

Public Interest Disclosure Procedure

1. Principal Officer - Statement of Intent

- 1.1. This Procedure has been prepared in accordance with the requirements of sections 12(4) and (5) of the *Public Interest Disclosure Act 2018* (PID Act) and the [PID Guidelines](#).
- 1.2. As General Manager of East Waste and designated Principal Officer for the purposes of the PID Act, I expect that the implementation and operation of the PID Act will encourage and facilitate:
 - further transparency and accountability in East Waste's administrative and management practices; and
 - the Disclosure, in the public interest, of information about substantial risks to public health or safety, or to the environment, and about corruption, misconduct and maladministration in public administration.
- 1.3. This Procedure is designed to enable that to occur, by ensuring that proper procedures are in place for the making of such Disclosures and for dealing with such Disclosures, and by providing appropriate protections for those who make such Disclosures.
- 1.4. I, and the other employees, officers and Directors of East Waste remain deeply committed to the protection of informants who make public interest Disclosures in accordance with the PID Act, and to the genuine and efficient consideration and action in relation to information provided to East Waste via a public interest Disclosure, as contemplated and demonstrated by this Procedure.

Leonard Leyland
Principal Officer
General Manager
East Waste

2. Introduction

- 2.1.** This Procedure has been developed to ensure that East Waste, in meeting its obligations under the *Public Interest Disclosure Act 2018*, encourages and facilitates Appropriate Disclosures of Public Interest Information and, in doing so, provides protections in accordance with the Act to persons making such Disclosures.
- 2.2** As a council subsidiary East Waste's Responsible Officers may receive Appropriate Disclosures of Public Interest Information relevant to corruption, misconduct and maladministration in public administration.
- 2.3** Disclosures relating to substantial risks to public health or safety or the environment should be referred the Responsible Officer for the relevant council area where the incident occurred or an appropriate agency e.g. the Environmental Protection Agency or the Office of Public Integrity.
- 2.4.** This Procedure:
- provides a process by which an Appropriate Disclosure of Public Interest Information may be made by a person to a Relevant Authority at East Waste.
 - outlines how the Relevant Authority at East Waste will receive disclosures, including the secure methods for receiving and storing information.
 - sets out the criteria that will be applied in the assessment of a Public Interest Information Disclosure and the way the details of the assessment will be securely stored.
 - specifies the manner in which an Informant will be notified as to action taken in respect of an Appropriate Disclosure of Public Interest Information.
 - applies to appropriate Disclosures of Public Interest Information that are made in accordance with the Act, by public officers including Board Members, employees and contractors of East Waste.

3. Our Approach

- 3.1.** East Waste is committed to encouraging the making of appropriate Disclosures of Public Interest Information in accordance with this Procedure including:
- The protection of informants who make public interest Disclosures and also those to whom the information relates.
 - Referring, as necessary, appropriate Disclosures to another Relevant Authority.
 - 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*) ICAC Act.
 - 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](#).

- This Procedure will be available free of charge for inspection at East Waste's Offices during ordinary business hours and via the East Waste [website](#). Copies will also be provided to the public upon request and upon payment of a fee in accordance with the East Waste's Schedule of Fees and Charges.

4. Scope

- 4.1. This Procedure applies to appropriate Disclosures of public interest information, which are made in accordance with the PID Act, by public officers including Directors, employees and contractors of East Waste.
- 4.2. This Procedure is intended to support the legislatively required reporting framework under the ICAC Act and the *Ombudsman Act 1972* (Ombudsman Act), and to operate in conjunction with existing policies.

5. Definitions

- 5.1. For the purposes of this Procedure the following definitions apply:

Commission	means the Independent Commission Against Corruption.
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 <i>Criminal Law Consolidation Act 1935</i>, 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 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	as per section 9(7) of the PID Act detriment 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	for the purposes of the PID Act means an appropriate disclosure of public interest information made by an Informant to a Relevant Authority
Appropriate Disclosure of environmental and health information	as per 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	as per 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.
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	as per 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	as per 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.
Office for Public Integrity (OPI)	established by the ICAC Act to manage complaints about public administration with a view to— - the identification of corruption, misconduct and maladministration in public administration; and - ensuring that complaints about public administration are dealt with by the most appropriate person or body. The functions of OPI are: - to receive and assess complaints about public administration from members of the public. - to receive and assess reports about corruption, misconduct and maladministration in public administration from inquiry agencies, public authorities and public officers. - to refer complaints and reports to inquiry agencies, public authorities and public officers or to determine to take no action in accordance with this section 17(1).
OPI Directions and Guidelines	is a reference to the directions and guidelines issued by OPI pursuant to section 18B of the ICAC Act in relation to reporting matters of suspected corruption in public administration.
Public administration	as per section 4(1) of the ICAC Act - an administrative act carried out in the course of public administration. An administrative act is as per the definition in the <i>Ombudsman Act 1972</i> and means: - 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 - 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, - but does not include— - an act done in the discharge of a judicial authority; or - an act done by a person in the capacity of legal adviser to the Crown or an agency to which this Act applies; or - an act of a class declared by the regulations not to be an administrative act for the purposes of this definition.

