

SEPTEMBER 2025

Making and Handling Public Interest Disclosures

Procedures

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Quick reference guide to public interest disclosures

What is a public interest disclosure?	A public interest disclosure is a complaint or allegation made about improper conduct or detrimental action involving a public officer or public body.
Who can make a disclosure?	Any individual or group of individuals. A disclosure cannot be made by a business or company. (refer to Part 2 of these procedures for more information)
How do I make a disclosure?	Verbally or in writing (but not by fax) in accordance with specific procedures. (refer to Part 3 of these procedures for more information)
What can I make a disclosure about?	Improper conduct engaged in, and/or detrimental action taken by, public bodies or public officers performing public functions including professional misconduct. This includes the Department of Treasury and Finance (DTF) and/or its officers and agencies as well as statutory authorities which fall within the portfolio of DTF. (refer to Part 4 of these procedures for more information)
Who can I make a disclosure to?	If you wish to make a public interest disclosure about DTF or any of its employees and/or officers, you may contact: Alex Price Public Interest Disclosure Coordinator Deputy General Counsel Office of the General Counsel Department of Treasury and Finance GPO Box 4379 Melbourne Victoria 3000 Email: public.interest.disclosure@dtf.vic.gov.au The Independent Broad-based Anti-corruption Commission (IBAC) Level 1, North Tower 459 Collins Street Melbourne Vic 3000 GPO Box 24234, Melbourne, VIC 3001 Telephone: 1300 735 135 Website: www.ibac.vic.gov.au If you wish to make a public interest disclosure about the Victorian Information Commissioner or the Privacy Commissioner, you must make your disclosure to IBAC.
	If you wish to make a disclosure about any of the following public bodies or public officers, you must make your disclosure to IBAC: • the Chief Commissioner of Police • the Director of Public Prosecutions • the Chief Crown Prosecutor • the Solicitor-General • a judicial officer • a member of the Victorian Civil and Administrative Tribunal (VCAT) • a judicial employee • a ministerial officer.

If you wish to make a disclosure about a member of police personnel (other than the Chief Commissioner of Police), you must make your disclosure to IBAC or prescribed members of police personnel.

If you wish to make a disclosure about any other statutory entity or office that falls within DTF's portfolio, you should make your disclosure to IBAC.

(refer to Part 5 of these procedures for more information)

1. Background and purpose

- 1.1 The Department of Treasury and Finance (DTF) encourages employees and members of the public to report known or suspected incidences of corrupt or improper conduct.
- 1.2 The purpose of this document is to establish procedures for making disclosures of improper conduct engaged in and/or detrimental action taken by DTF and/or its employees, and how those disclosures should be received and handled.
- 1.3 The Public Interest Disclosures Act 2012 (the Act) encourages and facilitates disclosing improper conduct by public bodies or public sector employees, and protects those who make disclosures.
- 1.4 This document constitutes DTF's procedures under sections 58(1) and (5) of the Act, and should be read in conjunction with the guidelines of the Independent Broad-based Anti-corruption Commission (**IBAC**) which are available on the IBAC website (www.ibac.vic.gov.au).

2. Who can make a Public Interest Disclosure?

- 2.1 Any person can make a public interest disclosure (PID) about improper conduct engaged in, or detrimental action taken by, DTF or one of its officers.
- 2.2 You can make a PID if you are a member of the public, an employee, officer or member of DTF or one of its portfolio agencies, or an employee, officer or member of another department or public body.
- 2.3 You can make a disclosure as an individual or together with a group of individuals.
- 2.4 A company or business cannot make a PID.
- 2.5 You can ask someone else to make a disclosure on your behalf. However, if you ask someone else to make a disclosure on your behalf, only that person will receive the full protection of the Act in relation to that disclosure. Your protection will be limited to confidentiality and protection against detrimental action taken against you in reprisal for the disclosure that has been made.
- 2.6 You do not have to specifically refer to the Act or the protections in the Act for your disclosure to be a 'public interest disclosure'. You may also advise that you do not want your disclosure to be treated as a 'public interest disclosure'.

