



GANDANGARA
Local Aboriginal Land Council

Policy Name:	Public Interest Disclosure (PID) Policy		
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Responsible:	Chief Executive Officer Director of Enterprise Investment & Corporate Services Program Director Health Services Manager Transport Services Manager Marumali Team Leader		
Authorised by:	GLALC Board	Date:	28/05/25

1. Policy Statement

Gandangara Local Aboriginal Land Council (GLALC) and its entities Gandangara Health Service (GHS), Gandangara Transport Service (GTS) and Marumali Ltd, referred to collectively in this document as “The Gandangara Group” is committed to creating a workplace that values integrity, accountability and transparency. The Gandangara Group recognises the importance of stakeholders who speak-up when they observe improper or illegal conduct. The purpose of this policy is to describe the obligations of the Gandangara Group in regard to reporting wrongdoing and also to describe the protections that are in place to support individuals who report wrongdoing.

2. Scope

This policy applies to the following individuals within the organisation:

- (a) GLALC Board Members
- (b) GLALC Members
- (c) Personnel
- (d) Service Users
- (e) Members of the public

3. Policy Description

3.1 Principles

- (a) All personnel associated with the Gandangara Group must comply with Group policies and procedures and Australian Law.

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- (b) The Gandangara Group therefore expects that all personnel should report any wrongdoing and will support anyone reporting wrongdoing as described in this policy.
- (c) The Gandangara Group will not allow any form of reprisal either implied or actual against any whistleblower.
- (d) The benefits of reporting wrongdoing include:
 - (i) Allowing the Gandangara Group to comply with regulatory and legal obligations
 - (ii) Allows a more rapid Group response to illegal and undesirable conduct resulting in increased workplace efficiency and reduction in waste
 - (iii) Promotes a culture of transparency, integrity and ethical conduct
 - (iv) Improves the morale of personnel knowing that individuals doing the right thing are supported and that the Organisation they work for is a moral and ethical workplace
 - (v) Provides a healthier and safer work environment
- (e) The purpose of this policy is to set out:
 - (i) The legislation that governs Public Interest Disclosures, whistleblower protections and record keeping obligations
 - (ii) What is a disclosable matter
 - (iii) Who a Public Interest Disclosure can be made to
 - (iv) What protections and support are in place for whistleblowers
 - (v) What are the rights of individuals who are the subject of a disclosure
 - (vi) Describe the oversight of Public Interest Disclosure processes within GLALC
- (f) All personnel, board members and members must conform to the Codes of Conduct that relate to them. See [Code of Conduct – Staff](#); [Code of conduct – Board Members](#), [Code of Conduct – GLALC Members](#) which describes the standards of behaviour that are expected of these groups of individuals as they are associated with the Group.
- (g) This policy is available on GLALC’s publicly available website
- (h) A hard copy can be requested from the disclosure officer – Haydn Allbutt (see clause 3.24 for contact details)

3.2 Legislation governing the reporting of wrongdoing

- (a) The [Public Interest Disclosures Act 2022 No 14](#) (PID Act) encourages and facilitates disclosure of:
 - (i) Corrupt conduct
 - (ii) Government information contravention and local government pecuniary interest contravention
 - (iii) Serious Maladministration
 - (iv) Privacy Contravention
 - (v) Serious and substantial waste of public resources
- (b) The [PID Act](#):

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- (i) Protects people from reprisals as a result of making Public Interest Disclosures
 - (ii) Allows public interest disclosures to be properly investigated
 - (iii) Prevents beneficial or detrimental treatment of people in order to get them make a disclosure, refrain from making a disclosure or to withdraw a disclosure
- (c) [Section 16\(h\)](#) of the PID Act defines a Local Aboriginal Land Council constituted under the Aboriginal Land Rights Act 1983 (NSW) as an Agency under the PID act.
- (d) Section 43 of the [PID Act](#) outlines the compulsory information that must be contained in an agency's PID policy.
- (e) The NSW Ombudsman has oversight of the Public Interest Disclosures Act 2022 (section 72) - <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#sec.72>
- (f) To be protected by the Public Interest Disclosures Act 2022 (NSW) a disclosure must be made by a public official. The full list of public officials covered by the PID Act is provided in section 14 of the Act (<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#sec.14>):
- (i) a person employed in or by an agency or otherwise in the service of an agency,
 - (ii) a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate,
 - (iii) an individual in the service of the Crown,
 - (iv) a statutory officer,
 - (v) a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer,
 - (vi) if an entity, under a contract, subcontract or other arrangement, is to provide services on behalf of an agency or exercise functions of an agency in whole or in part—an employee, partner or officer of the entity who is to be involved in providing the services in whole or in part, or who is to exercise the functions,
 - (vii) a judicial officer,
 - (viii) a member of Parliament, including a Minister,
 - (ix) a person employed under the Members of Parliament Staff Act 2013.
 - (x) A person declared to be a public official by the Public Interest Disclosure Regulation 2022.
- (g) Protections for whistleblowers are described in Part 3 of Public Interest Disclosures Act 2022 (NSW) - <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#pt.3>
- (h) Protection for whistleblowers is also described in Corporations Act 2001 – Volume 5 Chapter 9 Part 9.4AAA – https://www.legislation.gov.au/C2004A00818/2019-07-01/2019-07-01/text/1/epub/OEBPS/document_5/document_5.html#_Toc13835864
- (i) The five offences referred to in the PID Act 2022 as government information contraventions, are described in [sections 116-120 in the Government Information \(Public Access\) Act 2009 No 52](#).

- (j) According to [Section 42 of the PID Act 2022](#) and [Section 1317AI of the Corporations Act 2001](#), each agency or company governed by the Acts, must have a policy which describes how they will deal with public interest disclosures. This policy must describe the agency's procedures for the following:
- (i) Dealing with disclosures that are or may be voluntary public interest disclosures,
 - (ii) Acknowledging receipt of voluntary public interest disclosures and providing information to the makers of voluntary public interest disclosures,
 - (iii) Taking steps to assess and minimise the risk of detrimental action, other than reasonable management action, being taken against a person as a result of voluntary public interest disclosures being made,
 - (iv) Dealing with allegations a detrimental action offence has been committed by or against a public official associated with the agency,
 - (v) Maintaining confidentiality in relation to voluntary public interest disclosures and protecting the identity of the makers of voluntary public interest disclosures,
 - (vi) Taking appropriate corrective action in response to findings of serious wrongdoing or other misconduct that arise from voluntary public interest disclosures relating to the agency,
 - (vii) Record-keeping and reporting in relation to voluntary public interest disclosures, including the preparation of annual returns,
 - (viii) Establishing internal oversight of the agency's compliance with the PID Act 2022 or the Corporations Act 2001 as applicable,
 - (ix) Otherwise complying with the PID Act 2022 or the Corporations Act 2001 as applicable.
- (k) GLALC must provide the following to any individual making a public interest disclosure (<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#sec.59>):
- (i) This policy,
 - (ii) A description of how GLALC will handle the disclosure and the actions that will be taken,
 - (iii) Regular updates (at least every 3 months) on the progress of the investigation,
 - (iv) The reasons that GLALC is no longer treating the disclosure as a public interest disclosure should this be the case.

