



City of
Norwood
Payneham
& St Peters

NAME OF POLICY: Public Interest Disclosure Procedure

POLICY MANUAL: Governance

Principal Officer – Statement of Intent

This Procedure has been prepared in accordance with the requirements of Sections 12(4) and (5) of the *Public Interest Disclosure Act 2018* (the PID Act) and the [Public Interest Disclosure Guidelines](#) (the PID Guidelines).

As the Chief Executive Officer of the City of Norwood Payneham & St Peters (the Council), I am also the Principal Officer of the Council for the purposes of the PID Act.

In giving effect to my role as the Chief Executive Officer, I have caused the preparation of this Procedure which sets out the process for a person (an Informant) who wishes to make a Disclosure of Public Interest Information to the Council under the PID Act. It also sets out the process for officers, employees and Elected Members of the Council in dealing with such Disclosures.

The Council is committed to the protection of Informants, as well as to the genuine and efficient consideration and action of Appropriate Disclosures of Public Interest Information made under the Act.

In my capacity as Chief Executive Officer and Principal Officer, I expect that all Appropriate Disclosures of Public Interest Information made to the Council will be dealt with in the strictest confidence and with the utmost priority.

In preparing this Procedure, the Council is giving effect to its obligations under the PID Act to encourage and facilitate disclosures of Public Interest Information by ensuring that proper procedures are in place for making and dealing with such Disclosures and by providing protections for persons who make Disclosures in accordance with the PID Act.

Any questions about this Procedure should be directed in the first instance to the Responsible Officer, whose details are included in Parts 4.2 and 6.2 of this Procedure.

Principal Officer
Mario Barone PSM
CHIEF EXECUTIVE OFFICER
CITY OF NORWOOD PAYNEHAM & ST PETERS

1. Introduction

- 1.1 The Council is committed to its obligations to act as a representative, informed and responsible public authority and supports its officers, employees and Elected Members, to uphold the values of honesty, integrity, accountability and transparency, for the purposes of fostering community confidence and trust in the Council and in Local Government generally.
- 1.2 This Public Interest Disclosure Procedure (the Procedure) gives effect to the Council's obligations under the PID Act which is to encourage and facilitate disclosures of Public Interest Information, by ensuring that proper procedures are in place for making and dealing with such Disclosures and by providing protections, in accordance with the PID Act, for persons who make Disclosures.
- 1.3 The Council is committed to encouraging the making of appropriate Disclosures of Public Interest Information in accordance with this Procedure including:
 - 1.3.1 the protection of Informants who make Public Interest Disclosures;
 - 1.3.2 the genuine and efficient consideration and action in relation to information provided in a Public Interest Disclosure;
 - 1.3.3 referring, as necessary, appropriate Disclosures to another Relevant Authority;
 - 1.3.4 where the Disclosure relates to Corruption, reporting the Disclosure directly to the Office for Public Integrity (OPI) in accordance with the [OPI Directions and Guidelines](#) and the requirements of the *Independent Commission Against Corruption Act 2012* (the ICAC Act); and.
 - 1.3.5 where the Disclosure relates to Misconduct or Maladministration in public administration, reporting the Disclosure directly to the Ombudsman in accordance with the [Ombudsman Directions and Guidelines](#).
- 1.4 The Chief Executive Officer will review the operation of this Procedure as needed.
- 1.5 This Procedure will be available free of charge for inspection at the Council's Offices during ordinary business hours and via the Council's website www.npsp.sa.gov.au. Copies will also be provided to the public upon request and upon payment of any fee that the Council has approved in accordance with the Council's Schedule of Fees and Charges.