3. How do I make a Public Interest Disclosure?

- 3.1 You may make a public interest disclosure:
- a) in person
 - b) by phone
 - c) by leaving a voicemail message
 - d) in writing by post, personal delivery or email
 - e) by any other form of electronic communication; and/or
 - f) anonymously.
- 3.2 You may **not** make a public interest disclosure by fax.
- 3.3 A verbal public interest disclosure must be made in private, so it is important that only the person to whom you are making the disclosure can hear or receive your disclosure. For example, if you make your disclosure by email, your disclosure should be sent to the email address of the person to whom you are making the disclosure to, rather than a group email. You are not precluded from making a joint disclosure with a group of individuals at the same time.
- 3.4 If you are making your disclosure verbally, the person receiving your disclosure may take notes of your discussion. The person receiving your disclosure may also want to record the conversation but will only do so with your permission.
- 3.5 You do not have to identify yourself when making a disclosure. However, if your disclosure is anonymous, this may affect how the disclosure is investigated and you will not be notified of the outcome of any investigation.
- 3.6 If you cannot be identified from the disclosure, the disclosure will be treated as an anonymous disclosure.

4. What can I make a Public Interest Disclosure about?

- 4.1 You may make a public interest disclosure about information that shows or tends to show, or that you believe on *reasonable grounds* shows or tends to show, that:
- (a) a person, public officer or public body
 - (b) is engaging in, or proposing to engage in
 - (c) 'improper conduct' and/or detrimental action against another person in reprisal for a public interest disclosure.,

4.2 Public officer and public body

- 4.3 The conduct you are disclosing must be in the performance of a person or body's function as a public officer or public body. In other words, there must be a link between the alleged improper conduct and/or detrimental action and the person or body's functions as a public officer or public body.
- 4.4 Public bodies or public officers include DTF and its agencies as well as statutory authorities that fall within DTF's portfolio.

4.5 For a full definition of 'public body' and 'public officer' see Schedule 1 of these procedures.

4.6 Improper conduct and detrimental action

4.7 The conduct you are disclosing must be improper conduct and/or detrimental action against another person in reprisal for a public interest disclosure.

4.8 'Improper conduct' means:

- corrupt conduct (as defined by section 4 of the Independent Broad-based Anti-corruption Commission Act 2011 (IBAC Act)). This includes things like bribery and perverting the course of justice;
- conduct of a public officer or public body engaged in by them in their capacity as a public officer or a public body that constitutes:
 - a criminal offence;
 - serious professional misconduct;
 - dishonest performance of public functions;
 - intentional or reckless breach of public trust;
 - intentional or reckless misuse of information or material acquired in the course of performance of the functions of the public officer or public body;
 - substantial mismanagement of public resources;
 - substantial risk to health or safety of a person;
 - substantial risk to the environment;
- conduct of any person that adversely affects the honest performance by a public officer or public body of their functions;
- conduct of any person that is intended to adversely affect the effective performance by a public officer or public body of their functions and results in the person or their associate obtaining a
 - a licence, permit, approval, authority or other entitlement under any Act or subordinate instrument; or
 - an appointment to a statutory office or as a member of the board of any public body under any Act or subordinate instrument; or
 - a financial benefit or real or personal property; or
 - any other direct or indirect monetary or proprietary gain that would not have been otherwise obtained.

4.9 However, conduct that is trivial is not 'improper conduct'.

4.10 'Detrimental action' includes:

- action causing injury, loss or damage;

- intimidation or harassment;
- discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.

4.11 'Reasonable grounds'

- 4.12 Your belief that improper conduct or detrimental action has occurred, is occurring, or will occur does not have to be based on actual proof. It is enough if you *believe* (as opposed to *know*) that improper conduct or detrimental action has occurred, is occurring or will occur. However, you must have *reasonable grounds* for your belief.
- 4.13 A mere suspicion, allegation or conclusion that is unsupported by further information, facts or circumstances will not be protected by the Act. For example, it is not enough to say, 'I know X is corrupt'. You must have information that would lead a reasonable person to believe that the information shows, or tends to show, improper conduct or detrimental action.