3.3 What types of wrongdoing can be reported

- (a) There are three categories of public interest disclosure
- (i) **A voluntary public interest disclosure** – a disclosure that is made by a public official who is not a member of Parliament, who on reasonable grounds believes the disclosure shows or tends to show serious wrongdoing, and the disclosure is made to the head of an agency, a disclosure officer of the agency or to a manager of the person making the disclosure, or
 - (ii) **A witness public interest disclosure** - a disclosure of information, in an investigation of serious wrongdoing, at the request of or in response to a requirement of a person or agency investigating the serious wrongdoing, or
 - (iii) **A mandatory public interest disclosure** - a disclosure about serious wrongdoing made by a public official that is a normal part of that official's role or function.

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- (b) The types of wrongdoing that can be reported as protected disclosures under the Public Interest Disclosures Act 2022 (PID Act) are:
- (i) Corrupt conduct – conduct that constitutes an abuse of authority, improper use of power, knowledge or position for personal gain, using Gandangara Group resources for personal, non-business related purposes, bribery, acting dishonestly, breaching public trust, accepting undeclared gifts or otherwise failing to disclose conflicts of interest
 - (ii) Government information contraventions (any of the five offences listed in [sections 116-120 in the Government Information \(Public Access\) Act 2009 No 52](#)) – eg destroying, concealing or altering records to prevent them from being released, knowingly making decisions that are contrary to the GIPA Act, Directing another person to make a decision that is contrary to the GIPA Act.
 - (iii) Serious Maladministration – conduct, other than conduct of a trivial nature, of an agency or a public official relating to a matter of administration that is unlawful, unreasonable, unjust, oppressive or improperly discriminatory or is based wholly or partly on improper motives.
 - (iv) A Privacy contravention - a failure, other than a trivial failure, by an agency or public official to exercise functions in accordance with the Privacy and Personal Information Protection Act 1998, or the Health Records and Information Privacy Act 2002.
 - (v) Serious and Substantial waste of public money – including not seeking detailed commercial advice in particular for large scale land proposals, having bad or no processes in place for a system involving large amount of public funds.
- (c) Stakeholders should report any suspected wrongdoing within the Gandangara Group, or any activities or incidents they see within the group that they believe are wrong.
- (d) Wrongdoing should only be reported if the reporter has reasonable grounds to suspect that a disclosable matter has occurred or is occurring within the Gandangara Group.
- (e) A discloser that does not have reasonable grounds to suspect a disclosable matter has occurred or is occurring may not have the protections available for whistleblowers that are set out in the PID Act 2022 or Corporations Act 2001 (as described in section 3.2g and 3.2h of this document).
- (f) The CEO has the power in certain circumstances to deem that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act. A decision to deem a report to be a voluntary PID is at the discretion of the CEO. For further information about the deeming power of the CEO see (<https://www.ombo.nsw.gov.au/guidance-for-organisations/public-interest-disclosures/pid-guidelines-for-agencies/deeming-that-a-disclosure-is-a-voluntary-pid-nsw-ombudsman>)

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3.4 Disclosures that are not protected

- (a) An individual making a disclosure will not be protected under this Policy as a whistleblower if their disclosure relates solely to challenging management decisions or questioning the business judgement of the Group. A disclosure relating to business judgment or business decisions will not meet the definition of Voluntary Public Interest Disclosure in this Policy.
- (b) Individuals reporting a wrongdoing must not make a report or disclosure that is false or misleading. Where it is found that this has occurred, it will be treated as a serious matter and the reporter may be subject to disciplinary action. See *Disciplinary Action Policy* ([Link](#)).
- (c) Personal work-related grievances are not covered by this Policy and should be dealt with in accordance with the relevant Company policy; see *Complaints Policy* ([Link](#)). A personal work-related grievance will tend to relate primarily to the personality of the complainant and not to the management of or conduct of employees of the Gandangara Group more generally.
- (d) Examples of Personal Work-Related Grievances include:
 - (i) An interpersonal conflict between employees of the Gandangara Group
 - (ii) A decision relating to the employment, transfer or promotion of a person making a disclosure
 - (iii) A decision relating to the terms and conditions of engagement of the person making a disclosure; or
 - (iv) A decision to suspend or terminate the engagement of the person making a disclosure, or otherwise to discipline the person making a disclosure
- (e) Reports made to avoid dismissal or disciplinary action are not covered by whistleblower protections.
- (f) Further information on what does not constitute a public interest disclosure can be found on the NSW Ombudsman web site (<https://www.ombo.nsw.gov.au/guidance-for-organisations/public-interest-disclosures/pid-guidelines-for-agencies/assessing-a-report-of-wrongdoing-to-identify-if-it-is-a-voluntary-pid-nsw-ombudsman#reports-that-will-not-be-a-voluntary-pid>)

3.5 Who should wrongdoing be reported to

- (a) In accordance with Section 27(1) of the PID Act 2022 public interest disclosures should be made to:
 - (i) The CEO,
 - (ii) One of the disclosure officers (currently Haydn Allbutt)
 - (iii) For each work site that is permanently maintained by GLALC and at which more than 1 person is employed—the most senior ongoing employee who ordinarily works at the site,
 - (iv) The manager of a public official associated with GLALC.

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- (b) For the purpose of making a Public Interest Disclosure the contact details of the CEO are as follows:
- (i) Currently: Melissa Williams
 - (ii) Postal Address: P.O Box 1038 Liverpool BC 1871
 - (iii) Phone: (02) 9602 5280
 - (iv) Email: mwilliams@glalc.org.au
- (c) The contact details of the current disclosure officer for the GLALC group are:
- (i) Name: Haydn Allbutt
 - (ii) Postal Address: P.O Box 1038 Liverpool BC 1871
 - (iii) Phone: 0447 148 271
 - (iv) Email: hallbutt@glalc.org.au
- (d) Public officials wishing to make a Public Interest Disclosure may seek legal advice on the disclosure. A legal practitioner, however, is not an authorised recipient of public interest disclosures and so such discussions with legal representatives does not confer the protections provided under the PID Act.
- (e) Making a disclosure to a journalist or a parliamentarian is different from making a disclosure to other officers. A disclosure made to a journalist or parliamentarian will qualify for protection under PID legislation only under the following circumstances:
- (i) The disclosure is a voluntary public interest disclosure, and
 - (ii) The disclosure was previously made to one of the GLALC disclosure officers listed at 3.5(a), and
 - (iii) The previous disclosure was not anonymous, and
 - (iv) The maker of the previous disclosure did not waive, in writing, the right to receive the information they would normally receive as described in section 59 of the PID Act 2022, and
 - (v) The matter disclosed has not been otherwise resolved following the previous disclosure.
- (f) Nothing in this policy is intended to restrict a person from making a disclosure to, providing information to, or communicating with a government agency or a law enforcement agency or a regulator such as ASIC, the NSW Ombudsman or the ATO. An individual making a public interest disclosure according to this policy may seek independent legal advice either before or after lodging a disclosure or during the investigation process.
- (g) If you do not receive satisfaction in regard to reporting wrongdoing or if the report is about the CEO or the disclosure officer(s), reports of wrongdoing should be made to the Chair of the board, or to the appropriate investigating body listed below.
- (h) Misconduct or a breach of the law by the Gandangara Group or by an officer or employee can be reported to the Australian Securities and Investments Commission (ASIC) according to the instructions provided on their web site <https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/how-asic-handles-whistleblower-reports/>. The ASIC may be contacted by using their online form:
- (i) <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/>

