



Purpose

This policy and the related procedures¹ set out the Office of the Health Ombudsman's (OHO) obligations under the *Public Interest Disclosure Act 2010* (PID Act) in dealing with Public Interest Disclosures (PIDs) and provide guidance to facilitate the reporting of wrongdoing by employees, public officials, and members of the public.

Application

This policy applies to all employees of the OHO, including temporary and contract employees, and any member of the public who makes a PID to the OHO about the conduct of an OHO employee.

Further, this policy also applies to any external person who is explicitly or implicitly making a PID to OHO as a *proper authority* in accordance with PID Act.

Legislative provisions

- *Crime and Corruption Act 2001*
- *Health Ombudsman Act 2013*
- *Human Rights Act 2019*
- *Industrial Relations Act 1999*
- *Ombudsman Act 2001*
- *Public Interest Disclosure Act 2010*
- *Public Records Act 2023*
- *Public Sector Act 2022*
- *Public Sector Ethics Act 1994*

Related resources

OHO resources

- Procedure: Managing PIDs about the OHO
- Procedure: Managing PIDs in health service complaints, notifications, and other matters
- Policy: Managing corrupt conduct
- Procedure: Managing allegations of corrupt conduct
- Procedure: Managing corrupt conduct in health service complaints, information and notifications
- Policy: Individual Employee Grievances

¹ *Public interest disclosures related to the OHO procedure and Public interest disclosures in health service complaints, notifications, and other matters procedure.*



- Quick Guide: PIDs in health service complaints
- PIDs in health service complaints – one page process overview
- OHO PID Management Program.

External resources

- Code of Conduct for the Queensland public service
- Queensland Ombudsman – [Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Program](#)
- Queensland Ombudsman – [Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures](#)
- Queensland Ombudsman – [Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting](#)
- Queensland Ombudsman – [What is a public interest disclosure?](#)
- Queensland Ombudsman – [A checklist for making a public interest disclosure](#)

Policy statement

The OHO is committed to upholding an honest, ethical and accountable culture. All public sector employees, including OHO employees, have a positive duty to report wrongdoing, as required by the Code of Conduct for the Queensland Public Service and the *Crime and Corruption Act 2001*. The OHO recognises the important role PIDs can play in identifying wrongdoing. By making a PID, a discloser is contributing to an ethical workplace culture and supporting the performance of the OHO or their respective government entity.

The OHO will take steps to ensure the OHO fulfils its obligations under the PID Act:

- to promote the public interest by facilitating PIDs of wrongdoing in the public sector
- to ensure PIDs are properly assessed, investigated, and dealt with
- to ensure appropriate consideration is given to the interests of persons who are the subject of a PID (subject officer)
- to afford protection from reprisals to persons making PIDs.

What is a public interest disclosure?

A PID is a protected complaint about serious wrongdoing in the public sector which is recognised by the PID Act. Under the PID Act, the disclosure must be:

- an appropriate disclosure based on either a reasonable belief or objective evidence of wrongdoing
- public interest information about serious wrongdoing or danger covered by the PID Act
- made to a proper authority.



Proper authority

The OHO is a proper authority for the purposes of receiving a PID if the information disclosed relates to:

- the conduct of the OHO or one of its public officers; or
- anything the OHO has the power to investigate or remedy; or
- the conduct of another person that could, if proved, be a reprisal relating to a previous disclosure by the person to the proper authority; or
- the discloser honestly believes there is a connection between the information being disclosed and any of the above points.²

In the context of a health service complaint, notification, or other matter (collectively 'complaint'), while the OHO may be considered a proper authority, **it will rarely be the *only* proper authority.**

Although the OHO may have the power to investigate the information disclosed that may constitute a PID, it may not have the power to remedy the conduct. As such, depending on the nature of the information disclosed, the OHO may consider there to be a *more appropriate proper authority*, such as circumstances in which the conduct relates to another government entity or its public officers.

If the OHO identifies a more appropriate public sector entity to deal with the disclosure, the OHO should refer the PID to this entity under s31 of the PID Act³.

Who can make a public interest disclosure?