5. Making a Public Interest Disclosure

- 5.1 Who you can make your public interest disclosure to depends on the person or body your disclosure is about as only certain persons and entities can receive a public interest disclosure.
- 5.2 If your disclosure is made to a person or entity that cannot receive your disclosure, your disclosure will **not** be a public interest disclosure and you will **not** be protected under the Act unless under the 'misdirected disclosure' scheme. It is therefore important that you check that you are providing your disclosure to the right person or body. If in doubt, disclosures should be made directly to IBAC, **unless** the disclosure is about IBAC or one of its officers.

5.3 Misdirected Disclosures

- 5.4 The 'misdirected disclosure' scheme provides that where a disclosure is made to an entity which ordinarily can receive PIDs and which the discloser believed to be the correct place for the disclosure, but it is not the correct place for that particular disclosure, the disclosure can still be notified to IBAC for assessment as a Public Interest Complaint (PIC) and will receive the protections of the public interest disclosure regime.
- 5.5 The misdirected disclosure scheme does not apply to disclosures that relate to members of Parliament. Those disclosures need to be made directly to the Speaker of the Legislative Assembly or the President of the Legislative Council.

5.6 Making a disclosure about DTF and/or its employees and officers

5.7 If you wish to make a public interest disclosure about DTF or any of its employees and/or officers, you may **only** make your disclosure to:

a) DTF's Public Interest Disclosure Coordinator:

- i. Alex Price
Public Interest Disclosure Coordinator
Deputy General Counsel
Department of Treasury and Finance
GPO Box 4379
MELBOURNE VIC 3000
Email: public.interest.disclosure@dtf.vic.gov.au
- ii. the manager/supervisor of the person who is the **subject** of your disclosure
- iii. if you are an employee of DTF, **your** manager/supervisor
- iv. the Secretary of DTF; and
- v. a person acting in any of the above roles.

OR

- b) **IBAC**
Level 1 North Tower
459 Collins Street Melbourne Vic 3000
GPO Box 24234, Melbourne, VIC 3001
Telephone: 1300 735 135
Website: www.ibac.vic.gov.au

You should check that you are providing your disclosure to the right person or body. As a general rule, if your disclosure is made to a person or entity that cannot receive a disclosure, your disclosure will **not** be a public interest disclosure and you will **not** be protected under the Act.

5.8 Making a disclosure about a statutory entity that falls within DTF's portfolio

5.9 If you wish to make a disclosure about any other statutory entity or office that falls within DTF's portfolio, you should make your disclosure to IBAC. This includes:

- Better Regulation Victoria
- Economic Growth Victoria
- Emergency Services and State Super
- Essential Services Commission
- Infrastructure Victoria
- Labour Hire Authority
- Land Tax Hardship Relief Board

- Medical Panels
- Portable Long Service Authority
- Housing Registrar
- State Trustees Limited
- Transport Accident Commission
- Treasury Corporation of Victoria
- Victorian Asbestos Eradication Agency
- Victorian Funds Management Corporation
- Victorian Independent Remuneration Tribunal
- Victorian Managed Insurance Authority
- Victorian Plantations Corporation
- Wage Inspectorate Victoria
- Workplace Injury Commission
- WorkSafe Victoria.

6. What will happen after I make a disclosure?

6.1 The procedures in this part relate to disclosures made to DTF. Disclosures made to IBAC will be handled in accordance with IBAC's guidelines and processes.

6.2 Receipt of disclosures

6.3 The receipt of your disclosure to DTF will be acknowledged verbally, or in writing (if a postal or email address is known). You will also be advised of the key steps involved in the process for handling your disclosure, including the timeframes involved.

6.4 Assessing disclosures

6.5 Upon receipt of your disclosure, the Public Interest Coordinator will assess whether the disclosure complies with the requirements of the Act.

6.6 At this time, the Public Interest Coordinator may also discuss with you the welfare support it will provide (for example, the appointment of a welfare manager) and the precautions DTF will take to prevent detrimental action taken in reprisal for you having made a disclosure. For more information on this, see Parts 8 - 9 of these procedures.

6.7 In some circumstances, it may be necessary for DTF to report your disclosure to Victoria Police for immediate investigation. It may also be necessary for DTF to take action to prevent certain future conduct (including taking action against the person you have made the disclosure about). For example, a DTF employee may be concealing evidence of criminal conduct. This action may take place before DTF has decided whether your disclosure meets all of the requirements in the Act.