2. Purpose

- 2.1 This Procedure applies to appropriate Disclosures of Public Interest Information, that are made in accordance with the PID Act, by Public Officers including Elected Members, officers and employees of the Council, and by members of the public.
- 2.2 This Procedure is intended to support the legislatively required reporting framework under the ICAC Act and the *Ombudsman Act 1972* (the Ombudsman Act), and to operate in conjunction with existing policies, including the [Behavioural Standards for Council Members](#).
- 2.3 This document explains the applicable procedures and processes that the Council has in place for when a person makes an appropriate Disclosure of Public Interest information, to ensure that the Council:
 - 2.3.1 properly fulfils its responsibilities under the PID Act and the ICAC Act, including the [Public Interest Disclosure Guidelines](#);
 - 2.3.2 appropriately encourages and facilitates Disclosures of Public Interest Information, including environmental and health information regarding a location within the area of the Council;
 - 2.3.3 provides a process by which Disclosures may be made so that they are properly dealt with;
 - 2.3.4 provides appropriate protection for those who make Disclosures in accordance with the PID Act; and
 - 2.3.5 recognises the need to appropriately support Informants, the Responsible Officer and, as appropriate, those Public Officers affected by any appropriate Disclosure.

3. Definitions

Appropriate Disclosure of Environmental and Health Information – in accordance with Section 5(3) of the PID Act, a person makes an Appropriate Disclosure of Environmental and Health Information if the Disclosure is made to a Relevant Authority and the person:

- believes on reasonable grounds that the information is true; or
- is not in a position to form a belief on reasonable grounds about the truth of the information, but believes on reasonable grounds that the information may be true and is of sufficient significance to justify its Disclosure so that its truth may be investigated.

Appropriate Disclosure of Public Administration Information – in accordance with Section 5(4) of the PID Act, a person makes an Appropriate Disclosure of Public Administration Information if the Disclosure is made to a Relevant Authority and the Public Officer reasonably suspects that the information raises a potential issue of corruption, misconduct or maladministration in Public Administration.

Commissioner - means the person holding or acting in the office of the Independent Commissioner Against Corruption.

Corruption in Public Administration - is defined in Section 5(1) of the ICAC Act and means conduct that constitutes:

- an offence against Part 7 Division 4 (Offences relating to Public Officers) of the *Criminal Law Consolidation Act 1935*, which includes the following offences:
 - bribery or corruption of public officers;
 - threats or reprisals against public officers;
 - abuse of public office;
 - demanding or requiring benefit on basis of public office;
 - offences relating to appointment to public office; or
- an offence against the *Public Sector (Honesty and Accountability) Act 1995* or the *Public Corporations Act 1993*, or an attempt to commit such an offence; or
- an offence against the *Lobbyists Act 2015*, or an attempt to commit such an offence; or
- any of the following in relation to an offence referred to in a preceding paragraph:
 - aiding, abetting, counselling or procuring the commission of the offence;
 - inducing, whether by threats or promises or otherwise, the commission of the offence;
 - being in any way, directly or indirectly, knowingly concerned in, or party to, the commission of the offence;
 - conspiring with others to effect the commission of the offence.

Detriment – takes its meaning from Section 9(7) of the PID Act and includes loss or damage (including damage to reputation); or injury or harm (including psychological harm); or intimidation or harassment; or discrimination, disadvantage or adverse treatment in relation to a person's employment; or threats of reprisal.

Disclosure – means an Appropriate Disclosure of Environmental and Health Information (as per the requirements of Section 5(3) of the PID Act) or an Appropriate Disclosure of Public Interest Information (as per the requirements of Section 5(4) of the PID Act).

Environmental and Health Information - means information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public.

Informant - means a person who makes an Appropriate Disclosure of Public Interest Information to a Relevant Authority.

Maladministration in Public Administration – in accordance with Section 4(2) of the Ombudsman Act means:

- conduct of a Public Officer, or a practice, policy or procedure of a public authority, that results in an irregular and unauthorised use of public money or substantial mismanagement of public resources; or
- conduct of a Public Officer involving substantial mismanagement in or in relation to the performance of official functions; and
- includes conduct resulting from impropriety, incompetence or negligence; and
- is to be assessed having regard to relevant statutory provisions and administrative instructions and directions.

Misconduct in Public Administration – in accordance with Section 4(1) of the Ombudsman Act means an intentional and serious contravention of a code of conduct by a Public Officer while acting in their capacity as a Public Officer that constitutes a ground for disciplinary action against the officer.

