

Public Interest Disclosures Policy

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1. Abbreviations and definitions

Abbreviations

GIPA Act	<i>Government Information (Public Access) Act 2009</i>
HRIP Act	<i>Health Records and Information Privacy Act 2002</i>
ICAC	Independent Commission Against Corruption
ICAC Act	<i>Independent Commission against Corruption Act 1988</i>
LECC	Law Enforcement Conduct Commission
NSWEC	New South Wales Electoral Commission Staff Agency as per Schedule 1 to the <i>Government Sector Employment Act 2013</i>
Ombudsman	NSW Ombudsman
PID	Public Interest Disclosure
PID Act	<i>Public Interest Disclosures Act 2022</i>
PIIP Act	<i>Privacy and Personal Information Protection Act 1998</i>

Definitions

Corrupt conduct has the same meaning as in the ICAC Act 1988, in general terms, deliberate or intentional wrongdoing, not negligence or a mistake, involving a NSW public official or public sector organisation.¹

Detriment under s 32(1) of the PID Act means disadvantage to a person, including:

- a) injury, damage or loss
- b) damage caused to the person's property
- c) damage caused to the person's reputation
- d) intimidation, bullying or harassment
- e) unfavourable treatment in relation to the person's career, profession, employment or trade
- f) discrimination, prejudice or adverse treatment
- g) disciplinary proceedings or disciplinary action.

Detrimental action against a person means an act or omission causing, comprising, involving or encouraging *detriment* to the person, or the threat of detriment to the person, whether express or implied: see [s 32\(2\) of the PID Act](#).

Disclosure officer is defined in s 18(1) of the PID Act as a person responsible for receiving voluntary PIDs on behalf of the agency, including:

- (a) the head of the agency,
- (b) for each work site that is permanently maintained by the agency and at which more than 1 person is employed—the most senior ongoing employee who ordinarily works at the site,
- (c) if the agency has an unelected governing body—a member of the governing body,
- (d) a person specified in the agency's PID policy as a person with responsibility for receiving voluntary PIDs on behalf of the agency,
- (e) a member of a class of persons, or a person employed in a position or role, specified in the agency's PID policy as a class, position or role with responsibility for receiving voluntary public interest disclosures on behalf of the agency.

Government information contravention is defined in Schedule 2 to the Act, as a failure, other than a

¹ See <https://www.icac.nsw.gov.au/about-corruption/what-is-corrupt-conduct#:~:text=Corrupt%20conduct%2C%20as%20defined%20in,official%20or%20public%20sector%20organisation>

trivial failure, by an agency or public official to exercise functions in accordance with the *Government Information (Information Commissioner) Act 2009*, the *GIPA Act*, or the *State Records Act 1998*.

Integrity agency is defined under s 19 of the Act referring to any of the following

- a) the Ombudsman
- b) the Auditor-General
- c) the Independent Commission Against Corruption
- d) the Inspector of the Independent Commission Against Corruption
- e) the Law Enforcement Conduct Commission
- f) the Inspector of the Law Enforcement Conduct Commission
- g) the Secretary of the Department of Planning, Industry and Environment when exercising certain functions under the *Local Government Act 1993* (Chapter 13, Part 5, Division 1, Chapter 14, Part 1, Division 3, Chapter 14, Part 3, Division 1, section 734A)
- h) the Privacy Commissioner
- i) the Information Commissioner, or
- j) a person or body declared by the regulations to be an integrity agency for the purposes of the PID Act.²

Journalist has the same meaning as in the *Evidence Act 1995*, Part 3.10, Division 1C, i.e., a person engaged in the profession or occupation of journalism in connection with the publication of information in a news medium.

Privacy contravention is defined in Schedule 2 to the Act as a failure, other than a trivial failure, by an agency or public official to exercise functions in accordance with the *Privacy and Personal Information Protection Act 1998 (PPIP Act)*, or the *Health Records and Information Privacy Act 2002*.