Public administration information	means information that raises a potential issue of corruption, misconduct or maladministration in public administration.
PID Guidelines	is a reference to the Guidelines issued by the ICAC pursuant to section 14 of the PID Act.
Principal Officer	for the purposes of the PID Act means the General Manager of East Waste.
Public Officer	has the meaning given by section 4 and Schedule 1 of the ICAC Act and includes Directors and employees of East Waste.
Relevant Authority	means the person or entity that receives an appropriate Disclosure of public interest information in accordance with the PID Act.
Responsible Officer	is a person who has completed any training courses approved by the Commissioner for the purposes of the <i>Public Interest Disclosure Regulations 2019</i> and has been designated by the General Manager as the responsible officer under section 12 of the PID Act. 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. Refer to definition of 'detriment' in this table and section 9(7) of the PID Act.

6. Procedure

6.1 Appropriate Disclosures

- 6.1.1 The Act establishes a scheme to encourage and facilitate the Appropriate Disclosure of Public Administration Information to a Relevant Authority.
- 6.1.2 Subject to the provisions of the act, if a person makes an Appropriate Disclosure of Public Administration Information to a Relevant Authority, the person will not be subject to any liability as a result of that Disclosure and is entitled to have their identity kept confidential.
- 6.1.3 Immunity for an Appropriate Disclosure of Public Administration Information will be provided
- 6.1.4 A Public Officer makes an Appropriate Disclosure of Public Administration Information for the purposes of the Act 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, as those terms are defined under the ICAC Act.
- 6.1.5 Whilst anyone can make a Disclosure of Public Administration Information, only Public Officers are eligible for the protections provided under the Act.

6.2. Relevant Contact Details

Appropriate Disclosures of Public Administration Information should generally, and wherever possible, be directed in the first instance to the Responsible Officer in person or via email or telephone using the details below:

Name	Kelly Vandermoer Vanessa Davidson
Telephone	(08) 8347 5111 – please ask to be directed to the Responsible Officer for Public Interest Disclosure
Email	PID@eastwaste.com
Address	CONFIDENTIAL Responsible Officer, Public Interest Disclosure East Waste 1 Temple Court OTTOWAY SA 5013

6.3. Receipt and Assessment

- 6.3.1 If the Disclosure relates to Public Administration Information, encourage the Informant to make the Disclosure directly to OPI (www.icac.sa.gov.au).
- 6.3.2 If an employee or Director of East Waste is the Recipient of a Disclosure of Public Interest Information, they will
 - determine whether the disclosure raises matters that are within East Waste’s scope of authority, including if the information relates to an officer, employee or Board Member of East Waste.
 - 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.
 - 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.
- 6.3.3 Upon the receipt of a Disclosure (whether directly, or by referral from the Recipient), the Responsible Officer will:
 - where the identity of the Informant is known to the Responsible Officer or is reasonably ascertainable, the Responsible Officer will send a confirmation of receipt of the Disclosure within three (3) business days of receipt, and in doing so, will provide a copy of this Procedure to the Informant.

- determine if it justifies the taking of further action, or relates to a matter that has already been investigated or acted upon by a relevant authority (whether by East Waste or other relevant authority) and there is no reason to re-examine the matter, or there is other good reason why action should not be taken in respect of the matter.

6.3.4 In giving effect to the above, consideration must be carefully given as to whether the identity of the Informant is required to be disclosed, noting that section 8 of the Act requires that the identity of an Informant is to be kept confidential, except so far as may be necessary to ensure that the matters to which the information relates are properly investigated.