Ombudsman Directions and Guidelines - means the directions and guidelines issued pursuant to Section 12D(1) of the Ombudsman Act relating to reporting matters of suspected misconduct or maladministration in Public Administration.

OPI Directions and Guidelines - is a reference to the directions and guidelines issued by the OPI pursuant to Section 18B of the ICAC Act in relation to reporting matters of suspected corruption in Public Administration.

PID Guidelines - is a reference to the Guidelines issued by ICAC pursuant to Section 14 of the PID Act.

Principal Officer - For the purposes of the PID Act means the Chief Executive Officer of the Council.

Public Administration - means an administrative act carried out in the course of public administration¹ and an administrative act is as per the definition in the Ombudsman Act and means:

- (a). *an act relating to a matter of administration on the part of an agency to which this Act applies or a person engaged in the work of such an agency; or*
- (b). *an act done in the performance of functions conferred under a contract for services with the Crown or an agency to which this Act applies,*
- (c). *but does not include—*
- (d). *an act done in the discharge of a judicial authority; or*
- (e). *an act done by a person in the capacity of legal adviser to the Crown or an agency to which this Act applies; or*
- (f). *an act of a class declared by the regulations not to be an administrative act for the purposes of this definition.²*

Public Administration Information - means information that raises a potential issue of corruption, misconduct or maladministration in Public Administration.

Public Interest Information – means:

- Environmental and Health Information; or
- Public Administration Information.

Public Officer - has the meaning given by Section 4 and Schedule 1 of the ICAC Act and includes Elected Members and an employee or officer of the Council.

Recipient - means the person who receives an Appropriate Disclosure (noting ideally this is the Responsible Officer but may not be).

Relevant Authority - means the person or entity that receives an Appropriate Disclosure of Public Interest Information in accordance with Section 5(5) of the PID Act.

Responsible Officer - is a person who has completed any training courses approved by the Commissioner for the purposes of the *Public Interest Disclosure Regulations 2019* and has been designated by the Chief Executive Officer as a Responsible Officer under Section 12 of the PID Act. The Responsible Officer is designated to undertake the duties as per Section 13 of the PID Act.

Victimisation - as per Section 9(1) of the PID Act, occurs when a *person causes detriment to another on the ground, or substantially on the ground, that the other person (or a third person) has made or intends to make an appropriate disclosure of public interest information.*

¹ ICAC Act, Section 4(1)

² Ombudsman Act, Section 3(1)

4. Responsibilities

4.1 Chief Executive Officer

- 4.1.1 The Council's Chief Executive Officer is the Principal Officer for the purposes of the PID Act and is responsible for:
- ensuring that one or more appropriately qualified officers or employees of the Council are designated as Responsible Officers of the Council for the purposes of the PID Act, and they undertake any training required by the *Public Interest Disclosure Regulations 2019*;
 - ensuring that the name and contact details of each Responsible Officer of the Council are made available to officers or employees of the Council; and
 - the preparation and maintenance of this Procedure in accordance with the requirements of the PID Act and the PID Guidelines.
- 4.1.2 The Chief Executive Officer will support the Responsible Officer including by ensuring there is a system in place to securely receive and store Disclosures.

4.2 Responsible Officer(s)

- 4.2.1 The Council's Responsible Officers may be contacted in person, by telephone or in writing as follows:

