



**PUBLIC INTEREST DISCLOSURE ACT 2012**

**PUBLIC INTEREST DISCLOSURE FORM**

A disclosure that relates to a Councillor **must** be made directly to IBAC or the Victorian Ombudsman:

<b>IBAC</b>	<b>VICTORIAN OMBUDSMAN</b>
Address: Level 1, North Tower 459 Collins Street, Melbourne, Victoria 3000  GPO Box 24234 Melbourne, Victoria, 3000  Toll Free: 1300 735 135 Fax: (03) 8365 6444 Internet: <a href="http://www.ibac.vic.gov.au">www.ibac.vic.gov.au</a>	Address: Level 2, 570 Bourke Street Victoria 3000 (DX 210174)  Tel: (03) 9613 6222 Toll Free: 1800 806 314 Internet: <a href="http://www.ombudsman.vic.gov.au">www.ombudsman.vic.gov.au</a> Email: <a href="mailto:ombudvic@ombudsman.vic.gov.au">ombudvic@ombudsman.vic.gov.au</a>

All other disclosures may be made in person, by telephone, email or post to:

Jodie Watson  
General Manager Governance & Engagement  
(Public Interest Disclosure Coordinator - PIDC)  
274 Gower Street, Preston  
Phone 0475 422 092  
Email: [PIDCoordinator@darebin.vic.gov.au](mailto:PIDCoordinator@darebin.vic.gov.au)

OR

Angelo Luczek  
Coordinator Corporate Information  
(Public Interest Officer - PIDO)  
274 Gower Street, Preston  
Phone: 0419 764 278  
Email: [PIDOfficer@darebin.vic.gov.au](mailto:PIDOfficer@darebin.vic.gov.au)

OR

IBAC or the Ombudsman (as per the contact details above)

The person completing this form should provide as much information as is relevant to the disclosure including:

- Information in their possession;
- Information not in their possession but witnessed by the person; and
- Any witnesses or people who can verify the conduct disclosed.

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## CONTACT DETAILS

Name	
Address	
Telephone:	
• Landline	
• Mobile	
Email	

[A person may make an anonymous disclosure. However, for this disclosure to be protected under the *Public Interest Disclosures Act 2012* (“the Act”) it must comply with the requirements of the Act. The investigating entity may need to follow up your disclosure and may not be able to do so if you elect to make your disclosure anonymously.]

## IMPROPER CONDUCT OR DETRIMENTAL ACTION DISCLOSURE

[Describe the ‘improper conduct’ or ‘detrimental action’ (See page 5 for definitions)]

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## SUPPORTING INFORMATION

### Names

[Provide the **full name** (if known otherwise a description) of any officers employed by the council or member of council committee that you believe to have an involvement in the matter complained of]

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**Council function/activity**

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[Provide details (if known) of the function, role or responsibility of the officer, employee or member of Council Committee]

**Dates**

[Provide the dates on which you believe the conduct disclosed occurred]

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**Location**

[State the location at which the conduct disclosed occurred]

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**Witnesses**

- State the full name, contact details of any witnesses to the conduct disclosed or who may be able to verify the conduct you have disclosed
- State the incident or conduct that the person is witness to

**Name A**

Name	
Address	
Telephone:	
• Landline	
• Mobile	
E mail	

What did the person witness?

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**Name B**

Name	
Address	
Telephone:	
• Landline	
• Mobile	
E mail	

What did the person witness?

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**Documentary evidence**

[State the nature of any documents or written material that support your claim or that you have seen but cannot produce]

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**Other evidence**

[State the nature of any other evidence that supports your claim]

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## What happens to your complaint?

1. The PIDC will assess whether your complaint is a Public Interest Disclosure (PID) and a disclosure that we can accept. The PIDC will also conduct a welfare risk assessment to ensure appropriate action can be taken to protect you.
2. The PIDC will notify you within **28 days** of their assessment and whether they have determined your report to be a PID or not.
3. If determined a PID, the PIDC will refer your disclosure to IBAC. If the disclosure is determined not a PID, the PIDC will explore next steps and options with you.
4. If the PID is referred to IBAC, IBAC will assess the PID as to whether it is a Public Interest Complaint (PIC) and notify entities and the discloser of the determination.
5. IBAC will advise you of its determination and the action proposed to be taken unless it considers that notification would have certain adverse consequences. IBAC may contact you directly or via the PIDC who will notify you of IBAC's assessment outcome if known.
6. The PIDC will continue to liaise with you on any further actions that may be taken and regarding your welfare need.

## Definitions

### Improper Conduct

A disclosure may be made about improper conduct by a public body or public official. Improper conduct is defined by section 4 of the Act as follows:

For the purposes of this Act, improper conduct means –

corrupt conduct; or

conduct of a public officer or public body engaged in their capacity as a public officer or a public body that constitutes:

- a criminal offence
- serious professional misconduct
- dishonest performance of public functions
- an intentional or reckless breach of public trust
- an intentional or reckless misuse of information or material acquired in the course of the performance of the functions of the public officer or public body
- a substantial mismanagement of public resources
- a substantial risk to health or safety of one or more persons
- a substantial risk to the environment

Conduct of any person that:

- adversely affects the honest performance by a public officer or public body of their public functions
- is intended to adversely affect the effective performance or exercise by a public officer or public body of the functions or powers of the public officer or public body and results in the person, or an associate of the person, obtaining:
  - a licence, permit, approval, authority or other entitlement under any Act or subordinate instrument
  - an appointment to a statutory office or as a member of the board of any public body under any Act or a subordinate instrument
  - a financial benefit or real or personal property
  - any other direct or indirect monetary or proprietary gain, that the person or associate would not have otherwise obtained.

Conduct of any person that could constitute a conspiracy or attempt to engage in any of the conduct referred to above.

### **Detrimental action**

The Act makes it an offence for a person to take detrimental action against a person in reprisal for making a disclosure. Detrimental action is defined by section 3 of the Act as including:

- (a) action causing injury, loss or damage;
- (b) intimidation or harassment; and
- (c) discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.

#### **OFFICE USE ONLY**

Name of officer taking the disclosure .....  
(Note: Only the General Manager Governance & Engagement or the Coordinator Corporate Information can receive Protected Disclosures)

Date on which disclosure is made .....

Location at which disclosure is made .....

State presence of other persons .....

Date by which determination to be made .....

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CONFIDENTIAL