6.4. Assessment of Appropriate Disclosure

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

- 6.4.1 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.
- 6.4.2 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.
- 6.4.3 If the Disclosure is frivolous, vexatious or trivial, the Responsible Officer may determine no further action will be taken in relation to the Disclosure.
- 6.4.4 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.
- 6.4.5 If the Recipient of the Public Interest Disclosure forms a reasonable suspicion that the matter(s) involves corruption in public administration, or serious systemic misconduct or maladministration, the Recipient of the Disclosure must also comply with their reporting obligations under the ICAC Act.
- 6.4.6 The Recipient of a Public Interest Disclosure, must notify the Informant (if their identity is known) within thirty (30) days that:
 - an assessment of the information has been made;
 - 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.

- 6.4.7 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.
- 6.4.8 If the Informant is dissatisfied with the Responsible Officer's determination, it is open to them to report the Disclosure to another Relevant Authority external to East Waste.

6.5. Notifying the OPI

- 6.5.1 Following receipt, and assessment, of a Public Interest Disclosure, irrespective of whether the Relevant Authority at East Waste responsible for the Disclosure determines that further action is or is not required, the Recipient of the Public Interest Disclosure must notify the OPI as soon as reasonably practicable that they are in receipt of a Public Interest Disclosure.
- 6.5.2 Notification is to occur by way of the notification form on the ICAC website (www.icac.sa.gov.au) and must include the following information:
- a) The date the Disclosure was received.
 - b) The name and contact details of the Recipient of the Disclosure (being the Relevant Authority with East Waste who initially received the Disclosure).
 - c) A summary of the content of the Disclosure.
 - d) The assessment made of the Disclosure.
 - e) The action taken by the Recipient of the Disclosure, including:
 - whether the disclosure was referred to another Relevant Authority (including to a Responsible Officer or the General Manager), public authority, public officer or another person.
 - if the Disclosure was referred to a Relevant Authority, public authority, public officer or another person:
 - the date of the referral.
 - the identity of that Relevant Authority, public authority, public officer or another person.
 - the manner of the referral.
 - the action to be taken by that Relevant Authority, public authority or public officer or another person (if known).
- 6.5.3 Whether the identity of the Informant is known only to the Recipient of the Disclosure, or if the identity of the Informant has been communicated to another Relevant Authority, public authority, public officer or other person (and if so, the reasons why).
- 6.5.4 If no action was taken by the Recipient of the Disclosure, the reasons why.
- 6.5.5 The Recipient of the Disclosure must retain the unique reference number issued by the OPI upon making a notification and must provide this to any other person or authority to whom the disclosure is referred.

6.6. Action Taken on a Disclosure

- 6.6.1 Informants who make an Appropriate Disclosure of Public Administration Information must provide sufficient detail and evidence for the matter to be assessed.
- 6.6.2 If the Relevant Authority determines that there is not sufficient evidence to facilitate an assessment of a Disclosure of Public Interest Information, no action can be taken on the Disclosure, and the Informant and OPI will be advised accordingly.
- 6.6.3 Relevant Authorities with East Waste will not be responsible for investigating Disclosures of Public Administration Information (being information that raises a potential issue of Corruption, Misconduct or Maladministration in Public Administration) in the absence of a direction to do so from the Manager OPI or the ICAC.
- 6.6.4 When directed by the Manager OPI or the ICAC to investigate Appropriate Disclosures of Public Administration Information, the objectives of the investigation process are:
- in appropriate circumstances, to investigate the substance of the Disclosure and to determine whether there is evidence in support of the matters raised or, alternatively, to refute the report made.
 - to collate information relating to the allegation as quickly as possible. This may involve taking steps to protect or preserve documents, materials and equipment.
 - to consider the information collected and to draw conclusions objectively and impartially.
 - to observe procedural fairness in the treatment of any person who is subject of the Disclosure.
 - to make recommendations arising from the conclusions drawn concerning remedial or other appropriate action.
- 6.6.5 Where the Responsible Officer determines, following a Preliminary Assessment, that a Disclosure warrants referral to an Independent Assessor for a formal investigation and report to the East Waste Board, the Responsible Officer will appoint an Independent Assessor in accordance with this Part to investigate the Disclosure.
- 6.6.6 The Independent Assessor will observe the principles of natural justice throughout the investigation process. The investigation will be conducted in an efficient manner and will involve a thorough and balanced assessment of the available evidence and any other factors deemed relevant to making a fair and reasonable judgement about the matter.
- 6.6.7 If a Relevant Authority with East Waste takes action in response to the receipt of a Public Interest Information Disclosure (which does not consist of a referral), the Relevant Authority with East Waste responsible for the management of the disclosure, must, as soon as reasonably practicable, provide the OPI with information in relation to the outcome of the action taken by way of the online notification form (www.icac.sa.gov.au) detailing:

- the unique identification number issued by the OPI upon notification of the original disclosure.
- the name and contact details of the Notifier.
- the name and contact details of the person or authority responsible for taking the action.
- what (if any) findings were made in respect of the Disclosure.
- the nature of the action taken (if any).
- the outcome of the action taken (if any).
- whether the identity of the informant was disclosed to a person other than the original recipient of the disclosure.
- whether the informant was notified of the action taken and, if so, when that notification was made.