General Manager, Governance & Civic Affairs

Telephone: 8366 4549

Email: pid@npsa.gov.au

Address: PO Box 204, Kent Town SA 5071

Manager, Governance

Telephone: 8366 4593

Email: pid@npsa.gov.au

Address: PO Box 204, Kent Town SA 5071

- 4.2.2 A person designated as a Responsible Officer for the Council has the following responsibilities:
- receiving and securely storing Appropriate Disclosures relating to the Council and ensuring compliance with the PID Act, and this Procedure, in relation to any such Disclosures;
 - upon receipt of a Disclosure, the Responsible Officer will deal with the Disclosure in accordance with the processes described in this Procedure, and the PID Act. This includes being responsible for the procedures set out in section 5.4 of this Procedure;
 - liaising as required with the Informant and ensuring that the Informant is provided with support and protection as necessary and appropriate in the circumstances of the Disclosure;
 - making appropriate recommendations to the Chief Executive Officer (Principal Officer) of the Council in relation to dealing with Disclosures, including any suggested changes to this Procedure;
 - providing advice to Elected Members, officers and employees of the Council in relation to the administration of the PID Act;
 - completing any training courses approved by the Commissioner for the purposes of the PID Regulations; and
 - carrying out any other functions relating to the PID Act as appropriate to their role.

4.3 Elected Member, Officer or Employee of the Council

- 4.3.1 An Elected Member, officer or employee of the Council is responsible for:
- ensuring they comply with this Procedure and the Public Interest Disclosure Policy when dealing with any Disclosure;
 - immediately referring any Disclosure of Environmental and Health information made to them by a member of the public, or any Disclosure of Public Administration Information made to them by a Public Officer, to the Responsible Officer

5. Disclosure Protection Information

5.1 Immunity

Section 5(1) of the PID Act provides for the protection for Informants where appropriate Public Interest Disclosures are made:

- 5.1.1 By a member of the public or a Public Officer about environmental and health Information which the Informant reasonably believes to be true or which the Informant believes may be true and is of sufficient significance to warrant Disclosure, regarding a location within the Council area.
- 5.1.2 By a Public Officer about information that the Public Officer reasonably suspects raises a potential issue of corruption, misconduct or maladministration in public administration.

5.2 Protection of Informants

- 5.2.1 In addition to the immunity provisions of Section 5(1) of the PID Act, Victimisation of Informants is a criminal offence in accordance with the provisions of Section 9 of the PID Act. A person who causes detriment to another on the ground, or substantially on the ground, that the other person or a third person has made or intends to make an appropriate Disclosure of Public Interest Information, commits an act of Victimisation (refer to the legislative definitions provided in Part 3 of this Procedure).
- 5.2.2 Section 11 of the PID Act provides that a person must not prevent another person from making an appropriate Disclosure of Public Interest Information or hinder or obstruct another person in making such a Disclosure. Significant penalties including potentially imprisonment for 2 years apply to persons found to have breached these provisions.

5.3 Confidentiality and Security of Information

- 5.3.1 The identity of an Informant will be maintained as confidential in accordance with the PID Act.
- 5.3.2 The Recipient of an appropriate Disclosure may only divulge the identity of an Informant where:
 - the Recipient believes on reasonable grounds that it is necessary to divulge the identity of the Informant in order to prevent or minimise an imminent risk of serious physical injury or death to any person, and the identity of the Informant is then divulged to a person or authority that the recipient believes on reasonable grounds is the most appropriate authority or person to be able to take action to prevent or minimise the imminent risk of serious physical injury or death to any person;
 - doing so is necessary for the matter to be properly investigated (but only to the extent necessary to ensure proper investigation); or
 - the Informant consents to their identity being disclosed.
- 5.3.3 The PID Act does not expressly require any other information relating to a Disclosure (including, for example, the nature of the allegations and information provided) to be maintained as confidential. In considering whether to further disclose other information provided as part of an appropriate Disclosure consideration should be given to whether it is necessary and appropriate to do so.
- 5.3.4 The Responsible Officer will ensure the steps listed in part 5.4 below are followed for the secure receipt and storage of a Disclosure received.

5.4 Risk Management Steps and Processes for Maintaining Confidentiality and Protections

To ensure confidentiality is maintained and to minimise the likelihood of any Victimisation associated with Public Interest Disclosures, the Council has the following steps in place:

- 5.4.1 Responsible Officers have undertaken the required training on confidentiality and Informant protection.
- 5.4.2 Accurate records of an appropriate Disclosure are securely and confidentially maintained including notes of all discussions, phone calls, and interviews.

