer is contemplating allocating the disclosure to the Ombudsman, the Inspector-General of Intelligence and Security (IGIS) or an investigative agency that has been prescribed by the Public Interest Disclosure Rules, the Authorised Officer must have regard to additional matters set out in the PID Act.⁴

The Authorised Officer must not allocate a disclosure to another agency unless an Authorised Officer of that agency has consented to the allocation.

Step 3: Inform relevant persons of the allocation

Informing the receiving agency

When the Authorised Officer allocates the handling of a disclosure to an agency, the Authorised Officer will inform the principal officer of that agency of:

- the allocation to the agency;
- the information that was disclosed to the Authorised Officer;
- the suspected disclosable conduct; and
- if the discloser's name and contact details are known to the Authorised Officer, and the discloser consents to the Principal Officer being informed – the discloser's name and contact details.

⁴ See section 43(5)(ii)-(iv) of the [PID Act](#).

Informing the discloser

If contacting the discloser is reasonably practicable, as soon as reasonably practicable after the allocation has occurred, the Authorised Officer will also inform the discloser in writing of the allocation and of the information that has been provided to the principal officer of that agency.

Informing other relevant bodies (including the Commonwealth Ombudsman)

If the Authorised Officer allocated a disclosure to an agency, including Services Australia itself, other than the Ombudsman, the IGIS or an intelligence agency, they will inform the Ombudsman of this in writing. If the disclosure is allocated to an intelligence agency, the Authorised Officer will inform the IGIS of this in writing.

If the Authorised Officer considers the information concerns a potential corruption issue that they suspect involves serious or systemic corrupt conduct, NACC mandatory reporting requirements apply. All relevant information that is in possession or control of the PID officer at the time of the referral must be provided to the NACC. The Authorised Officer must also provide the reason they suspect there is serious or systemic corrupt conduct to the NACC.

Step 4: Make a record of the allocation decision

Record of decision

When an Authorised Officer allocates the handling of a disclosure to one or more agencies, they must keep an appropriate written record of:

- the decision (including the name of each agency to which the disclosure is to be allocated);
- the reasons for the decision; and
- the consent provided by the Authorised Officer of the agency to which the allocation is made.

Record of communication of decision to discloser

In addition, the Authorised Officer must keep appropriate written records of whether the discloser was informed of the allocation decision and, if so, of:

- the day and time the discloser was notified; and
- the means by which the discloser was notified; and
- the content of the notification.

These records should be kept confidential.

3.5 RISK ASSESSMENT

Step 1: Conduct a risk assessment

Reprisal occurs if someone causes any detriment to another person because they believe or suspect that person has made, may have made, proposes to make, or could make, a public interest disclosure. The PID Act provides protections to the discloser, the official who is the subject of an allegation, witnesses, and any other staff, including those supporting an investigation because of a public interest disclosure (including a proposed or suspected public interest disclosure).

When allocating or referring a PID to Services Australia, the Authorised Officer will undertake an accurate and objective risk assessment to assess the level of risk of reprisals, and to identify and implement suitable strategies to mitigate the risks occurring.

'Detriment' includes, but is not limited to, any of the following:

- dismissing an employee
- injuring an employee in their employment
- altering an employee's position to their disadvantage
- discriminating between an employee and other employees
- harassing or intimidating a person
- harming or injuring a person, including psychological harm
- damaging a person's property
- damaging a person's reputation
- damaging a person's business or financial position, or
- any other damage to a person.

In assessing the risk of reprisals, the following risk matrix should be used:

		Likely seriousness of reprisal			
		Minor	Moderate	Major	Extreme
Likelihood of reprisal being taken against a discloser	Almost certain	Medium	High	High	High
	Likely	Medium	Medium	High	High
	Unlikely	Low	Low	Medium	Medium
	Highly unlikely	Low	Low	Low	Medium

Examples of seriousness of reprisals

- Minor: Occasional or one-off action that is likely to have a relatively minor adverse effect on the person (for example, occasional exclusion from a social activity).
- Moderate: Repeated action which is likely to have an adverse effect on the person (for example, routinely failing to "CC" the person on work-related emails).
- Major: Sustained or one-off action which has a significant impact on the person (for example, consistently excluding the person from team discussions or imposing a negative performance assessment on the person).
- Extreme: Action which is likely to have a very severe impact on the person (for example, physical violence or the denial of a promotion opportunity).