- 6.8 The person to whom you make your public interest disclosure, as well as DTF, must not disclose the content, or information about the content of your disclosure except in accordance with the Act.

6.9 Notification to IBAC

- 6.10 If the Public Interest Coordinator determines that your disclosure complies with the requirements of the Act, DTF must notify your disclosure to IBAC, in writing, within 28 days of you making the disclosure to DTF. Your disclosure will then be known as an 'assessable disclosure'.
- 6.11 The Public Interest Coordinator will advise you verbally, or in writing (if a postal or email address is known) within 28 days of you making the disclosure to DTF that your disclosure has been notified to IBAC and that it is an offence under the Act to inform anyone that your disclosure has been notified to IBAC. DTF may also provide to IBAC information that it has obtained whilst it was assessing whether your disclosure should be referred to IBAC.
- 6.12 If DTF determines that your disclosure does not comply with the requirements of the Act, DTF will advise you of this within 28 days of you making the disclosure to DTF.

6.13 Assessment by IBAC

- 6.14 IBAC is responsible for identifying, investigating, exposing and preventing serious corrupt conduct across the whole of the Victorian public sector.
- 6.15 Once DTF notifies your disclosure to IBAC, IBAC must assess within a reasonable time whether (in its view) your disclosure is a public interest disclosure. It may seek additional information from you and/or DTF to make its decision.
- 6.16 If IBAC determines that your disclosure is a public interest disclosure, it must decide to either:
- dismiss your disclosure;
 - investigate your disclosure; or
 - refer your disclosure to another body for investigation, such as Victoria Police, the Ombudsman or the Victorian WorkCover Authority.
- 6.17 Regardless of whether IBAC determines your disclosure is a public interest disclosure or not, you will still receive the protections under the Act. This includes protection from detrimental action taken in reprisal for you making the disclosure.
- 6.18 However, if IBAC determines that your disclosure is not a public interest disclosure, the confidentiality requirements set out in the Act no longer apply in relation to your disclosure.

7. What protections will I receive?

- 7.1 The Act sets out the protections provided to persons who make a disclosure in accordance with the Act. These include:
- Protection from detrimental action in reprisal for making a public interest disclosure, meaning you cannot be fired, disciplined or bullied for making a disclosure;

- immunity from civil or criminal liability as well as administrative action (including disciplinary action) for making the disclosure;
 - immunity from committing an offence under the *Constitution Act 1975* or any other Act that imposes obligations of confidentiality or otherwise restricts the disclosure of information;
 - immunity from breaching any other obligation (made by oath or rule of law or practice) requiring the maintenance of confidentiality or otherwise restricting the disclosure of information; and
 - protection from an action for defamation.
- 7.2 These protections apply to a disclosure from the time you make the disclosure and continue to apply even if DTF determines the disclosure does not comply with the requirements of the Act or IBAC determines that the disclosure is not a 'public interest disclosure'.
- 7.3 The protections in the Act do not apply if you provide false or misleading information or claim that a matter is the subject of a public interest disclosure knowing that claim to be false.
- 7.4 The protections will apply to further information relating to a public interest disclosure that you provide to:
- DTF;
 - IBAC; or
 - an investigating entity.
- 7.5 In addition to these protections, DTF recognises that the welfare and protection from detrimental action of persons making genuine public interest disclosures is essential for the effective implementation of the Act and is relevant to DTF's obligation to create a safe working environment under the *Occupational Health and Safety Act 2004*, the *Charter of Human Rights and Responsibilities Act 2006*, the *Public Administration Act 2004* (Vic) and common law.