- 5.4.3 All information relating to an appropriate Disclosure is maintained as confidential and securely stored such that access to the records is limited to the Responsible Officer and such other persons as is necessary to ensure compliance with the PID Act and to ensure the matters to which the disclosure relates may be properly investigated.
- 5.4.4 Electronic records are secured, and confidentiality maintained, by limiting security access to Responsible Officers (or those involved in addressing or investigating the disclosure directly).
- 5.4.5 Any other person involved in investigating the Disclosure is aware of the confidentiality and security requirements and is provided with the access to support the confidentiality and security steps put in place by the Council.
- 5.4.6 All telephone calls and meetings in relation to a Public Interest Disclosure are conducted privately and in the strictest of confidence.
- 5.4.7 Procedural fairness is observed in the treatment of any person making a disclosure.
- 5.4.8 The consideration of information and evidence collected and drawing conclusions is done objectively and impartially.

6. Disclosure Process Information

6.1 Who can make a disclosure?

- 6.1.1 Any person can make an appropriate Disclosure of *environmental and health information* and will be protected from liability because of that disclosure.
- 6.1.2 Any person can make an appropriate Disclosure of *Public Administration* information in accordance with the PID Act, however only Public Officers are protected from liability because of that disclosure³.
- 6.1.3 Refer to the definitions within the PID Act (Sections 4 and 5) and as included in this Procedure for what is an '*Appropriate Disclosure*'.

6.2 How to Submit a Disclosure – Important Considerations

- 6.2.1 Appropriate Disclosures of Public Administration Information should generally, and wherever possible, be directed in the first instance to one of the Council's Responsible Officers in person or via email using pid@npsp.sa.gov.au or telephone using the details below:

General Manager, Governance & Civic Affairs

- Telephone: 8366 4549
- Email: pid@npsp.sa.gov.au
- Address: PO Box 204, Kent Town SA 5071

Manager, Governance

- Telephone: 8366 4593
- Email: pid@npsp.sa.gov.au
- Address: PO Box 204, Kent Town SA 5071

- 6.2.2 Using the pid@sa.gov.au email address will ensure the information is securely received by the Responsible Officers.
- 6.2.3 Nothing in this Procedure prevents a person from making an Appropriate Disclosure to another Relevant Authority, including a Relevant Authority external to the Council⁴. This is a choice to be made by the Informant at their discretion.
- 6.2.4 The following are further relevant considerations for an Informant in determining where to direct a Disclosure:
 - when choosing to make a Disclosure internally, Disclosures relating to an Elected Member or employee, including the Chief Executive Officer, should be made to a Responsible Officer;
 - any Disclosure relating to a person appointed as a Responsible Officer should be made to the other person appointed as a Responsible Officer or failing this, to a Relevant Authority external to the Council (such as the OPI);
 - any Disclosure relating to Public Administration information about a Public Officer who is an Elected Member or employee of the Council may be made to a Responsible Officer, or to the person responsible (either in fact, or as may be designated by the PID Act) for the management or supervision of the Public Officer the subject of the Disclosure;
 - if there is a reasonable suspicion of corruption, it must be reported to the OPI in accordance with the [OPI Directions and Guidelines](#); and
 - any Disclosure relating to maladministration or misconduct in public administration should be reported to the Ombudsman in accordance with the [Ombudsman Directions and Guidelines](#). Such disclosures may also be made to the OPI in accordance with the ICAC Act.

³ PID Act, Section 5(1)

⁴ PID Act, Section 5(5)

6.3 Receipt of Disclosure

6.3.1 A flowchart outlining the Disclosure Process is at Appendix B to this Procedure.

6.3.2 Where a Disclosure is made by telephone, the recipient (noting this is ideally, but not always the Responsible Officer) must take notes of the conversation.

