

Making a Public Interest Disclosure – Summary of the Process

ACT Department of Education and Training

Your first step

Get in touch with the contact officer for information about the Public Interest Disclosure Act 1994 or write to the Chief Executive. You may also write to the Director, Governance, Regulation and Risk.

You decide to make a disclosure

The nominated officer decides if the disclosure is covered within the parameters of the Act.

YES

NO

The nominated officer will explain why.

The nominated officer will decide:

- to investigate; or
- to refer the disclosure to another agency or to the Ombudsman; or
- to make arrangements with another agency for a joint investigation.

Investigation

An impartial investigation will consider the substance of the disclosure. Depending on the nature of the case, this may involve obtaining information from the people directly involved in the matter. If the evidence suggests that a crime has occurred, the Department will investigate the matter in accordance with Fraud Protection Guidelines.

You can ask for progress reports.

Acting on Disclosures

The investigation will determine whether there is enough evidence to substantiate the disclosure.

Substantiated - necessary and reasonable action will be taken to:

- prevent the conduct recurring;
- discipline any person responsible for the conduct; and
- pursue criminal charges when appropriate.

Unsubstantiated – the nominated officer will write to you to explain their decision.

If you don't agree with the decision or the actions taken, you can contact the Ombudsman's office to see if you can make a complaint.

At any stage, the nominated officer may decide not to take further action on the disclosure if he/she is of the opinion that the disclosure:

- is frivolous or vexatious or misconceived or lacking substance, or
- has already been dealt with adequately by this Department or elsewhere.