8. Welfare management

- 8.1 DTF will provide welfare support to a discloser or a witness in an investigation as the circumstances require.
- 8.2 DTF will also consider appointing a welfare manager when a person has made a public interest disclosure or is cooperating, or intending to cooperate, with an investigation of a public interest disclosure.
- 8.3 A welfare manager is responsible for:
- examining the discloser and/or witness' immediate welfare and protection needs and, where that person is an employee, fostering a supportive work environment;
 - providing practical advice and support;
 - advising the discloser and/or witness of the protections available under the Act;

- receiving and responding to any disclosures of detrimental action in reprisal for making the disclosure (e.g. harassment, intimidation or victimisation);
 - ensuring that the discloser and/or witness' expectations of the process and outcomes are realistic;
 - maintaining confidentiality; and
 - operating discreetly to protect the discloser and/or witness from being identified as being involved in a public interest disclosure.
- 8.4 In determining whether to appoint a welfare manager in any particular case, DTF will consider:
- whether the disclosure has proceeded, or is likely to proceed, to an investigation;
 - whether there are any real risks of detrimental action against the persons involved, taking into account their particular circumstances;
 - whether DTF can provide effective support to the persons involved, including keeping them informed of the progress of the disclosure; and
 - whether it is within DTF's power to protect the person/s involved from suffering repercussions.
- 8.5 DTF may appoint an internal person as welfare manager or engage a contractor to provide welfare services. DTF will also consider referring an employee to its Employee Assistance Program.
- 8.6 If a welfare manager is appointed to look after a discloser or witness, the welfare manager will only be required to provide reasonable support and should discuss the reasonable expectations with the person(s) they are supporting.

9. Protection from detrimental action

- 9.1 DTF will take precautions to prevent its employees and agents from taking detrimental action in reprisal for a public interest disclosure. This includes identifying, assessing, controlling and monitoring risks of reprisals faced by disclosers and witnesses.
- 9.2 The precautions taken by DTF will depend on individual circumstances and the disclosers and witnesses will, where possible, be consulted about any action that is taken.
- 9.3 If a person reports an incident of harassment, discrimination or adverse treatment that may amount to detrimental action, the person receiving the report (irrespective of their role) will record details of the incident and advise the person of the protections they will receive under the Act.
- 9.4 A disclosure of detrimental action is itself a public interest disclosure and will be assessed by DTF as a new disclosure in accordance with these procedures.
- 9.5 Where the detrimental action is of a serious nature that is likely to amount to a criminal offence, DTF may consider reporting the matter to the police or IBAC.
- 9.6 If you are an employee who has made a public interest disclosure and you believe on reasonable grounds that detrimental action will be, is being, or has been taken against you, you may request a transfer of employment to another government agency on terms and

conditions that are no less favourable overall to you. Note that all requests of this nature will be considered, but a number of conditions must be satisfied before they are granted, including:

- the Secretary of DTF must be satisfied there are reasonable grounds to suspect detrimental action will be, is being, or has been taken against you;
- the Secretary must consider that the transfer will avoid, reduce or eliminate the risk of detrimental action; and
- the head of the 'receiving' government agency consents to the transfer.

9.7 If you have sustained injury, loss or damage as a result of detrimental action taken against you in reprisal for making a disclosure, the Act sets out remedies that are available to you. You may wish to obtain legal advice about this.

9.8 Whilst there are protections, there are also responsibilities. You must not take detrimental action against another person in reprisal for a public interest and, if you have been involved in the improper conduct or detrimental action which is the subject of your disclosure, you will still be held liable for your own involvement. Making a disclosure does not provide you with immunity for your own wrongdoing.

9.9 You must not disclose the content, or information about the content, of a disclosure that has been notified to IBAC by DTF or information which is likely to lead to the identification of the person who made that disclosure unless permitted to by the Act.

10. What happens if a public interest disclosure is made against me?

10.1 DTF recognises that employees against whom disclosures are made must also be supported during the handling and investigation of disclosures and will provide welfare support to you during the handling and investigation of a disclosure as the circumstances require.

10.2 DTF will only disclose information about the subject of a disclosure in accordance with the law, including the Act (and as explained in these procedures and its 'Public Interest Disclosure Management' procedures).

10.3 Where investigations do not substantiate disclosures, the fact that the investigation has been carried out, the results of the investigation and the identity of the person who is the subject of the disclosure will remain confidential.

11. Confidentiality

11.1 There are a number of confidentiality obligations which arise under the Act and other laws relating to the receipt and investigation of public interest disclosure.