6.3.3 If an Elected Member, officer or employee receives a Disclosure of Public Interest Information regarding a location within the Council area, the recipient of that Disclosure will:

- ask the Informant whether they consent to the details of their identity being provided to the Responsible Officer, and in doing so advise the Informant that:
 - a failure to provide that consent may mean that the Disclosure cannot be properly investigated; and
 - notwithstanding that the informant may not consent to their identity being disclosed, it may nonetheless be disclosed if it is necessary to do so to ensure the matters to which the information relates may be properly investigated;
- refer the Disclosure to the Responsible Officer and, in doing so, comply with the wishes of the Informant with respect to whether details of their identity may be divulged unless it is necessary to disclose their identity contrary to their wishes to ensure the matters to which the information relates may be properly investigated.

6.3.4 Where the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will acknowledge receipt of the Disclosure within two (2) business days and in doing so, will provide a copy of this Procedure to the Informant.

6.3.5 To ensure the secure receipt and storage of the Disclosure, upon the receipt of a Disclosure (whether directly, or by referral from an Elected Member, officer or employee), the Responsible Officer will ensure that a Disclosure is stored securely in accordance with Council's record management system and confidentiality requirements as per the steps outlined in part 5.4 of this Procedure.

7. Assessment and Actions

7.1 Preliminary Assessment and action

7.1.1 Upon receipt of a Disclosure, the Responsible Officer will undertake a preliminary assessment to determine what (if any) actions need to be taken:

- If the content of the Disclosure suggests there is an imminent risk of serious physical injury or death to any person or the public generally. If it does, the Responsible Officer must immediately communicate such information as may be necessary to mitigate that risk to the most appropriate agency (for example to, South Australia Police, SafeWork SA, SA Ambulance, Environment Protection Authority). In doing so, the Responsible Officer must also have regard to part 5.3 of this Procedure.
- If the matter/s the subject of the Disclosure result in the Responsible Officer forming a reasonable suspicion that they involve corruption in public administration, or misconduct or maladministration in public administration; the Responsible Officer must comply with their reporting obligations under the ICAC Act in accordance with the [OPI Directions and Guidelines](#) and reporting expectations under the Ombudsman Act in accordance with the [Ombudsman Directions and Guidelines](#).
- If the Responsible Officer determines the Disclosure warrants referral to an external body or another Relevant Authority, the Responsible Officer will undertake the referral, including ensuring that such information as is necessary to enable action to be taken is communicated to the most appropriate person or Relevant Authority to take that action.
- If the Disclosure is frivolous, vexatious or trivial, the Responsible Officer may determine no further action will be taken in relation to the Disclosure.
- If the information disclosed involves a matter which has already been investigated or acted upon by a Relevant Authority and there is no reason to re-examine the matter or there is other good reason why no action should be taken in respect of the matter, the Responsible Officer can determine no further action will be taken in relation to the Disclosure.

7.1.2 Having considered the above, the Responsible Officer can initiate the Council's usual investigation process noting the requirements of the PID Act around confidentiality and security of information.

7.1.3 If an Informant believes that their Disclosure is not being dealt with appropriately or in accordance with this Procedure they should contact the Responsible Officer in the first instance.

7.2 Notification of Preliminary Assessment

7.2.1 Where the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will notify the Informant of the outcome of their determination in writing as soon as is reasonably practicable after the Preliminary Assessment has been made, and in any event within thirty (30) days of receipt of the Disclosure. In doing so, the Responsible Officer must advise the Informant of:

- any action that has been, or will be, taken in relation to the Disclosure; or
- if no action is being taken in relation to the Disclosure, the reason/s why.

7.2.2 If the Responsible Officer fails to notify the Informant in accordance with the above, the Informant may be entitled to protection in relation to any subsequent Disclosure of that information to a journalist or Member of Parliament in accordance with the PID Act.

7.2.3 If the Informant is dissatisfied with the Responsible Officer's determination, it is open to him/her to report the Disclosure to another Relevant Authority external to the Council.

7.2.4 As soon as reasonably practicable following the Preliminary Assessment and notification to the Informant, the Responsible Officer must use the dedicated online notification form at <https://www.icac.sa.gov.au> to notify OPI of the Disclosure (**Initial Notification**), and in doing so must ensure that the details required by Guideline 1.4 of the [Public Interest Disclosure Guidelines](#) are included in the Initial Notification.