Criteria for assessing likelihood and seriousness of potential reprisals

When considering the likelihood, and the likely seriousness, of any potential reprisal against any person, all relevant factors should be considered, including:

- if the discloser is vulnerable
- any threats or past experiences
- whether confidentiality can be maintained
- the significance of the reported wrongdoing
- any other relevant risk factors.

Criteria for assessing likely seriousness of potential reprisals

In considering the likely seriousness of any potential reprisal against a person, all relevant factors should be considered, including:

- the significance of the issue being disclosed
- the likely outcome if the conduct disclosed is substantiated
- the subject matter of the disclosure
- whether the person is isolated or vulnerable
- whether confidentiality can be maintained
- whether the alleged wrongdoing that is the subject of the disclosure was directed at the person; and
- the relative positions of the person and the person whose alleged wrongdoing is the subject of the disclosure.

When conducting the risk assessment, where consistent with protecting the discloser's confidentiality, the discloser may be asked why they are reporting the wrongdoing and who they might fear a reprisal from. The Authorised Officer may also speak to the discloser's supervisor or manager.

Step 2: Develop a risk mitigation strategy if necessary

Where the risk level is assessed as anything greater than low, a risk management strategy will be developed for mitigating the risk of reprisals being taken against the discloser. This strategy may include some or all of the support measures set out at [paragraph 3.6](#) and, in appropriate circumstances could include raising the matter with employees by reminding them that it is a criminal offence to take a reprisal against a person because of a public interest disclosure (including a proposed or suspected public interest disclosure).

Step 3: Monitor and review risks

The Principal Officer should monitor and review the risk assessment as necessary throughout the investigation process.

3.6 SUPPORT FOR DISCLOSERS

Regardless of the outcome of the risk assessment, the Principal Officer will take all reasonable steps to protect public officials who have made a PID, from detriment or threats of detriment relating to the PID.

This may include taking one or more of the following actions:

- with the discloser's consent, appointing a support person who is responsible for regularly checking on the wellbeing of the discloser
- informing the discloser of the progress of the investigation
- advising the discloser of the availability of the Employee Assistance Program
- where there are any concerns about the wellbeing of the discloser, consulting with officers responsible for work health and safety in Services Australia; or
- transferring the discloser to a different area within the workplace after consultation with the discloser.

3.7 SUPPORT FOR A PERSON AGAINST WHOM A DISCLOSURE HAS BEEN MADE

The Principal Officer will also take steps to support any employee who is the subject of a PID which proceeds to investigation.

This may include taking one or more of the following actions:

- advising the employee of their rights and obligations under the PID Act and about Services Australia's investigation procedures, including the employee's rights to procedural fairness
- advising the employee of the availability of the Employee Assistance Program
- ensuring that the identity of the employee is kept confidential as far as reasonably practicable
- where there are any concerns about the health and wellbeing of the employee, consulting with officers responsible for work health and safety in Services Australia; or
- transferring the employee to a different area within the workplace after consultation with the employee.

3.8 CONSIDERATION AND INVESTIGATION BY PRINCIPAL OFFICER

Step 1: Provide initial information to disclosers

Within 14 days, or as soon as reasonably practicable, of Services Australia being allocated a PID, the Principal Officer will provide the discloser with the following information about their powers to:

- decide not to investigate the disclosure
- decide not to investigate the disclosure further; or
- decide to investigate the disclosure under a separate investigative power.

Step 2: Consider whether to investigate the disclosure

If a PID is allocated to Services Australia, the Principal Officer will consider whether or not to investigate the PID.

The Principal Officer may decide not to investigate a disclosure if they consider that:

- the discloser is not, and has not been, a public official;
- the information does not, to any extent, concern serious disclosable conduct;
- the disclosure is frivolous or vexatious;
- the information is the same or substantially the same as disclosable conduct that has been or is currently being investigated as part of another disclosure investigation;
- the information concerns disclosable conduct that is the same or substantially the same as disclosable conduct that is being investigated under a law of the Commonwealth or the executive power of the Commonwealth and:
 - the Principal Officer is reasonably satisfied that there are no further matters concerning the disclosure that warrant investigation; or
 - it would be inappropriate to conduct another investigation at the same time.
- the discloser has informed the Principal Officer that they do not wish for the investigation of the disclosure to be pursued and the Principal Officer is reasonably satisfied that there are no matters concerning the disclosure that warrant investigation;
- it is impracticable for the disclosure to be investigated because:
 - the discloser's name and contact details have not been disclosed;
 - the discloser fails or is unable to give such information or assistance as the person who is or will be investigating asks the discloser to give; or
 - the age of the information makes this the case.