11.2 If you repeat your disclosure to someone other than as provided for in these procedures or permitted by the Act, you may lose the protections provided for in the Act. For example, if a disclosure is repeated to the media and the media reports on it, you may not be protected from defamation action. You may also breach your confidentiality obligations.

- 11.3 If you are considering disclosing information about your disclosure, you may wish to speak to the Public Interest Coordinator, your welfare manager and/or obtain legal advice first.
- 11.4 DTF will only disclose information about you or your disclosure in accordance with the law, including the Act. The Act prohibits the disclosure of information received in relation to a disclosure that has been notified to IBAC by DTF except in certain limited circumstances.
- 11.5 The circumstances in which a person may disclose information obtained about a public interest disclosure that has been notified to IBAC by DTF or information which is likely to lead to the identification of the person who made that disclosure include:
- in accordance with a direction or authorisation given by the investigating entity that is investigating the disclosure;
 - to the extent necessary for the purpose of taking lawful action in relation to the conduct that is the subject of the disclosure including disciplinary process or action;
 - IBAC or the Victorian Inspectorate has determined that the disclosure is not a public interest disclosure;
 - where necessary for the purpose of the exercise of functions under the Act;
 - by an investigating body where necessary for the purpose of the exercise of functions under the *Independent Broad-based Anti-corruption Commission Act 2011*;
 - for the purpose of a proceeding for an offence under a relevant Act or provision;
 - for the purpose of disciplinary process or action in respect of conduct that would constitute an offence;
 - for the purpose of obtaining legal advice or representation;
 - to an interpreter, parent, guardian or independent person for the purpose of understanding the confidentiality obligations under the Act; and
 - an investigating body has published a report to Parliament or otherwise made public the content of the disclosure consistent with the confidentiality requirements of the Act.
- 11.6 A discloser is restricted from sharing information they receive from IBAC about whether their PID has been dismissed, referred or investigated and from disclosing any information they receive about the results of any investigation.
- 11.7 After an investigation is initiated, IBAC and some other investigating bodies may determine that disclosure of further types of information (such as any evidence or information given to IBAC or the fact that a disclosure has been notified for assessment under the Act) is likely to prejudice the inquiry or investigation, the safety or reputation of a person or the fair trial of a person. In those circumstances, an investigating body is empowered to issue a confidentiality notice on a person which will further restrict what information that person can share.
- 11.8 However, even where a confidentiality notice is in place, exceptions apply to allow information to be shared where necessary to, among other things, seek legal advice, get the support of a health practitioner or trade union or make a compensation claim to WorkCover, unless there is a direction that those standard exceptions do not apply.

- 11.9 The Act also prohibits disclosing information that is likely to lead to your identification unless permitted to do so in accordance with the Act.
- 11.10 IBAC or the relevant investigating entity may disclose your identity and the content of your disclosure if it is necessary for the purposes of their investigative action. In that case, the public body or public officer to whom the information has been disclosed is bound by the same confidentiality requirements.

12. Criminal offences

- 12.1 There are a number of offences set out in the Act relating to breaches of the requirements of the Act. Examples include:
- it is an offence to take detrimental action against another person in reprisal for a public interest disclosure;
 - it is an offence to disclose the content, or information about the content, of a disclosure that has been notified to IBAC by DTF or information which is likely to lead to the identification of the person who made that disclosure unless permitted to by the Act;
 - it is an offence for any person to:
 - i. provide false or misleading information, or further information that relates to a public interest disclosure, that the person knows to be false or misleading in a material particular, intending that the information be acted on as a public interest disclosure;
 - ii. claim that a matter is the subject of a public interest disclosure knowing the claim to be false; and
 - iii. falsely claim that a matter is the subject of a disclosure that IBAC has determined to be a public interest disclosure complaint; and
 - it is an offence for any person to:
 - i. disclose that a disclosure has been notified to IBAC for assessment unless permitted to do so by the Act; and
 - ii. disclose that a disclosure has been determined to be a public interest complaint (PIC) unless permitted to do so by the Act.

13. Alternatives to making a 'public interest disclosure'

- 13.1 These procedures are designed to complement usual methods of submitting complaints to DTF.
- 13.2 Members of the public are encouraged to use DTF's feedback process to communicate complaints or concerns with the services provided by DTF.
- 13.3 Employees are encouraged to raise matters with their supervisors and managers at any time.