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- (i) Corruption should be reported to the Independent Commission Against Corruption (ICAC) according to the instructions provided on their web site <https://www.icac.nsw.gov.au/reporting/how-and-what-to-report>. ICAC may be contacted by:
- (i) Telephone: 02 8281 5999 or freecall 1800 463 909 (callers outside Sydney)
 - (ii) Post: GPO Box 500 Sydney NSW 2001 or faxing 02 9264 5364
 - (iii) online by clicking on [this link](#) – (<https://www.icac.nsw.gov.au/reporting/report-corruption/report-corruption>)
 - (iv) Email: icac@icac.nsw.gov.au
- (j) Maladministration should be reported to the NSW Ombudsman according to the instructions provided on their web site <https://www.ombo.nsw.gov.au/complaints/how-to-make-a-complaint>. The ombudsman may be contacted by:
- (i) Telephone: 1800 451 524 (toll free)
 - (ii) In person/post: Level 24, 580 George Street, Sydney, NSW 2000
 - (iii) Email: pidadvice@ombo.nsw.gov.au
- (k) Serious and substantial waste of public money should be reported to the Auditor-General according to the instructions provided on their web site: <https://www.audit.nsw.gov.au/make-a-public-interest-disclosure>. The Auditor-General may be contacted by:
- (i) Tel: 02 9275 7100
 - (ii) Post: Audit Office of New South Wales, GPO Box 12, Sydney NSW 2001 addressed to the Auditor-General of NSW, the Disclosures Coordinator
 - (iii) Email: governance@audit.nsw.gov.au
- (l) Government information contraventions should be reported to the Information Commissioner (NSW) according to the information provided on their web site <https://www.ipc.nsw.gov.au/about-us/accessing-ipc-information/public-interest-disclosures/faqs>. The Information Commissioner may be contacted by:
- (i) Tel: 1800 472 679
 - (ii) Post: GPO Box 7011, Sydney NSW 2001
 - (iii) In person: Level 15, McKell Building, 2-24 Rawson Place, Haymarket NSW 2000
 - (iv) Email: ipcinfo@ipc.nsw.gov.au
- (m) Individuals making disclosures should note that if you make a disclosure to an outside agency it is possible that the disclosure will be referred back to GLALC so that appropriate action may be taken.

3.6 Reporting Wrongdoing

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- (a) Staff should report all wrongdoing and misconduct, not only serious wrongdoing as defined by the PID Act 2022. The GLALC takes appropriate work place behaviour very seriously and will investigate reports of such behaviour even if such a report does not constitute a Public Interest Disclosure.
- (b) Wrongdoing may be reported anonymously. The Gandangara Group will assess the disclosure in the same way as if the identity of the person making the disclosure was known.
- (c) There will be some situations where a person may not want to identify themselves when making a report. Although these reports will still be dealt with by the Gandangara Group, it is best if the reporter identifies themselves. This allows the Gandangara Group to provide the reporter with any necessary protection and support, as well as feedback about what action is to be taken or has been taken to deal with the issues raised in the report, or the outcome of any investigation.
- (d) It is important to realise that an anonymous disclosure may not prevent a person making a report from being identified by the subject of the report or their colleagues. If the Gandangara Group does not know who made the report, it may be very difficult to prevent any reprisal should others identify the reporter.
- (e) You can make a voluntary PID in the following forms:
 - (i) In writing – this could be an email or letter to a person identified in clause 3.5 of this policy.
 - (ii) Orally – have a private discussion with a person who can receive voluntary PIDs as identified in clause 3.5 of this policy, although disclosers are encouraged to make reports in writing to avoid any confusion or misinterpretation.
 - (iii) Anonymously — write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report. A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report.
- (f) Details that should be included in a voluntary PID include:
 - (i) Date, time and location of key events
 - (ii) Names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
 - (iii) Your relationship with the person(s) involved, such as whether you work closely with them
 - (iv) Your explanation of the matter you are reporting
 - (v) How you became aware of the matter you are reporting
 - (vi) Possible witnesses
 - (vii) Other information you have that supports your report.
- (g) What if I am not sure if my report is a PID?
 - (i) Staff should report all wrongdoing. If a person wishing to disclose a PID is not sure of whether the matter is a serious wrongdoing, make the report, and it may be possible to prevent the wrongdoing before it becomes serious.

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- (ii) GLALC will always ensure that any reports of wrongdoing, even if not a serious wrongdoing under the PID Act, will be handled sensitively and will be investigated.

3.7 Maintaining Confidentiality

- (a) The Gandangara Group recognises many stakeholders may want their report to remain confidential. This can help to prevent any action being taken against a person for reporting wrongdoing. The Gandangara Group is committed to keeping the identity of a reporter confidential. However, there may be situations where this may not be possible or appropriate. The Gandangara Group will discuss with the reporter whether it is possible to keep the report confidential.
- (b) There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:
 - (i) Where the person consents in writing to the disclosure
 - (ii) Where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
 - (iii) When the public official or [we/agency] reasonably considers it necessary to disclose the information to protect a person from detriment
 - (iv) Where it is necessary the information be disclosed to a person whose interests are affected by the disclosure where the information has previously been lawfully published
 - (v) When the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
 - (vi) When the information is disclosed for the purposes of proceedings before a court or tribunal
 - (vii) when the disclosure of the information is necessary to deal with the disclosure effectively
 - (viii) If it is otherwise in the public interest to disclose the identifying information.
- (c) We will not disclose identifying information unless it is necessary and authorised under the PID Act.
- (d) If confidentiality cannot be maintained, GLALC ara Group will develop a plan to support and protect the reporter from risks of reprisal. The reporter will be involved in developing this plan.
- (e) In some situations disclosing a whistleblower's identity is allowed under law. According to Part 9.4AAA Section 1317AAE of the Corporations Act 2001 (https://www.legislation.gov.au/Details/C2022C00043/Html/Volume_5#_Toc93939926), a whistleblower's identity may be disclosed if the disclosure is:
 - (i) to Australian Securities and Investments Commission (ASIC), Australian Prudential Regulation Authority (APRA), or the Australian Federal Police (AFP)
 - (ii) to a lawyer for advice about the disclosure

- (iii) to a body prescribed by the Corporations Regulations (e.g. Commonwealth authority, or a State or Territory authority, for the purpose of assisting the authority in the performance of its functions or duties), or
 - (iv) made with the whistleblower's consent
- (f) If an individual or organisation does disclose sufficient information that the whistleblower is identified unintentionally, that individual or organisation is not considered to have committed an offense so long as:
- (i) the information resulting in the disclosure of the whistleblower's identity did not include the whistleblower's identity
 - (ii) releasing the information that resulted in the identification of the whistleblower was reasonably necessary for the purposes of investigating matter disclosed in the whistleblower's public interest disclosure, and
 - (iii) the individual or organisation had taken all reasonable steps to reduce the risk that the whistleblower would be identified from the information

This clause is referred to as the "investigation defence" preventing the punishment of those investigating a reported wrongdoing if the whistleblower is unintentionally identified from the information provided. This defence does not allow the direct disclosure of the whistleblower except under the circumstances listed in section 3.7 c) above.