If the above circumstances do not apply, the Principal Officer will conduct an investigation.

Step 3: Notify the discloser and Ombudsman

If the disclosure will not be investigated

If the Principal Officer decides not to investigate a disclosure, they will:

- if reasonably practicable to contact the discloser, inform the discloser that the Principal Officer has decided not to investigate the disclosure, identifying:
 - the reasons for the decision not to investigate (other than those reasons that would be exempt for the purposes of Part IV of the *Freedom of Information Act 1982* (FOI Act), have or be required to have a national security or other protective security classification or contain intelligence information); and
 - any courses of action that might be available to the discloser under other laws of the Commonwealth; and
- inform the Ombudsman of the decision not to investigate and the reasons for that decision.

If the disclosure will be investigated

If the Principal Officer decides to investigate the disclosure, they will, as soon as reasonably practicable, inform the discloser:

- that they are required to investigate the disclosure; and
- of the estimated length of the investigation.

Step 4: Conduct an investigation

If the Principal Officer decides to investigate, the Principal Officer will investigate whether there are one or more instances of disclosable conduct.

General principles

The following general principles will apply to the conduct of investigations:

- maintaining the confidentiality of the identity of the discloser will be paramount when conducting the investigation;
- the investigation will be conducted with as little formality as a proper consideration of the matter allows;
- the investigation will be conducted in accordance with the principles of natural justice;
- a decision on whether evidence is sufficient to prove a fact will be determined on the balance of probabilities; and
- a person who is the subject of the investigation will be provided with an opportunity to respond.

Aside from compliance with these principles, the Principal Officer is free to conduct the investigation as they see fit. The way in which the investigation is conducted may vary depending on the alleged conduct that is being investigated. In particular, in circumstances where the Principal Officer considers that the nature of the disclosure is such that the outcome of the investigation is likely to be referral of the matter for investigation under another process or procedure, the investigation under these procedures may appropriately be conducted in a circumscribed way.

Additional procedures required in particular circumstances

If a disclosure relates to conduct that would require Services Australia to take steps under Services Australia's:

- Fraud Policy Statement
- Code of Conduct Manual
- Procedures for determining breaches of the APS Code of Conduct and the imposition of sanctions
- Work Health and Safety Policy; or
- any other of Services Australia's policies or procedures,

the processes set out in those procedures and policies must be complied with in the conduct of an investigation under these procedures.

If the Authorised Officer or the Principal Officer considers a disclosure involves corrupt conduct that is serious or systemic, the matter must be referred to the NACC. The allocation or investigation of the PID will continue following the referral unless the NACC has issued a stop action direction. Timeframes under the PID Act restart from the day on which the PID officer becomes aware that a stop action direction no longer applies.

If the Principal Officer considers that information disclosed in the course of a PID may be appropriately dealt with under another procedure or policy of Services Australia, they may recommend in the investigation report that this occur and refer the matter to the relevant part of Services Australia.

Obtaining information

Instances of disclosable conduct may relate to information that is disclosed or information obtained in the course of the investigation rather than information provided in the initial disclosure.

During the investigation, the Principal Officer may obtain information from such persons and make such inquiries as they see fit.

When being interviewed as part of an investigation, an interviewee will be informed of the following:

- the identity and function of each individual conducting the interview;
- the process of conducting an investigation;
- the authority of the Principal Officer to conduct the investigation; and
- the protections provided to witnesses under Part 2 of the PID Act.

The Principal Officer will ensure:

- an audio or visual recording of the interview is not made without the interviewee's knowledge;
- when the interview ends, the interviewee is given an opportunity to make a final statement or comment or express a position; and
- any final statement, comment or position by the interviewee is included in the record of the interview.

In conducting the investigation, the Principal Officer may adopt findings set out in reports of investigations or inquiries under other Commonwealth laws or executive powers, or other investigations under the PID Act.

Referral of information to police and others

If, during the course of the investigation, the Principal Officer suspects on reasonable grounds that some of the information disclosed or obtained in the course of the investigation is evidence of the commission of an offence against a law, the Principal Officer may disclose the information to a member of an Australian police force. If the information relates to an offence that is punishable for a period of at least two years, the Principal Officer must disclose the information to a member of an Australian police force.

The investigation may also include consideration of whether a different or further investigation should be conducted by the agency or another body under another law of the Commonwealth.