14. Review

- 14.1 These procedures are reviewed regularly to ensure they meet the objectives of the Act and accord with IBAC's guidelines.

15. Related plans, policies, procedures and guidelines

- a) Fraud and Corruption Control - Australian standard AS 8001 – 2008
- b) Buying for Victoria Policies (<https://www.buyingfor.vic.gov.au/>)
- c) Victorian Government Risk Management Framework
- d) Gifts, Benefits and Hospitality Policy
- e) DTF Procurement Policy and Procedures
- f) Risk Management Guidelines
- g) VPS Code of Conduct
- h) Financial Code of Practice
- i) VPS Conflicts of Interest policy
- j) DTF Integrity Framework
- k) Fraud corruption and other losses policy
- l) Misconduct Guide
- m) Be Well@DTF Guide

Schedule 1 – What is a public body and what is a public officer

A public body is:

- a) a public sector body within the meaning of s 4(1) of the *Public Administration Act 2004*;
- b) a body, whether corporate or unincorporated, established by or under an Act for a public purpose, including a university;
- c) the Electoral Boundaries Commission constituted under the Electoral Boundaries Commission Act 1982;
- d) a Council;
- e) a body that is performing a public function on behalf of the State or a public body or public officer (whether under contract or otherwise); and
- f) any other body or entity prescribed for the purposes of this definition.

A public officer is:

- a) a person employed in any capacity or holding any office in the public sector within the meaning of section 4(1) of the *Public Administration Act 2004*;
- b) a person to whom a provision of the *Public Administration Act 2004* applies as a result of the application of Part 7 of that Act;
- c) an ongoing employee or temporary employee in the teaching service under the *Education and Training Reform Act 2006*;
- d) a judicial employee employed under Division 3 of Part 6 of the *Public Administration Act 2004*;
- e) a Ministerial officer employed under Division 1 of Part 6 of the *Public Administration Act 2004*;
- f) an electorate officer within the meaning of the *Parliamentary Administration Act 2005*;
- g) a Parliamentary adviser employed under Division 2 of Part 6 of the *Public Administration Act 2004*;
- h) a Parliamentary officer within the meaning of the *Parliamentary Administration Act 2005*;
- i) a member of police personnel;
- j) a responsible Minister of the Crown;
- k) a member of the Legislative Assembly or the Legislative Council;
- l) a Councillor within the meaning of section 3(1) of the *Local Government Act 1989*;
- m) a member of Council staff employed under the *Local Government Act 1989*;
- n) a judge, a magistrate, a coroner or a member of VCAT;
- o) an associate judge or a judicial registrar;
- p) a Crown Prosecutor;
- q) the Chief Crown Prosecutor;
- r) the Director of Public Prosecutions;
- s) the Governor, the Lieutenant-Governor or the Administrator of the State;
- t) the Auditor-General;