- (g) Any person reporting wrongdoing should only discuss your report with those dealing with it. This will include the Chief Executive Officer and the disclosure officers involved in the investigation. The reporter may request a confidential discussion about the case if they have any concerns.

3.8 Managing Reports of Wrongdoing

- (a) Stakeholders who report wrongdoing will be told what is happening in response to their report in accordance with section 59(3) of the PID Act 2022.
- (b) When a stakeholder reports wrongdoing, the Gandangara Group will undertake a thorough risk assessment to identify the risk to the reporter of detrimental action in reprisal for reporting, as well as indirect but related risks of workplace conflict or difficulties. The risk assessment will also identify strategies to deal with those risks and determine the level of protection and support that is appropriate.
- (c) If a staff member makes a voluntary public interest disclosure to a manager, and that manager isn't the head of the agency or a designated disclosure officer, the manager must pass it on to a disclosure officer from the same agency (either their own or the one the discloser works for) as soon as they reasonably can. But the manager doesn't have to pass it on if they know the staff member has already reported the same issue to the head of the agency or another disclosure officer from the relevant agency.
- (d) If a voluntary PID is made orally to a person to whom a disclosure may be made in compliance with section 27 of the PID Act 2022, the person receiving the PID must make a written record of the disclosure.
- (e) An agency may consult the Ombudsman or another integrity agency in relation to action or proposed action to deal with a voluntary public interest disclosure.

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- (f) GLALC may not deal with a voluntary public interest disclosure in a way that is not otherwise authorised by another Act or law.
- (g) A voluntary PID may be dealt with by more than one agency either jointly or independently, and different parts of a voluntary PID may be dealt with separately or in different ways.
- (h) If GLALC receives a voluntary PID that relates to GLALC, GLALC must decide how to deal with the PID. GLALC may choose to do any of the following or any other action it chooses in accordance with Australian Law:
 - (i) Investigate the relevant serious wrongdoing
 - (ii) Refer the disclosure to an integrity agency
 - (iii) Refer the disclosure to a person or body that is authorised by another Act or law to investigate the relevant serious wrongdoing,
 - (iv) If GLALC has made an applicable arrangement with another agency under section 81(2) it may refer the disclosure to that agency,
 - (v) If the disclosure relates to more than one agency, GLALC may refer the disclosure to another agency to which the disclosure relates.
- (i) If GLALC decides not to investigate the wrongdoing nor refer the disclosure to another person or agency, or if GLALC decides to cease investigation without completing the investigation or referring the disclosure to another person or agency, GLALC must as soon as reasonably practical provide the NSW Ombudsman and the reporter of the PID with written reasons explaining the decision.
- (j) If GLALC receives a voluntary PID that relates to another agency that is not GLALC, GLALC must deal with the PID in one or more of the following ways:
 - (i) If GLALC is authorised by another Act or law to investigate the relevant serious wrongdoing, it will deal with the disclosure in accordance with the Act or law,
 - (ii) referring the disclosure to an agency to which the disclosure relates,
 - (iii) Refer the disclosure to an integrity agency,
 - (iv) Refer the disclosure to a person or body that is authorised by another Act or law to investigate the relevant serious wrongdoing,
 - (v) If the disclosure was referred by another agency to which the disclosure relates and whose functions GLALC has made arrangements with the agency to exercise on behalf of that agency (in accordance with section 81(2) of the PID act), GLALC may then deal with the disclosure in accordance with the arrangement.
- (k) Unless the referral is mandatory under another Act or law, GLALC may not refer a voluntary PID without first considering:
 - (i) Whether the disclosure would more appropriately be dealt with by the person to whom, or body to which, the disclosure is to be referred,
 - (ii) The risk of detrimental action being taken against the maker of the disclosure as a result of the referral of, or failure to refer, the disclosure
- (l) GLALC may refer a voluntary PID whether or not GLALC has commenced investigating, is investigating or proposes to investigate the serious wrongdoing, and whether or not the PID has been previously referred. GLALC may refer a voluntary PID to more than one other person or body.

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3.9 Protections

- (a) When you make a voluntary PID you receive special protections under the PID Act as specified in “Part 3 Protections” of the PID Act 2022 (<https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#pt.3>).
- (b) GLALC is committed to taking all reasonable steps to protect you from detriment as a result of having made a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.
- (c) GLALC will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.
- (d) If a reporter has experienced detrimental actions they should report this to the PID disclosure officer they first presented their report to. If the PID disclosure officer is the cause of the detrimental actions the reporter may report the detrimental actions made against them to a different disclosure officer, or to the NSW Ombudsman as an independent entity via the details provided at Clause 3.5(j) of this document.

3.10 Protection against legal action

- (a) If a stakeholder makes a public interest disclosure in accordance with the *PID Act*, the reporter will not be subject to any liability, and no action, claim or demand can be taken against them for having made the public interest disclosure. The reporter will not have breached any confidentiality or secrecy obligations and they will have the defence of absolute privilege in defamation (section 40 PID Act 2022; <https://legislation.nsw.gov.au/view/whole/html/inforce/current/act-2022-014#sec.40>).

3.11 Protection against reprisals

- (a) It is a criminal offence for someone to take detrimental action against a person because they have made, may make, or are believed to have made a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.
- (b) The Gandangara Group will not tolerate any reprisal against any personnel who report wrongdoing or are believed to have reported wrongdoing.
- (c) The PID Act 2022 and the Corporations Act 2001 provide protection for personnel who have made a public interest disclosure by imposing penalties on anyone who takes detrimental action against another person substantially in reprisal for that person making a public interest disclosure. These penalties also apply to cases where a person takes

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detrimental action against another because they believe or suspect the other person has made or may have made a public interest disclosure, even if they did not.

- (d) Protections against reprisals include, but are not limited to protection against the following detrimental actions that may be taken against the reporter of a PID:
 - (i) **Dismissal:** Terminating the individual's employment.
 - (ii) **Injury:** Causing physical or psychological harm.
 - (iii) **Damage:** damage caused to the person's property
 - (iv) **Alteration of Position:** Changing the individual's position to their disadvantage.
 - (v) **Discrimination:** Subjecting the individual to discrimination, harassment, or intimidation.
- (e) A person who has suffered detrimental actions as a result of making a PID is entitled to compensation as a result of having suffered detrimental actions in relation to the PID they have made.
- (f) GLALC may be found liable to pay damages in relation to any reprisals made against a reporter of a PID where that reporter is an employee of GLALC, and GLALC did not prevent that detrimental action (s36 PID Act 2022).
- (g) A person who is found to have committed a reprisal offence may face criminal penalties such as imprisonment and/or fines, and may be required to pay the victim damages for any loss suffered as a result of the detrimental action. Taking detrimental action in reprisal may also result in disciplinary action by the Gandangara Group.
- (h) It is important for stakeholders to understand the nature and limitations of the protection provided by the PID Act. The PID Act protects reporters from detrimental action being taken against them because they have made, or are believed to have made, a public interest disclosure. It does not protect reporters from disciplinary or other management action where the Gandangara Group has reasonable grounds to take such action.
- (i) Certain administrative and managerial action may be taken by the Gandangara Group which is not considered detrimental conduct such as managing a discloser's unsatisfactory work performance in line with the performance management framework of the Group.
- (j) Pre-existing patterns of bullying, harassment and discrimination may not represent a reprisal for whistleblowing if not occurring in connection to the PID. No form of bullying, harassment and discrimination however is permissible within the Gandangara Group as described in the [Code of Conduct – Staff](#); [Code of conduct – Board Members](#), [Code of Conduct – GLALC Members](#) and may be dealt with separately.
- (k) If GLALC becomes aware of an allegation that a detrimental action offence has occurred or may occur, we will:
 - (i) Take all steps possible to stop the action and protect the person(s)