- 7.2.5 The Responsible Officer will retain the unique reference number issued by the OPI upon making the Initial Notification and will ensure that reference number is provided to any other person or authority to whom the Disclosure is referred.

7.3 Notification of Further Action

- 7.3.1 Where the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will notify the Informant of the outcome of their determination in writing as soon as is reasonably practicable after the Further Action has been taken and, in any event, within either:
- 90 days of receipt of the Disclosure; or
 - such longer period as may be specified by written notice given by the Responsible Officer within that 90 day period.
- 7.3.2 In doing so the Responsible Officer must advise the Informant of:
- any action that has been, or will be, taken in relation to the Disclosure; or
 - if no action is being taken in relation to the Disclosure, the reason/s why.
- 7.3.3 If the Responsible Officer fails to notify the Informant in accordance with clauses above, the Informant may be entitled to protection in relation to any subsequent Disclosure of that information to a journalist or Member of Parliament in accordance with the PID Act.
- 7.3.4 If the Informant is dissatisfied with the Responsible Officer's determination or the action taken it is open to him/her to report the Disclosure to another Relevant Authority external to the Council.
- 7.3.5 As soon as reasonably practicable following the Preliminary Assessment and notification to the Informant, the Responsible Officer must use the dedicated online notification form at <https://www.icac.sa.gov.au> to notify OPI of the action taken in relation to the Disclosure (Further Notification) and, in doing so, must ensure that the details required by Guideline 2 of the [Public Interest Disclosure Guidelines](#) are included in the Further Notification.
- 7.3.6 If the Disclosure came to the Council by way of a referral from a Minister, the Responsible Officer must ensure that the Minister is also notified of the action taken in relation to the Disclosure, and the outcome of any such action. The Minister should be notified in accordance with this clause following the Preliminary Assessment if the Responsible Officer determines that no action is to be taken.

Appendix A

Relevant Authorities in accordance with Section 5(5) of the PDI Act

| Where the information relates to... | the relevant authority is... |
|--|---|
| a public officer* *as defined and set out in Schedule 1 of the <i>Independent Commissioner Against Corruption Act 2012</i> – relevantly, this includes council members, officers and employees of Local Government bodies | either: the person who is designated by the Guidelines as being taken to be responsible for management or supervision of the Public Officer; or the person who is in fact responsible for the management or supervision of the Public Officer; or the relevant Responsible Officer (as designated by the Council in accordance with section 12 of the PID Act) |
| a public sector agency or public sector employee | either: the Commissioner for Public Sector Employment; or the Responsible Officer for the relevant public sector agency |
| an agency to which the <i>Ombudsman Act 1972</i> applies | the Ombudsman |
| a location within the area of a particular Council established under the <i>Local Government Act 1999</i> | An Elected Member, officer or employee of that Council |
| a risk to the environment | the Environment Protection Authority |
| an irregular and unauthorised use of public money or substantial mismanagement of public resources | the Auditor-General |
| the commission, or suspected commission, of any offence | a member of the SA Police |
| a judicial officer | the Judicial Conduct Commissioner |
| a Member of Parliament | the Presiding Officer of the House of Parliament to which the member belongs |
| a person or a matter of a prescribed class ⁵ | an authority declared by the regulations to be a relevant authority in relation to such information |