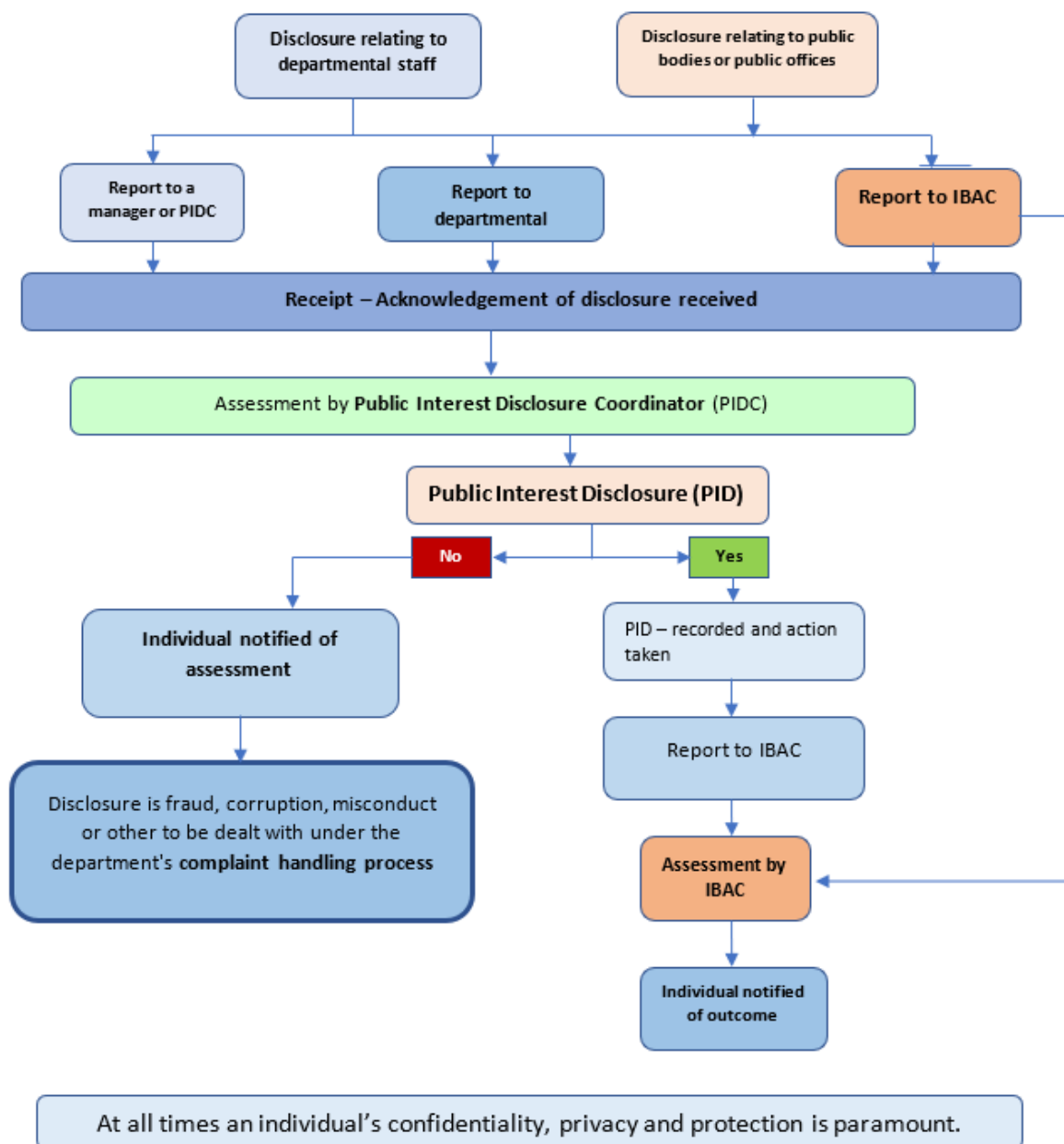
- u) the Ombudsman;
- v) the Electoral Commissioner;
- w) the holder of any other statutory office or any other prerogative office;
- x) any other person in the service of the Crown or a public body;
- y) a person that is performing a public function on behalf of the State or a public officer or public body (whether under contract or otherwise);
- z) a person who holds, or a person who is a member of a class of persons who hold, an office prescribed to be a public office for the purposes of this definition; and
- aa) an employee of, or any person otherwise engaged by, or acting on behalf of, or acting as a deputy or delegate of, a public body or a public officer.

Schedule 2 – Who can receive disclosures about DTF and its officers/employees

The subject of the disclosure	Who to make the disclosure to
The Department of Treasury and Finance	DTF or IBAC
The Department of Treasury and Finance employee/s	DTF or IBAC
The Department of Treasury and Finance officer/s	DTF or IBAC
A Treasury and Finance portfolio statutory entity or office or an officer or employee of a Treasury and Finance portfolio statutory entity or office	IBAC
Chief Commissioner of Police	IBAC
The Director of Public Prosecutions	IBAC
The Chief Crown Prosecutor	IBAC
The Solicitor-General	IBAC
A judicial officer	IBAC
A VCAT member	IBAC
A judicial employee	IBAC
Freedom of Information Commissioner	IBAC
Privacy Commissioner	IBAC

Attachment 1 – What happens when you report corruption and misconduct - flowcharts

Department of Treasury and Finance – Process



What happens when you report corruption and misconduct to IBAC