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- (ii) Investigating the allegation thoroughly to determine the appropriate course of action, which may include conducting an investigation
- (iii) Take appropriate disciplinary action against anyone that has taken detrimental action (see below for corrective actions that can occur)
- (iv) Refer any evidence of a detrimental action offence to the Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable)
- (v) Notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

3.12 Protections for people who make mandatory and witness PIDs

- (a) Apart from voluntary PIDs that are made by public officials, there are other types of reports that are recognised as PIDs under the PID Act:
- (i) **A mandatory PID:** This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
 - (ii) **A witness PID:** This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.
- (b) Makers of mandatory and witness PIDs are afforded the same protections as makers of voluntary PIDs which include:
- (i) Protection from Detrimental Action
 - (ii) Right to Seek Compensation
 - (iii) Ability to Seek Injunctions
 - (iv) Immunity from Civil and Criminal Liability
- (c) There is no obligation under the PID Act 2022 to provide the mandatory information described in section 59 to reporters of Mandatory or Witness PIDs.
- (d) There is no specific requirement under the PID Act 2022 to maintain confidentiality of the identity of the reporter for Mandatory or Witness PIDs unlike for makers of Voluntary PIDs, though as best practice GLALC commits to maintaining confidentiality for all categories of PID reporting unless it would hinder the investigation.
- (e) A summary of the protections provided for the three different types of PID reporting are provided in the table below.

Protection/Obligation	Voluntary PID	Mandatory PID	Witness PID
Protection from Detrimental Action	✓	✓	✓
Right to Seek Compensation	✓	✓	✓
Ability to Seek Injunctions	✓	✓	✓
Immunity from Liability	✓	✓	✓

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Protection/Obligation	Voluntary PID	Mandatory PID	Witness PID
Communication Obligations	✓	✗	✗
Confidentiality Obligations	✓	✗	✗

3.13 Support for those reporting wrongdoing

- (a) The Gandangara Group will make sure that stakeholders who have reported wrongdoing, regardless of whether their report is treated as a public interest disclosure, are provided with access to any professional support they may need as a result of the reporting process – such as stress management or counselling services.
- (b) Access to support may also be available for personnel involved in the internal reporting process where appropriate. Reporters and other staff involved in the process can discuss their support options with the Chief Executive Officer or the Chairperson of the Board.
- (c) A discloser or any other person can seek compensation and other remedies through the courts if:
 - (i) they suffer loss, damage or injury because of a disclosure; and
 - (ii) The Gandangara Group failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

3.14 Investigation of a public interest disclosure

- (a) When a public interest disclosure is made to anyone other than the Public Interest Disclosure officer the information regarding the disclosure will be passed onto the nominated disclosure officer. If the individual making the disclosure wishes to remain anonymous then their name or any identifying information will be removed from the material passed on.
- (b) After receiving the disclosure, the PID officer will determine whether the disclosure qualifies as a PID. If it does and the PID officer considers that the matter warrants further investigation the PID officer will appoint a person who is independent to conduct an investigation into the disclosure (the Investigator). The Investigator may be from the Gandangara Group or they may be external to the organisation.
- (c) The investigation will be independent, objective and fair and will be conducted in a timely manner. The disclosure officer will inform the discloser, where possible, of what the time frame for the investigation will be. Disclosers are encouraged to consent to being identified to the Investigator so the details of the matter can be discussed.
- (d) The Gandangara Group will ensure fair treatment of individuals who have had allegations made against them as part of the disclosure.
- (e) The Gandangara Group will determine the most appropriate time to inform the individual who is the subject of the allegation about the investigation. Any person who has had any allegations made against them will be made aware of the allegation before any adverse conclusions are drawn and will be provided with the opportunity to respond to the allegations.

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- (f) Where allegations have been made against an individual or officer of the Gandangara Group, no action will be taken against the individual or officer until the allegations have been substantiated by the investigation.
- (g) Information that must be provided to disclosers, unless the disclosers waive the right to receive this information in writing, include but is not limited to:
 - (i) The PID Policy
 - (ii) Inform the discloser whether the disclosure they have made will be treated as a Public Interest Disclosure, thereby receiving the protections specified under the PID Act 2022
 - (iii) How the agency will deal with the disclosure and the frame of any investigation
 - (iv) The reason the disclosure will not be handled as a Public Interest Disclosure if that decision was made.
 - (v) If the agency refers the investigation to another individual or agency
 - (vi) A description of the results of the investigation and the details of any corrective action that will be made
 - (vii) Regular progress reports of how any investigation is going must be made not less than every three months
 - (viii) If the agency will cease to deal with the disclosure as a public interest disclosure if that decision is made under section 49(2) of the PID Act

3.15 Sanctions for making false or misleading statements

- (a) It is a criminal offence under the PID Act to wilfully make a false or misleading statement when reporting wrongdoing. The Gandangara Group will not support stakeholders who wilfully make false or misleading reports. The maximum penalty for knowingly making false or misleading statements is 100 penalty units or imprisonment for 2 years, or both ([Section 84 of the PID Act 2022](#)). Such conduct may also result in disciplinary action.

3.16 The rights of people who are the subject of a report

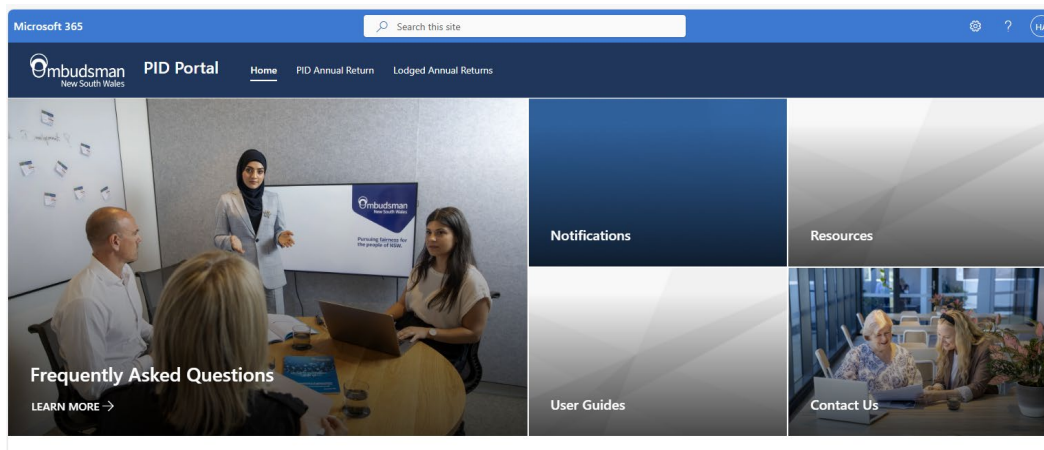
- (a) The Gandangara Group is committed to ensuring individuals who are the subject of a report of wrongdoing are treated fairly and reasonably. This includes keeping the identity of any person who is the subject of a report confidential, where this is practical and appropriate.
- (b) If a person is the subject of the report, they will be advised of the allegations made against them at an appropriate time and before any adverse findings. At this time they will be:
 - (i) Advised of the details of the allegation
 - (ii) Advised of their rights and obligations under the relevant related policies and procedures
 - (iii) Kept informed about the progress of any investigation
 - (iv) Given a reasonable opportunity to respond to any allegation made against them
 - (v) Told the outcome of any investigation, including any decision made about whether further action will be taken against them.