6.7. Confidentiality

- 6.7.1 In accordance with section 8 of the Act, it is a criminal offence for the identity of an Informant to be disclosed in the absence of their consent unless it is necessary to divulge the identity of the informant to ensure that the matters to which the information relates are properly investigated; or
- 6.7.2 The Recipient believes on reasonable grounds that it is necessary to divulge the identity of the Informant to prevent or lessen an imminent risk of serious harm to any person; and the identity of the Informant is 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 harm; or
- 6.7.3 The Recipient has been issued with a notice from the OPI advising that the identity of the Informant is required by the OPI, in which case the Recipient may disclose the identity of the informant to the OPI.
- 6.7.4 The details of the Public Interest Disclosure and its assessment will be securely stored in confidential electronic and hard copy files by East Waste and will only be accessible by the Recipient, or another Relevant Authority of East Waste, involved in the assessment and management of the disclosure.
- 6.7.5 The Responsible Officer(s) of East Waste are required to ensure, so far as reasonably practicable, that all information in relation to Public Interest Disclosures are received and maintained in a confidential manner.
- 6.7.6 In giving effect to this responsibility, a Responsible Officer may employ security measures including, but not limited to:
- keeping all printed material in secure files that are clearly marked as “CONFIDENTIAL”, and which warn of the criminal penalties that apply to any unauthorised access, use or divulging of information concerning a public interest disclosure.
 - keeping all printed material in a locked cabinet that is only accessible to by Relevant Authority at East Waste who is responsible for the management of the assessment and/or action of the Disclosure.

- assigning specific password protections to all electronic material, which are provided to only the Relevant Authority at East Waste who is responsible for the management of the assessment and/or action of the Disclosure.
- ensuring that all electronic material is only accessible by the Relevant Authority at East Waste who is responsible for the management of the assessment and / or action of the Disclosure.
- conducting all telephone calls and meetings in relation to a Public Interest Disclosure privately and in the strictest of confidence.

6.8. Subject of a Public Interest Disclosure

6.8.1 In accordance with section 12 of the Act, the General Manager must ensure there are risk management steps for assessing and minimising:

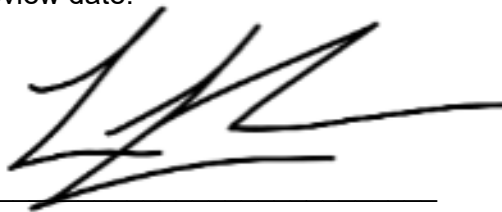
- detrimental action against people because of the Public Interest Disclosure.
- detriment against whom allegations are made in a Disclosure, the Subject of a Disclosure.

6.8.2 East Waste commits to providing the same protections to the Subject of a Disclosure, and those people, as to Informants, which will include, but not necessarily be limited to:

- keeping the identity of the Informant, the Subject of the Disclosure, and the people, confidential.
- flexibility as to when meetings are held, if and when necessary.
- the opportunity to make reasonable requests in relation to how and when the Relevant Authority of East Waste, responsible for the management of the Disclosure, makes contact with them, to minimise the potential for the person (being either the Informant, the Subject of the Disclosure, or the people) to be subject to Detriment.

7. Review

This Procedure will be reviewed on a four yearly basis, unless legislative change triggers an earlier review date.



Signed

Leonard Leyland

General Manager

Date: 7 May 2026

8. Document History

Version No:	Issue Date:	Description of Change:
1.0	April 2026	New Document, April 2026

Appendix A : Relevant Authorities

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 East Waste 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>	a 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	the Auditor-General
the commission, or suspected commission, of any offence	a member of the police force
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 ¹	an authority declared by the regulations to be a relevant authority in relation to such information

¹ presently, no prescribed persons or classes have been identified

Where the information relates to...	the relevant authority is...
public interest information - being: environmental and health information (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); or public administration information (information that raises a potential issue of corruption, misconduct or maladministration in public administration)	the OPI; a Minister of the Crown; or any other prescribed person or person of a prescribed class

Appendix B Notification Process Flowchart