Step 5: Prepare investigation report

Once the Principal Officer has completed the investigation, they will prepare a report of the investigation.

The Principal Officer must complete the investigation report within 90 days after the disclosure was allocated, unless this period is extended by the Ombudsman. If the period is extended, the Principal Officer will inform the discloser of the progress of the investigation.

Content of report

The report must set out:

- the matters considered in the course of the investigation
 - the duration of the investigation
 - the Principal Officer's findings (if any)
 - any regulations, rules, administrative requirements or similar matters to which the disclosable conduct relates
 - the action (if any) that has been, is being or is recommended to be taken; and
- to the extent relevant:
- the steps taken to gather evidence;
 - a summary of the evidence; and
 - any claims made about, and any evidence of detrimental action taken against the discloser, and the agency's response to those claims and that evidence.

Step 6: Provide report to discloser

If it is reasonably practicable to contact the discloser, the Principal Officer will provide the discloser with a copy of the report within a reasonable time after preparing the report. However, the Principal Officer may delete from the copy of the report given to the discloser any material:

- that is likely to enable the identification of the discloser or another person; or
- would be exempt for the purposes of Part IV of the FOI Act, would require a national security or other protective security clearance, contains intelligence information or contravenes a designated publication restriction as defined in the PID Act.

ATTACHMENT A – RIGHTS AND RESPONSIBILITIES OF DISCLOSERS

Rights

A discloser has a right to the protections set out in the PID Act, including protection from reprisals, from civil and criminal liability, and from the disclosure of their identity where the disclosure is not made anonymously. However, a disclosure does not protect the discloser from the consequences of their own wrongdoing, including where they have been involved in the misconduct that they are reporting.

During the PID process, a discloser will be advised:

- of any decision to allocate, or not to allocate, a disclosure, including the reasons for the decision and any action that may be available
- of any decision of Services Australia to investigate, not to investigate, or not to investigate further, a disclosure, including the reasons for the decision and any action that may be available
- of the estimated duration of the investigation into the disclosure
- if the disclosure is referred to another agency or body, including the NACC
- if a stop action direction is issued or revoked by the NACC
- if an extension of time is granted by the Ombudsman or IGIS, the progress of the investigation
- of the outcome of the investigation, including provision of a copy of the investigation report, except to the extent that the information would cause the report to:
 - be exempt under the *Freedom of Information Act 1982*,
 - have a national security or other protective security classification,
 - contain intelligence information, or
 - contravene a designated publication restriction
- the support provided in accordance with [paragraph 3.6](#) of these procedures.
- of the availability to seek assistance from the Ombudsman in relation to the operation of the PID Act.

Responsibilities

A discloser must:

- comply with the PID Act requirements and the procedures set out in this document when making a disclosure
- use their best endeavours to assist the Principal Officer in the conduct of an investigation
- report to the Principal Officer any detriment the discloser believes they have been subjected to as a result of making the disclosure.

In making a disclosure, a discloser should:

- be clear and factual; and
- avoid speculation, personal attacks and emotive language.

A discloser should not attempt to investigate the matter themselves before making the disclosure or during an investigation, as doing so may risk compromising the investigation of the matter.

A discloser should cooperate with actions proposed by the Principal Officer to protect the discloser from reprisals or the threat of reprisals or address work health and safety risks. In particular, although a discloser will be consulted regarding any actions proposed to be taken, such actions may be taken without the consent of the discloser.

ATTACHMENT B – RIGHTS AND RESPONSIBILITIES OF PERSONS WHO ARE THE SUBJECT OF A PID

Rights

An employee of Services Australia who is the subject of a disclosure will be:

- given support in accordance with [paragraph 3.7](#) of the procedures; and
- able to seek assistance from the Ombudsman in relation to the operation of the PID Act.

Responsibilities

An employee of Services Australia who is the subject of a disclosure must:

- use their best endeavours to assist the Principal Officer of any agency in the conduct of an investigation;
- use their best endeavours to assist the Ombudsman in the performance of the Ombudsman's functions under the PID Act;
- use their best endeavours to assist the IGIS in the performance of the IGIS's functions under the PID Act;
- comply with action taken by Services Australia to address risks or concerns in relation to the PID, which may include, without limitation, transferring the employee to a different work area or assigning the employee different duties.

An employee who is the subject of a disclosure should also be aware that the outcome of an investigation under the Procedures set out in this document may result in another, different investigation (for example, a Code of Conduct investigation) taking place.

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