Members of the public

Any person, including a member of the public may make a PID about:

- substantial and specific danger to the health or safety of a person with a disability
- substantial and specific danger to the environment caused by commission of an offence or contravention of a condition in certain environmental legislation
- reprisal that occurs after a public interest disclosure.

Public officers

Public sector employees, including employees of the OHO, may make a PID about:

- corrupt conduct
- maladministration that adversely affects a person's interest in a substantial and specific way
- a substantial misuse of public resources
- a substantial and specific danger to the public health or safety
- a substantial and specific danger to the environment.

² Section 15(1) of the *Public Interest Disclosure Act 2010*.

³ Refer to the OHO's *PIDs in Health Service Complaints* procedure.



Any person may make a PID:

- if the person honestly believes on reasonable grounds that the information tends to show the conduct or other matter; or if the information tends to show the conduct or other matter, regardless of whether the person honestly believes the information tends to show the conduct or other matter⁴
- if they report the information as part of their duties – such as an auditor reporting a fraud or a public officer who is also a registered health practitioner making a mandatory notification under the *Health Practitioner Regulation National Law (Qld)*
- anonymously.

Making a public interest disclosure

The OHO supports the disclosure of information of wrongdoing because:

- reporting and dealing with allegations of wrongdoing contributes to the integrity of the OHO and the broader public sector
- outcomes as a result of finalised PIDs investigations undertaken by the OHO can identify improvements to OHO systems, policies and procedures
- the public's trust in public administration is supported by robust processes in place for reporting of wrongdoing.

PIDs can be made by employees of the OHO, other public sector employees, and, in some circumstances, members of the public.

A discloser is not required to self-identify that they are making a PID. They may make a PID to multiple entities, but such entities must be deemed as 'proper authorities' under the PID Act.

Where information that may constitute a PID is disclosed to the OHO by another public sector employee or member of the public, the OHO will take steps to ensure the disclosure is managed by the most appropriate proper authority. In circumstances where it is considered a more appropriate proper authority exists, the OHO will conduct a risk assessment and consult with the discloser (where practicable) prior to any referral and will only proceed with referral if considered appropriate and safe to do so.

How to make a public interest disclosure

A PID may be made in any way, including anonymously. The PID should include as much information as possible about the suspected wrongdoing⁵ including:

- who was involved
- what happened
- when it happened
- where it happened

⁴ Section 12(3) of the *Public Interest Disclosure Act 2010*.

⁵ Conduct or other matter as defined at section 12(1) and section 13(1) of the PID Act.



- whether there were any witnesses or other people involved, and if so, who they were
- any evidence that supports the PID
- any further information that may assist an investigation of the PID.

The discloser (if not anonymous) should include their contact details so that they can be informed of the PID process and contacted where required. A PID can still be made if all the above information is not available.

Who can a public interest disclosure be made to?

PIDs made by and/or about OHO staff

- **PID Coordinator** (Executive Director, Corporate and Strategic Services):
 - **Post:** PO Box 13281, George Street, Brisbane, Qld, 4003
 - **Phone:** 07 3158 1379
 - **Email:** PIDs@oho.qld.gov.au
- **Health Ombudsman:** Where the disclosure relates to the PID Coordinator or another conflict exists, the PID may be addressed to the Health Ombudsman.
 - **Post:** PO Box 13281, George Street, Brisbane, Qld, 4003
- **Manager:** OHO employees can also make a PID to their manager.
- **External authorities including:**
 - the Crime and Corruption Commission if it concerns corrupt conduct
 - the Office of the Queensland Ombudsman if the PID involves maladministration
 - other relevant agencies, depending on the information disclosed, include the Queensland Audit Office, Department of Child Safety, Seniors and Disability Services, Office of the Public Guardian, Department of Environment and Science, a Member of the Legislative Assembly (MP) or a Chief Judicial Office of a court or tribunal.

PIDs lodged in the context of a health service complaint

- For public sector employees outside of the OHO, a PID may be made to the appropriate PID officer in their agency, department, or hospital and health service.
- For both public sector employees and eligible members of the public, a PID may also be made to a *proper authority*, which may include the OHO, to whom a PID may be lodged when submitting a health service complaint or notification to the OHO, via:
 - **Phone:** 133 646
 - **Web:** www.oho.qld.gov.au/make-a-complaint
 - **Email:** Complaints@oho.qld.gov.au
 - **Post:** PO Box 13281, George Street, Brisbane, Qld, 4003.