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- (c) Where the reported allegations against the subject are clearly wrong, or have been investigated and found to be unsubstantiated, the subject will be supported by the Gandangara Group. The details of the allegations and any investigation will be kept confidential unless otherwise agreed to by the subject.

3.17 Record Keeping and Reporting Obligations

- (a) [Section 16\(h\)](#) of the PID Act defines a Local Aboriginal Land Council constituted under the Aboriginal Land Rights Act 1983 (NSW) as an Agency under the PID act.
- (b) As an agency under the PID Act GLALC must keep full and accurate records with respect to all information received in connection with the PID Act. This ensures that GLALC complies with its obligations under the [State Records Act 1998 \(NSW\)](#).
- (c) Each year GLALC must provide an annual return to the NSW Ombudsman which includes:
- (i) Information about the voluntary PIDs received by GLALC during the reporting period (1 July – 30 June each year).
 - (ii) Action that was taken by GLALC to deal with any voluntary PIDs during the reporting period
 - (iii) How GLALC promoted a culture in the workplace where PIDs are encouraged and ensure that staff are aware of the PID policy and how to make a voluntary PID.
- (d) The disclosure officer is responsible for collecting information about any PIDs received by GLALC. The disclosure officer will collate this information and submit the annual report to the NSW Ombudsman via their online portal (see screen capture below).



- (e) Information relating to submitted PIDs are stored securely on a dedicated GLALC PID SharePoint site.
- (f) The Gandangara Group is obliged under section 12 of the [State Records Act 1998 \(NSW\)](#) to maintain records of its activities, thus maintaining records of PID implementation and reporting, separate to any obligation under the PID Act 2022 (NSW), satisfies this requirement.

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- (g) The responsibilities of the CEO of GLALC under the PID act is given across several sections of the PID Act. These responsibilities include:
- (i) Ensuring there is a PID policy
 - (ii) Ensuring the policy designates at least one officer with the authority as being responsible for receiving PIDs
 - (iii) Supporting a speak up culture
 - (iv) Ensuring all stakeholders are aware of the contents of the policy and the protections under the PID Act
 - (v) Ensuring the Gandangara Group complies with the policy and the authority's obligations under the PID Act
 - (vi) Ensuring PID makers are supported and protected
 - (vii) Ensuring that managers, supervisors and disclosure officers are trained appropriately.
 - (viii) Must act as a disclosure officer and is responsible for receiving PIDs
 - (ix) May deem a disclosure made by another person is a voluntary public interest disclosure even if the disclosure would not otherwise be a voluntary public interest disclosure

3.18 Internal Oversight

- (a) The Gandangara Group is required to have mechanisms in place to ensure that it complies with the PID Act ([s43\(1\)\(h\) of PID Act 2022](#)).
- (b) Oversight for all GLALC governance including PID reporting is provided by the Board of Directors.
- (c) Matters dealing with any risk to the organisation will be investigated and recommendations made to the Board by the Risk, Audit, Investments, People & Performance (incl. Culture and Heritage) (RAIPP) subcommittee.
- (d) PID reporting is a standing item at each Ordinary Board Meeting. The process for reporting on PID matters is as follows:
- (i) The PID disclosure officer will provide the CEO with a briefing of any PID received by GLALC for the reporting period of the RAIPP Subcommittee (typically every month for GLALC).
 - (ii) The CEO will provide a report on any PIDs received to the RAIPP subcommittee.
 - (iii) The RAIPP subcommittee will consider the submitted disclosure, the proposed investigation, the risk assessment to the individual making the disclosure and the risk to the organisation by the issue that was disclosed.
 - (iv) The RAIPP subcommittee will provide a report to the Board regarding their discussions and will make recommendations of the actions to be taken.
 - (v) At each Ordinary Board Meeting (typically every two months at GLALC) any matter relating to PIDs will be tabled at the standing item for PID reporting.

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- (vi) The discussions and recommendations of the RAIPP subcommittee will be heard.
- (vii) The Board will discuss and make a decision based on the recommendations provided by the RAIPP subcommittee.
- (viii) To avoid any doubt, the matters addressed by both the RAIPP subcommittee and the Board of Directors will include but are not limited to:
 - (1) The matter disclosed as the PID
 - (2) The risk to the organisation posed by the matter disclosed
 - (3) The investigation required to fully understand the matter disclosed
 - (4) Actions necessary to repair any damage caused by the matter disclosed
 - (5) The risk of reprisals to the individual making the PID
 - (6) Changes in processes required to prevent the matter disclosed from occurring in the future

3.19 Breach of this policy

- (a) Any breach of this Policy by an employee, Officer or contractor of GLALC will be taken very seriously and may be the subject of a separate investigation and/or disciplinary action up to and including termination.
- (b) Conduct that constitutes a breach of this policy may also amount to a civil or criminal contravention of applicable Australian Public Interest Disclosure legislation, with significant penalties applying.
- (c) If the investigation into any report of wrongdoing including any PID is found to be true disciplinary action will be taken up to and including termination of employees of GLALC. If the matter is in contravention of any Australian Law, the case will be referred to the appropriate agency for further investigation, enforcement, and potential prosecution in accordance with the law.

