



## POLICY 052

### PUBLIC INTEREST DISCLOSURE

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**Category:** Corporate Administration

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**Directorate/Unit:** Office for Correctional Services Review      **Document Sponsor:** Director, OCSR

**Application:** All of DCS      **Classification:** Public Document

**Authority:** [Public Interest Disclosure Act 2018, Independent Commissioner Against Corruption Act 2012, Correctional Services Act 1982, Public Sector Act 2009, State Records Act 1997, Public Sector \(Honesty and Accountability\) Act 1995](#)

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#### Policy Statement

The Department for Correctional Services (DCS) is committed to promoting accountability and transparency by addressing matters of maladministration, misconduct and corruption in public administration. DCS is committed to protecting people who make an appropriate disclosure of public interest information and will proactively support informants throughout the process in accordance with the requirements of the *Public Interest Disclosure Act 2018* and the Public Interest Disclosure Guidelines.

#### Relationship to DCS Strategic Plan

This policy is consistent with the Department's Strategic Plan and the values:

- Honesty and integrity
- Ethical and respectful behaviour
- Professionalism and accountability

#### Rationale

This policy commits the Department to establishing a process that encourages and facilitates the appropriate disclosure of public interest information.

DCS has a zero tolerance approach to maladministration, misconduct and corruption by employees or other public officers in DCS.

All DCS employees should be aware of their obligations to report conduct reasonably suspected of being maladministration, misconduct or corruption.

DCS will thoroughly investigate all public interest disclosures in a confidential manner and will not disclose information unless appropriately authorised.

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DCS will comply with the requirements of the *Independent Commissioner Against Corruption Act 2012* by referring any matters where there is a reasonable suspicion of maladministration, misconduct or corruption to the Office for Public Integrity.

DCS will take appropriate disciplinary action where allegations of maladministration, misconduct and corruption have been substantiated.

DCS will not tolerate harassment or victimisation of informants and will take appropriate action to protect those who make a disclosure in good faith.

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## Scope

This policy applies to all DCS employees within the South Australian Department for Correctional Services.

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## Strategies

### CE Responsibility

The Chief Executive of the Department for Correctional Services is committed to:

- Accountability and transparency across the Department.
- Protecting informants who disclose public interest information appropriately.
- Having sound procedures for receiving public interest information.
- Genuine and efficient consideration and investigation of any public interest disclosure matters relating to the Department.
- Keeping persons who disclose information informed about the action taken or the outcome of any investigation.
- Addressing matters of serious or systemic maladministration and misconduct in public administration.
- Ensuring all DCS staff are informed about their rights and the correct process for disclosing and receiving public interest information.

### Employee Responsibility

Each employee has a duty to exhibit the highest standards of ethics and behaviours. All employees will:

- Comply with the ethical obligations on them at all times including acting in accordance with the public sector principles set out in the *Public Sector Act 2009*, the *Public Sector (Honesty and Accountability) Act 1995* and the Code of Ethics for the South Australian Public Sector.
- Comply with any obligations on them to report to the relevant authority, conduct by other employees or public officers (as defined in the *ICAC Act*) reasonably suspected by them of being maladministration, misconduct or corruption.
- Comply with all relevant legislation, instruments, policies, procedures and guidelines.

## Information Management

DCS is committed to best practice in relation to records and information management.

All Departmental policies, SOPs and guidelines as well as all local procedures must ensure they adhere with the *State Records Act 1997*; Adequate Records Management Standard AS ISO 15498.1-2002; and with Policy 047 – Information Management and SOP 099 – Information Management.

Records and Information Management remains the responsibility of all DCS employees and representatives.

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## Approved

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**David Brown**

**Chief Executive**

27/09/2019

### References

[ICAC and Office for Public Integrity \(OPI\) website](#)

[Commissioner for Public Sector Employment website](#)

[ICAC Public Interest Disclosure Guidelines](#)

### Legislation

[Public Interest Disclosure Act 2018](#)

[Public Interest Disclosure Regulations 2019](#)

[Independent Commissioner Against Corruption Act 2012](#)

[Independent Commissioner Against Corruption Regulations 2013](#)

[Correctional Services Act 1982](#)

[Correctional Services Regulations 2016](#)

[Public Sector Act 2009](#)

[Public Sector \(Honesty and Accountability\) Act 1995](#)

[State Records Act 1997](#)

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## DCS Related Policies and Procedures

Policy 015 Risk Management

Policy 022 Fraud and Corruption Prevention and Detection

Policy 034 Prisoner, Offender and Public Complaints Management

Policy 045 Conflict of Interest

Policy 047 Information Management

SOP 003 Employee Assistance Program

SOP 060 Employee Complaints Resolution Process

SOP 069 Fraud Reporting

SOP 096 Prisoner Enquiries and Complaint Resolution Process

SOP 099 Information Management

SOP 105 Conflict of Interest

Guideline 02 Applying Risk Management

Guideline 023 Employee Misconduct

Guideline 029 Public Interest Disclosure

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