- The management of PIDs in the context of health service complaints is overseen by the OHO's second PID Coordinator, Executive Director, Assessment and Resolution.

False or misleading information

It is an offence under the PID Act to intentionally make a false or misleading statement intended to be acted upon as a PID. An employee who makes a false or misleading statement may be subject to disciplinary action.

Making a PID does not stop the discloser from facing disciplinary or criminal action if the discloser has been involved in wrongdoing. A manager may take reasonable management action in relation to an employee who has made a PID only if the manager's reasons for taking the action do not include the fact that the employee has made a PID.

What to expect after a public interest disclosure has been made?

Once a discloser has lodged a PID, the OHO will conduct an assessment of the disclosure in accordance with the PID Act, this policy, its related procedures, and the Queensland Ombudsman's PID standards. The assessment will determine whether the PID is:

- not requiring further action
- further action and/or investigation is required
- it is appropriate to refer the PID to another proper authority under the PID Act⁶ (such as the government entity to whom the conduct relates, the Queensland Police Service, or Crime and Corruption Commission).

The discloser will be advised in writing upon receipt of the disclosure of the action to be taken and the result once action has been taken by the OHO. If the OHO deems that no action is to be taken or the disclosure is not a PID, the discloser will be informed in writing of that decision.

Confidentiality

The OHO is committed to maintaining the confidentiality of all parties involved in the PID process, including disclosers, witnesses, and individuals who are the subject of a PID. This commitment helps to reduce the risk of reprisal, protect the reputation of individuals in cases where allegations are not substantiated, and uphold the integrity of the PID process.

However, there are specific circumstances under which the OHO may need to disclose the identity of a discloser, including:

- to provide natural justice to subject officers, and reprisal is unlikely
- to comply with the PID Act, a regulation, or other Act
- to comply with court orders, legal directives or court proceedings
- to protect the health and safety of a person.

⁶ Section 31, *Public Interest Disclosure Act 2010*.



Prior to any such disclosure, the OHO will consider the need for disclosure, as well as the risk of reprisal to the discloser in doing so. Disclosure of the discloser's identity may only occur where the disclosure is considered essential, and the risk of reprisal to the discloser is unlikely.

Disclosers should be aware that provisions to protect confidentiality under the PID Act does not apply to people that are informed of the alleged wrongdoing outside of the PID process.

It should be noted that all those who receive confidential information because of their involvement in the PID process are bound by the same confidentiality provisions, including staff involved in the administration of the process, the discloser, subject individual/s, and witnesses.

Protections

Protections for disclosers

Disclosers (public officers and members of the public) should not suffer harm or detriment because they have reported wrongdoing, or someone believes they have reported wrongdoing. This action is called reprisal. Reprisal is an offence under the PID Act and allegations of reprisal will be assessed with appropriate action taken. This may include referral to the Crime and Corruption Commission or the Queensland Police Service.

The OHO is committed to applying the protections provided under the PID Act to ensure:

- the discloser's name and identity will be protected to the fullest extent possible
- the discloser is protected from unfair treatment by the OHO and its employees as a result of making the PID
- the discloser cannot be prosecuted for disclosing the information but is not exempt from action if they have engaged in wrongdoing
- the discloser has a defence against an accusation of defamation by any officer who is the subject of the PID.

Even if a disclosure is found to be unsubstantiated after an investigation, the discloser is still protected under the PID Act, as long as the information they provided was made in good faith, regardless of whether it is investigated or substantiated.

Protections for others

It is not only for disclosers that are protected under the PID Act. Other individuals involved in the PID process, such as witnesses, individuals mistakenly believed to have made a PID, and those administering the PID process are also afforded protections to safeguard against reprisal, ensure confidentiality of personal information, and provide immunity from legal or disciplinary action for actions taken in good faith while performing duties under the Act. By extending these protections, the Act ensures the safety, wellbeing, and fair treatment of all individuals involved, fostering trust and participation in the PID process.



Supports

The PID Coordinators will consider the support needs of parties involved in the PID, including the discloser, subject officer/s, and any witnesses. Where considered necessary, PID Support Officer/s may be assigned by the PID Coordinator.