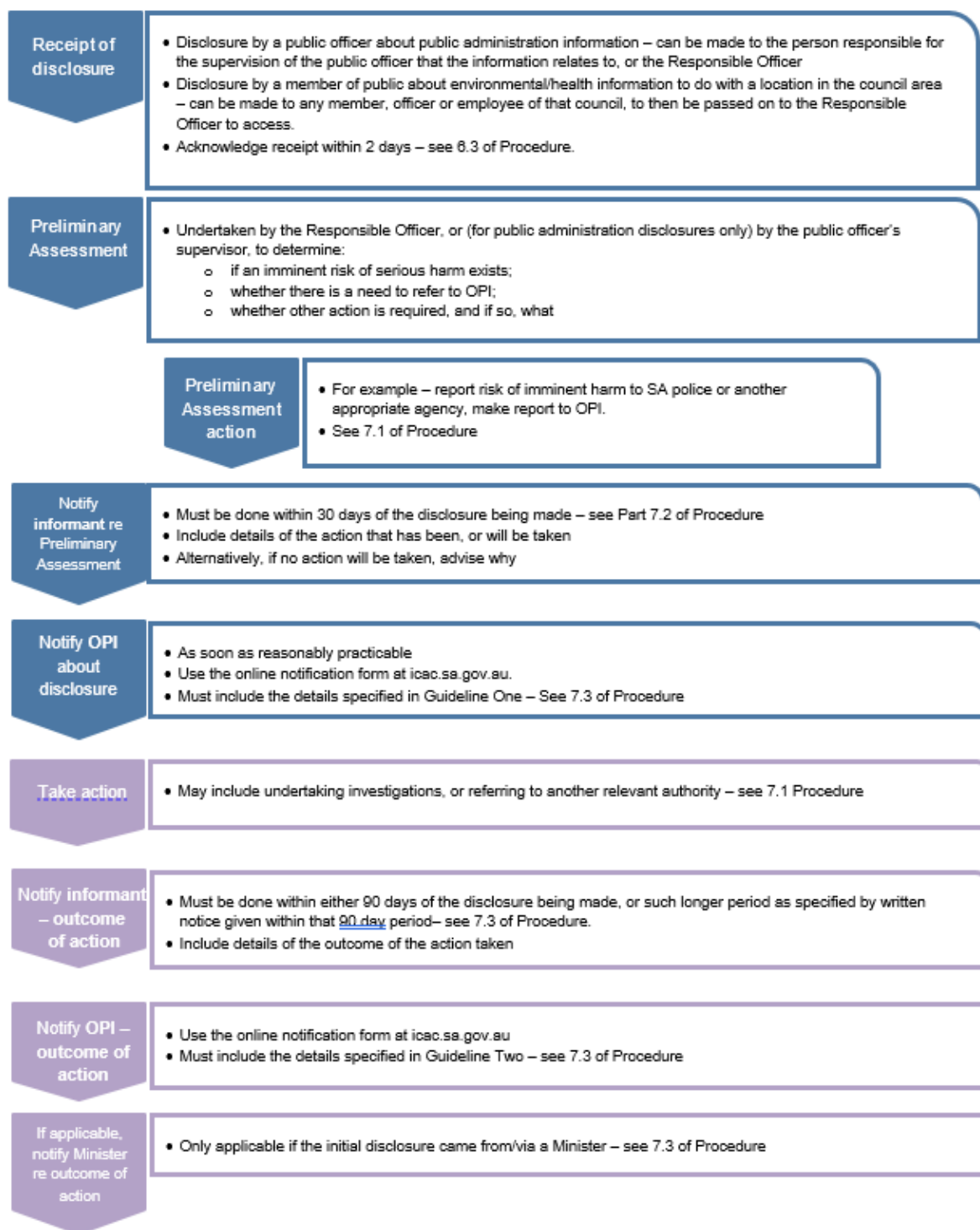
In addition to the above a Minister of the Crown or OPI are also Relevant Authorities for any Disclosure of Public Interest information.

⁵ presently, no prescribed persons or classes have been identified

Appendix B

Notification Process Flowchart

Notification Process Flowchart



INFORMATION

The contact officer for further information at the City of Norwood Payneham & St Peters is the Council's General Manager, Governance & Civic Affairs, telephone 8366 4549 or email lmara@npsp.sa.gov.au

ADOPTION & REVIEW

The Council will review this Policy & Procedure within three (3) years of the adoption date, or as required as a consequence of amendments to the PID Act, Regulations, ICAC Guidelines or the public integrity statutory framework generally.

This Procedure was adopted by the Council on 1 September 2025.

This Procedure will be reviewed in August 2028.