3.20 Roles and Responsibilities

- (a) Certain people within GLALC have responsibilities under the PID Act.
- (b) **Chairperson** - The Chairperson of the Board of Directors has ultimate responsibility for the internal reporting system and workplace reporting culture and ensuring that GLALC complies with the PID Act. The Head of Agency/The Chairperson is responsible for:
 - (i) Fostering a workplace culture where reporting is encouraged;
 - (ii) Receiving disclosures from public officials;
 - (iii) Referring actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC);

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- (c) **Head of Agency CEO** - The Head of Agency CEO has responsibility for maintaining the internal reporting system and workplace reporting culture and ensuring that GLALC complies with the PID Act. The CEO is responsible for:
- (i) Fostering a workplace culture where reporting is encouraged;
 - (ii) Receiving disclosures from public officials;
 - (iii) Referring actual or suspected corrupt conduct to the Independent Commission Against Corruption (ICAC);
- (d) **Disclosure Officer** - The Disclosure Officer is responsible for:
- (i) Receiving and assessing reports to determine whether or not a report should be treated as a public interest disclosure;
 - (ii) Ensuring GLALC complies with this policy and the PID Act;
 - (iii) Ensuring there are systems and strategies in place for appropriately assessing disclosures;
 - (iv) Referring actual or suspected corrupt conduct to the CEO;
 - (v) Coordinating GLALC's response to a report;
 - (vi) Where the identity of the reporter is known, providing updates and feedback to the reporter;
 - (vii) Assessing whether it is possible and appropriate to keep the reporter's identity confidential and communicating this with the reporter;
 - (viii) Assessing the risk of detrimental action, detrimental conduct and workplace conflict related to or likely to arise out of the report, and developing strategies to manage any identified risks;
 - (ix) Providing and coordinating support to staff involved in the reporting and investigation process;
 - (x) Ensuring that GLALC complies with the PID Act;
 - (xi) Providing reports to the NSW Ombudsman in accordance with GLALC's reporting obligations under the PID Act.
 - (xii) Providing advice about the reporting system and this policy;
 - (xiii) Making arrangements to ensure staff can make reports privately and discretely
 - (xiv) Ensuring that any oral reports that have been received are, where possible, recorded in writing and are signed and dated by the reporter.
 - (xv) Referring any detrimental action offences to the Ombudsman to determine if an investigation is warranted.
 - (xvi) Ensuring that GLALC has appropriate systems for:
 - (1) Overseeing internal compliance with the PID Act;
 - (2) Supporting public officials who make voluntary PIDs, including by minimising the risk of detrimental action;
 - (3) Implementing corrective action if serious wrongdoing is found to have occurred
 - (4) Complying with reporting obligations regarding allegations or findings of detrimental action
 - (5) Complying with yearly reporting obligations to the NSW Ombudsman.
 - (xvii) Referring any allegations of detrimental action or detrimental conduct to the appropriate line manager or executive management for investigation and where warranted, corrective action
- (e) **Managers** - Managers play an important role in managing the immediate workplace of those involved in or affected by the internal reporting process. The responsibilities of managers include:

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- (i) Encouraging staff to report known or suspected wrongdoing within the organisation through providing training for staff about how to make reports;
- (ii) Passing on reports they receive to a Disclosure Officer;
- (iii) Compliance to policy and procedures for all Team Members
- (iv) Ensuring PID's are an agenda item in Team meetings and part of Performance and Career Development discussions
- (v) Managers must keep the report and the identity of their staff member confidential except when reporting it to the disclosure officer;
- (vi) Provide support where necessary to the staff member making the PID, including ensuring that no adverse reprisals are made against them in relation to the PID.
- (vii) An information sheet on whistleblower support for managers is available from the NSW Ombudsman web site
[\(https://cmsassets.ombo.nsw.gov.au/assets/Resources/Whistleblowing/Whistleblower-Support-information-sheet-for-Managers.pdf\)](https://cmsassets.ombo.nsw.gov.au/assets/Resources/Whistleblowing/Whistleblower-Support-information-sheet-for-Managers.pdf)

Note: All Managers will receive training in line with the PID Act, alongside the CEO and Disclosure Officers.

- (f) **All employees** - All employees play an important role in contributing to a workplace where known or suspected wrongdoing is reported and dealt with appropriately. All employees must:
 - (i) Report all known or suspected serious wrongdoing or other misconduct and support those who have made reports;
 - (ii) Use their best endeavours to assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of GLALC; and
 - (iii) Treat any person dealing with or investigating reports of serious wrongdoing with respect.
- (g) Employees must not, under any circumstances:
 - (i) Victimise, harass or take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID; and
 - (ii) Make reports which the employee knows is false or misleading.
- (h) Employees should be aware that it is a criminal offence under the PID Act to willfully make a false or misleading statement when reporting wrongdoing. Such conduct may also be a breach of the GLALC Code of Conduct – Staff and Code of Conduct - Board and may result in disciplinary action up to and including termination.

3.21 Review and dispute resolution

- (a) **Internal review** - People who make voluntary PIDs can seek internal review of the following decisions made by GLALC:
 - (i) That GLALC is not required to deal with the report as a voluntary PID;
 - (ii) To stop dealing with the report because we decided it was not a voluntary PID;
 - (iii) To not investigate the serious wrongdoing and not refer the report to another agency;

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- (iv) To cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.
- (b) GLALC will ensure internal reviews are conducted in compliance with the PID Act, including by ensuring that the review is dealt with by a person or people that were not substantially involved in the original decision under review.
- (c) Any individual who would like to make an application for an internal review must apply in writing within 28 days of being informed of GLALC's decision of the original investigation. The application should state the reasons why the original decision should be reviewed. Any other relevant material should be submitted with the application.
- (d) When GLALC receives a request for an internal review of a decision relating to a PID submission, the PID disclosure officer will respond to the individual making the request within 10 business days. If a review is approved, the process that will be followed, the staff that will be conducting the review and the amount of time the review will take will be provided.
- (e) If GLALC does not have the capacity to carry out the internal review, or there are no staff available who are independent of the original PID submission, the review request may be referred to the NSW Ombudsman.
- (f) **Voluntary dispute resolution** - If a dispute arises between GLALC and a person who has made a report which is, or may be, a voluntary PID, GLALC may request the NSW Ombudsman to conciliate the dispute. Conciliation is a voluntary process and will only be suitable for disputes where GLALC and the maker of the report are willing to resolve the dispute.

3.22 Review of Policy

- (a) This Policy will be reviewed by the Gandangara Group every two (2) years.

3.23 More information

- (a) More information around public interest disclosures is available on the NSW Ombudsman's website at:
<https://www.ombo.nsw.gov.au/guidance-for-organisations/public-interest-disclosures>
- (b) Information relating specifically to Aboriginal Land Councils and the 2022 revision of the Public Interest Disclosure Act can also be found on the NSW Ombudsman's web site at:
<https://www.ombo.nsw.gov.au/guidance-for-organisations/public-interest-disclosures/pid-act-2022-for-nswalc-and-lalcs>
- (c) The NSW Ombudsman prepared a model PID Policy and a guide for the production of a PID policy for agencies under the PID act. This model PID policy and guide can be found here: <https://www.ombo.nsw.gov.au/guidance-for-organisations/public-interest->

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[disclosures/pid-guidelines-for-agencies/developing-your-pid-policy-guideline-nsw-ombudsman](#)

- (d) NSWALC have taken this guide and model PID Policy and have developed a model PID policy specifically for LALC's to adopt. The NSWALC LALC Model PID Policy is here: <https://alc.org.au/wp-content/uploads/2024/06/PID-LALC-Model-Policy.docx>
- (e) NSWALC's PID Policy can be seen here: <https://alc.org.au/gu-0005-public-interest-disclosures-policy/>
- (f) Stakeholders can also seek advice and guidance from the Chief Executive Officer and the GLALC PID disclosure officer.