PID Support Officers proactively assist parties to access necessary information about the PID process and provide updates and support until the matter is finalised.

Rights of subject officers

A person who is the subject of a PID is entitled to confidentiality where appropriate, and reasonable and fair treatment. They are entitled to seek legal advice or assistance from their union representative.

Review rights

Decisions not to investigate or deal with PID

If the OHO decides not to investigate or deal with a PID, the discloser must be provided with written reasons for the decision. The discloser may then lodge a written request for review of this decision within 28 days of receiving the written decision⁷.

Requests for review can be lodged:

PIDs about OHO and its staff

- **Attention of PID Coordinator** (Executive Director, CSS):
 - **Post:** PO Box 13281, George Street, Brisbane, Qld, 4003
 - **Email:** PIDs@oho.qld.gov.au

PIDs in context of a health service complaint

- **Attention of PID Coordinator** (Executive Director, A&R):
 - **Post:** PO Box 13281, George Street, Brisbane, Qld, 4003
 - **Email:** Complaints@oho.qld.gov.au

Complaints about PID management

While the PID Act does not provide disclosers with a formal right of review where the discloser is dissatisfied with how the OHO managed their PID or the PID investigation outcome, such concerns are able to be raised through the OHO's internal complaints management policies:

- **OHO staff** can raise their concerns under the OHO's Individual Employee Grievances policy, available on the staff intranet.
- **External parties** may raise their concerns under the Complaints about the OHO policy. More information about this policy is available on the OHO's [website](#).

⁷ See section 30(2) of the *Public Interest Disclosure Act 2010*.



External review

Should the discloser remain dissatisfied after exhausting the internal review, or the concerns relate to maladministration at the OHO, complaints can be escalated to the [Office of the Queensland Ombudsman](#). The Queensland Ombudsman oversees public sector agencies and can investigate administrative decisions made regarding PID management to ensure they are lawful, fair, and reasonable.

Disclosures to journalists

Under the PID Act, a person may disclose information to a journalist if:

- they have already made a valid PID to a proper authority (such as the OHO); and
- the proper authority:
 - decided not to investigate or deal with the disclosure; or
 - investigated but did not recommend any action; or
 - failed to notify the person within **6 months** whether the disclosure would be investigated or dealt with.

If making a disclosure to a journalist, the information disclosed must be substantially the same as the original PID. Such a disclosure is still considered a PID under the Act, and the person retains the protections provided by the legislation.

It is important to note that journalists are not bound by the confidentiality provisions of the PID Act and are not considered part of the Act's administration. As such, disclosers should carefully consider the potential loss of confidentiality before making a disclosure to a journalist.

Record keeping and reporting

To comply with obligations under the *Public Records Act 2023* and the PID Act, the OHO will ensure that accurate records are collected and maintained concerning disclosures and PIDs.

The OHO will ensure that appropriate de-identified information is reported to the Queensland Ombudsman as required, through the RaPID reporting database.

Public interest disclosures may also be complaints about suspected corrupt conduct

It is important to note that when a public officer makes a PID, it may also be an allegation of corrupt conduct under the *Crime and Corruption Act 2001*. Assessment under the PID Act and the *Crime and Corruption Act 2001* are two separate processes that should be undertaken separately. When the OHO assesses a PID, the OHO must still determine whether corrupt conduct may be suspected.

Human rights and public interest disclosures

The OHO is committed to creating a culture of human rights. Under the *Human Rights Act 2019*, the OHO has an obligation to act and make decisions in a way that is compatible with human rights, and to give proper consideration to human rights when making decisions in relation to PIDs.



Roles	Responsibilities
Health Ombudsman	The Health Ombudsman has overarching responsibility to ensure the OHO is compliant with the PID Act by: ■ appointing a PID coordinator/s to oversee the OHO's PID management program ■ ensure proper records are kept of all disclosures, in accordance with s29 of the PID Act.
PID Coordinator	The Health Ombudsman has appointed two PID coordinators with sharing responsibility for different PIDs managed by the OHO: ■ The Executive Director, Assessment and Resolution (A&R) is the PID Coordinator typically responsible for matters relating to PIDs identified in health service complaints, notifications and other matters. ■ The Executive Director, Corporate and Strategic Services (CSS) is the PID Coordinator with responsibility for PIDs made related to the OHO or its staff. PID coordinators act as a principal point of contact with the Office of the Queensland Ombudsman (the oversight agency) and must ensure: ■ the OHO maintains a management program for PIDs made to the OHO, consistent with any standard made under section 60 of the PID Act ■ public officers of the OHO who make PIDs are given appropriate support by the OHO ■ public officers from outside the OHO who disclose information to the OHO that may constitute a PID are also to be given appropriate support by the OHO which, depending on the circumstances, may include referring the PID to a more appropriate proper authority ■ PIDs made to the OHO are properly assessed, and when appropriate, either properly investigated and dealt with, or alternatively, referred to a more appropriate proper authority ■ appropriate action is taken in relation to any wrongdoing that is the subject of a PID made to the OHO ■ public officers of the entity are offered protection from reprisals by the OHO or other public officers of the OHO ■ all relevant policies and procedures are published on the OHO website and are readily accessible to the public. PID Coordinators must report to the Health Ombudsman and other Executive Directors (if appropriate) any systemic issue identified and any significant issue



	to inform improvements to service delivery, business processes and internal controls. In circumstances where a PID Coordinator identifies a personal conflict of interest, the Health Ombudsman should be consulted.
Assessment of PIDs in complaints	Executive Directors, Directors, and Managers are responsible for conducting assessments of PIDs in health service complaints, notifications, and other matters; determining whether a matter constitutes a PID, and if identified to be a PID, determining the most appropriate course of action for dealing with it. However, only Directors and above are authorised to make a decision to retain a PID.
Executive Directors	In addition to the above, Executive Directors will: ■ raise awareness with staff about PIDs and encourage reporting of wrongdoing ■ model a culture that all employees are required to conduct their duties to the highest professional and ethical standards and always act in the public interest in accordance with the Code of Conduct for Queensland Public Service ■ ensure appropriate communication and awareness strategies are in place to educate employees about disclosures, and staff in their division complete all required training, monitoring ELMO training compliance reports on a regular basis, including the induction of new staff to their division.
PID support officer	A PID Support Officer is an officer of the OHO, appointed by the PID Coordinator with responsibility for providing support to a discloser, subject officer, or witness who is involved in the management of a PID.
RaPID reporting of PIDs	The Manager, Resolution and Referrals acts as a support to the A&R PID Coordinator and is responsible for the reporting of PIDs identified in health service complaints, notifications and other matters to the Queensland Ombudsman via the RaPID portal, as directed by the A&R PID coordinator. If a PID relates to the OHO or its staff, the CSS PID Coordinator will be responsible for RaPID reporting.
All employees	All employees of the OHO are broadly responsible for: ■ reporting suspected wrongdoing to a proper authority ■ maintaining appropriate confidentiality ■ assisting in investigation of a disclosure by providing all relevant information, if requested



- undertaking their duties to the highest professional and ethical standard and ensure that they are familiar with this policy and all related procedures, and remain current with all relevant ELMO learning modules.

With respect to the management of PIDs in the context of a health service complaint, notification, or other matter, all employees are also responsible for:

- identifying and documenting where a disclosure of information may constitute a PID
- escalating a potential PID to the delegate for assessment
- ensuring any potential PID is managed in accordance with this policy and the Managing corrupt conduct in health service complaints, information and notifications procedure.

Awareness and training

Specific training on PIDs may be offered through each Division, relevant to how PIDs should be managed in relation to the work undertaken. This training is in addition to the mandated training on the ELMO platform.

[The Queensland Ombudsman](#) has a range of PID resources and supports available including informative training resources to further support staff understanding of PIDs, and fact sheets and guides for both discloser and public sector entities.