3.24 Names and Contact Details of Disclosure Officers

(a) Head of Agency:

- (i) Name: Melissa Williams
- (ii) Position: CEO
- (iii) Postal Address: P.O Box 1038 Liverpool BC 1871
- (iv) Phone: (02) 9602 5280
- (v) Email: mwilliams@glalc.org.au

(b) PID Disclosure Officer:

- (i) Name: Haydn Allbutt
- (ii) Position: Business Performance and Compliance Manager
- (iii) Postal Address: P.O Box 1038 Liverpool BC 1871
- (iv) Phone: 0447 148 271
- (v) Email: hallbutt@glalc.org.au

(c) PID Disclosure Officer:

- (i) Name: Tony Scholes
- (ii) Position: Chairperson
- (iii) Postal Address: P.O Box 1038 Liverpool BC 1871
- (iv) Phone: (02) 9602 5280
- (v) Email: tscholes@glalc.org.au

(d) PID Disclosure Officer:

- (i) Name: Steve Ingram
- (ii) Position: Board of Director Public Officer
- (iii) Postal Address: P.O Box 1038 Liverpool BC 1871
- (iv) Phone: (02) 9602 5280
- (v) Email: singram@glalc.org.au

3.25 List of Integrity Agencies

The following list was compiled by the NSW Ombudsman.

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Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	Telephone: 02 9321 6700 or 1800 657 079 Writing: GPO Box 3880, Sydney NSW 2001 Email: contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023 Writing: GPO Box 5341, Sydney NSW 2001 Email: oilc_executive@oilc.nsw.gov.au
Office of the Local Government	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

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Integrity agency	What they investigate	Contact information
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

4. Related Documents

4.1 AS 8004—2003 Whistleblower protection programs for entities

5. Related Policies

- 5.1 *Communications Policy*
- 5.2 *Code of Conduct – Staff*
- 5.3 *Code of Conduct – Board*
- 5.4 *Code of Conduct – Members*
- 5.5 *Conflict of Interest Policy*
- 5.6 *Confidentiality Policy*
- 5.7 *Disciplinary Action Policy*
- 5.8 *Reporting Wrongdoing Policy*

6. Definitions

- 6.1 Board - The governing body of GLALC overseeing governance and compliance including PID policy oversight.
- 6.2 CEO - Chief Executive Officer of GLALC, responsible for implementing and overseeing PID compliance.
- 6.3 Complaint - A report made by a stakeholder about dissatisfaction or misconduct, not all of which may be PIDs.
- 6.4 Confidentiality - The obligation to keep the identity of a whistleblower and the content of their report secure and undisclosed unless legally permitted.
- 6.5 Corrupt Conduct - Conduct involving the misuse of position, authority or information for personal gain, or other breaches of trust or honesty.
- 6.6 Detrimental action means action causing, comprising or involving any of the following:
 - (a) Personal injury including psychological harm, damage or loss
 - (b) intimidation or harassment
 - (c) discrimination, disadvantage or adverse treatment in relation to employment
 - (d) dismissal from, or prejudice in, employment
 - (e) disciplinary proceedings.

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- 6.7 Disclosure Officer - A person within GLALC designated to receive, assess, and manage reports of wrongdoing under the PID Act.
- 6.8 Entity – Gandangara Health Service (GHS) , Gandangara Transport Service (GTS), Marumali Ltd
- 6.9 Feedback - includes complaints, compliments, suggestions or any information regarding the delivery of services or performance.
- 6.10 The Gandangara Group - (Gandangara Local Aboriginal Land Council (GLALC), Gandangara Health Service (GHS), Gandangara Transport Service (GTS), Marumali Ltd.
- 6.11 GLALC - Gandangara Local Aboriginal Land Council, the governing body referenced throughout the policy.
- 6.12 Government Information Contravention - Breaches involving the handling or access to public government information, as defined under the GIPA Act.
- 6.13 Integrity Agency - Agencies authorised by law to investigate misconduct or serious wrongdoing in the public sector.
- 6.14 Maladministration - Lack of care, judgment, or honesty in the management of something.
- 6.15 Manager - An individual in a supervisory role, responsible for supporting staff and escalating PIDs where appropriate.
- 6.16 Mandatory PID - A disclosure that a public official is required to make as part of their duties.
- 6.17 NSW Ombudsman - The oversight body responsible for monitoring and guiding PID processes and compliance under NSW law.
- 6.18 PID - Abbreviation for Public Interest Disclosure.
- 6.19 Personnel – Refers to any individual performing any sort of role for the Group, whether paid or unpaid, including volunteers and students.
- 6.20 Personal work-related grievances – mean a grievance about any matter relating to the Discloser’s employment, or former employment, having (or tending to have) implications for the Discloser personally that does not have broader implications for the Group.
- 6.21 Privacy Contravention - Failures to comply with privacy laws, such as those in the Privacy and Personal Information Protection Act 1998.
- 6.22 Public Interest Disclosure - A report made by a public official concerning serious wrongdoing, covered under the PID Act 2022.
- 6.23 Public Official - Any individual performing duties for or on behalf of a public agency, as defined in section 14 of the PID Act 2022.

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- 6.24 Reasonable grounds - means that a reasonable person in the discloser's position would also suspect the information indicates misconduct or a breach of the law.
- 6.25 Reprisal - Detrimental action taken against someone because they made or may make a public interest disclosure.
- 6.26 Retaliation - Actions taken to punish or negatively affect someone who has made a disclosure.
- 6.27 Satisfactory Performance – A level of work performance which is consistent with the level described in a staff member's contract of employment or position description, or with the measures agreed upon by the staff member and management for specific work tasks. Service Users – Any individuals who use the services of the Group including customers, clients and patients.
- 6.28 Serious and Substantial Waste - Misuse or inefficient use of public funds or resources, including large-scale proposals or lack of oversight.
- 6.29 Serious Maladministration - Conduct that is unlawful, unreasonable, unjust or oppressive in the administrative actions of an agency or public official.
- 6.30 Stakeholder - Any person associated with the Gandangara Group.
- 6.31 Voluntary PID - A disclosure made voluntarily by a public official about serious wrongdoing.
- 6.32 Whistleblower - An individual who reports suspected wrongdoing within an organisation, especially under protections of the PID Act.
- 6.33 Witness PID - A disclosure of information made during an investigation, in response to a formal request by an investigating body.
- 6.34 Wrongdoing – Any activity which contravenes Group Policy or Procedure or Australian Law

7. Related legislation

- 7.1 [Aboriginal Land Rights Regulation 2020](#)
- 7.2 [Aboriginal Land Rights Act 1983 No 42](#)
- 7.3 [Corporations Act 2001 \(Corporations Act\) – Volume 5 Chapter 9 Part 9.4AAA](#)
- 7.4 [Fair work regulations 2009 - Reg 1.07 Meaning of serious misconduct](#)
- 7.5 [Work Health and Safety Act 2011 No 10](#)
- 7.6 [Public Interest Disclosures Act 2022](#)
- 7.7 [Privacy Act 1988 - 2A Objects of this Act](#)
- 7.8 Section 12 of the [State Records Act 1998 \(NSW\)](#)

8. *Revision History*

Status	Approved by GLALC Board
Effect Date	28 April 2025
Review Date	27 April 2027
Revision History	
16/5/2022	Original Whistleblower Policy approved by the Board.
28/4/2025	Policy renamed to PID Policy [year of revision] to be consistent with PID Act 2022 nomenclature. Substantial revision of the policy to include extensive revision of the PID act in 2022 (launched on 1 October 2023)