Definitions	
Confidential information	As defined in section 65 of the PID Act.
Corrupt conduct	As defined in section 15 of the <i>Crime and Corruption Act 2001</i> .
Disability	As defined in Section 11 of the <i>Disability Services Act 2006</i> : (1) a disability is a persons condition that is: attributable to an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment or a combination of these impairments and results in a substantial reduction of the person capacity for communication, social interaction, learning, mobility or self-care or management and results in the person needing support. (2) For section (1) the impairment may result from an acquired brain injury. (3) The disability must be permanent or likely to be permanent (4) The disability may be, but need not be, of a chronic episodic nature.
Discloser	A person who makes a disclosure in accordance with the PID Act
Employee	A person engaged by the OHO under a contract of service.
Entity	A public sector entity as defined at section 6 of the PID Act, a corporate entity or a Government owned Corporation.
Investigation	An enquiry undertaken to establish whether the information provided in a PID can be substantiated and may include a review or audit.



Maladministration	This is defined in Schedule 4 of the PID Act.
Natural justice	Applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. The rule of natural justice, to ensure that decision making is fair and reasonable are avoid bias, give a fair hearing and only act on the basis of relevant evidence.
PID Act	<i>Public Interest Disclosure Act 2010</i>
PID Coordinator	An officer of the OHO, as appointed by the Health Ombudsman, who has responsibility for implement the OHO's PID management program, and ensuring disclosures are appropriately assessed, investigated, and handled confidentially, while protecting the rights of disclosers under the PID Act.
PID support officer	An officer of the OHO, as appointed by a PID Coordinator, who is responsible for providing support to a discloser, subject officer or witness involved in the management of a PID. Support actions may include: • Providing moral and emotional support • Advising disclosers of OHO resources available to handle any concerns they have as a result of making a disclosure • Referring the discloser to the OHOs Employee Assistance Program (EAP) • Ensuring any suspicions of victimisation or harassment are dealt with • Maintaining contact with the discloser
Proper authority	A public sector entity or member of the Legislative Assembly as defined at section 5 of the PID Act.
Public interest disclosure (PID)	A disclosure of information as specified under Chapter 2 of the PID Act.
Public officer	A public officer of a public sector entity, including an employee, member or officer of the entity as defined at section 7 of the PID Act.
Reasonable management action	Action taken by a manager in relation to an employee, includes ay of the following action taken: • A reasonable appraisal of employee's work performance • A reasonable requirement that the employee undertakes counselling • A reasonable suspension of employment from the workplace • A reasonable disciplinary action • A reasonable action to transfer or deploy the employee • A reasonable action to end the employee's employment by way of redundancy or retrenchment • A reasonable action in relation to the employee's failure to obtain a promotion, reclassification, transfer or benefit or to retain a benefit in relation to the employees employment.
RaPID	Reporting a PID database
Reprisal	This is defined in section 40 of the PID Act as causing, or attempting to conspiring to cause detriment to a person in the belief that hey or someone else:



	Has made or intends to make a disclosure Has been or intends to be involved in a proceeding under the PID Act against any person. Reprisal under the PID Act is criminal offence and investigations may be undertaken by the Queensland Police Service.
Subject officer	A person about whom a PID is made.
Substantial and specific	Substantial means 'of a significant or considerable degree'. It must be more than trivial or minimal and have some weight or importance. Specific means 'precise or particular'. This refers to conduct or detriment that is able to be identified or particularised as opposed to broad or general concerns or criticism.
Wrongdoing	Conduct or other matter as defined at section 12(1) and section 13(1) of the PID Act.

Version control

Version no.	Changes made
1.0	First revision - published 27 July 2018
2.0	Significant revision and updates made to previous version of policy.

Approval

Effective date	7 September 2026
Last reviewed	7 September 2026
Next review	7 September 2029
Contact	Principal Policy and Governance Officer
Custodians	Executive Director, Corporate and Strategic Services Executive Director, Assessment and Resolution
Approved by	Health Ombudsman
Approval date	17 September 2026
Signature	<i>J. M. Anderson</i>
Security classification ⁸	Official

⁸ NB. This footnote is intended to provide guidance when deciding the security classification of information.

Official – routine information without special sensitivity or handling requirements and a low business impact per document if compromised or lost. For example, information that may be shared across government agencies.

Sensitive – information that requires additional handling care due to its sensitivity or moderate business impact if compromised or lost. For example, information containing legal professional privilege.

Protected – information that requires the most careful safeguards due to its sensitivity or major business impact if compromised or lost. For example, cabinet documents.