Public interest disclosure is the disclosure of information of *serious wrongdoing* relating to a public authority, which is protected by the PID Act. Under s 21 of the PID Act, it may be one of the following types:

- **Voluntary public interest disclosures** - where the report has been made by a public official because they decided, of their own accord, to come forward and disclose what they know.
- **Witness public interest disclosures** - where a person discloses information in the course of an investigation of serious wrongdoing following a request or requirement of the investigator.
- **Mandatory public interest disclosures** - where a public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency

Public official is defined under s 14(1) of the Act as any of the following:

- a) a person employed in or by an agency or otherwise in the service of an agency
- b) a person having public official functions or acting in a public official capacity whose conduct or activities an integrity agency is authorised by another Act or law to investigate
- c) an individual in the service of the Crown
- d) a statutory officer
- e) a person providing services or exercising functions on behalf of an agency, including a contractor, subcontractor or volunteer
- f) if an entity, under a contract, subcontract or other arrangement, is to provide services on behalf of an agency or exercise functions of an agency in whole or in part—an employee, partner or officer of the entity who is to be involved in providing the services in whole or in part, or who is to exercise the functions
- g) a judicial officer
- h) a member of Parliament, including a Minister
- i) a person employed under the [Members of Parliament Staff Act 2013](#).³

Serious maladministration is defined in Schedule 2 to the PID Act, as conduct, other than conduct of a trivial nature, of an agency or a public official relating to a matter of administration that is unlawful, unreasonable, unjust, oppressive or improperly discriminatory, or based wholly or partly on improper motives.

² **Note** that, as at the commencement of the PID Act, there are no regulations made under the Act.

³ Employees of Ministers, the Parliamentary Presiding Officers and other holders of political offices.

Serious wrongdoing is defined under s 13 of the Act as any of the following:

- a) corrupt conduct
- b) a government information contravention
- c) a local government pecuniary interest contravention
- d) serious maladministration
- e) a privacy contravention
- f) a serious and substantial waste of public money.

Note that the categories of serious wrongdoing mentioned in paragraphs (a)–(e) are further defined in the Dictionary in Schedule 2 to the Act.

2. Introduction

- 2.8. From 1 October 2023, new public interest disclosures legislation will commence in NSW. This is the *Public Interest Disclosures Act 2022 (PID Act)*. The PID Act sets out requirements that agencies must follow in relation to mandatory and voluntary disclosures about serious matters involving public administration. The PID Act focuses on the reporting of *serious wrongdoing* (which is defined above).
- 2.1. All NSW public sector agencies must have a PID Policy which includes the mandatory information and procedures outlined in [s 43 of the PID Act](#).
- 2.2. This policy is relevant not only for ongoing staff but also for our contractors and many other people who work with us. In the PID Act, there is a list of people who are referred to as 'public officials' who are covered by the scheme and this policy.
- 2.3. The New South Wales Electoral Commission (**NSWEC**) encourages the reporting of serious wrongdoing, and this policy is to be followed when making, receiving and responding to public interest disclosures (**PIDs**) under the PID Act.
- 2.4. To maintain trust in the NSW democratic system, the NSWEC has a heightened responsibility to prevent, detect and respond to corrupt conduct and serious wrongdoing, including because of its role in regulating the conduct of political participants such as lobbyists, donors, candidates, and political parties.
- 2.5. As an agency with integrity at the core of its responsibilities, the NSWEC has built a culture that supports the reporting of wrongdoing, but this culture must not be taken for granted. The PID Act also has new obligations with which all our people need to be familiar. The continuing integrity of the NSWEC, and trust in NSW elections, relies upon our staff, volunteers, contractors, and subcontractors speaking up if they become aware of wrongdoing.
- 2.6. This policy sets out:
 - how the NSWEC will support and protect you if you come forward with a report of serious wrongdoing ([s5.30](#))
 - how we will deal with the report and our other responsibilities under the PID Act ([s5.79](#))
 - who to contact if you want to make a report ([s5.18](#))
 - how to make a report ([s5.18](#))
 - the protections which are available to you under the PID Act ([s5.30](#))
- 2.7. Consistent with the PID Act, all reasonable steps will be taken to provide protection to public officials against any detrimental action in reprisal for making a public interest disclosure.
- 2.8. The NSWEC will deal with reports thoroughly and impartially and will take appropriate action to rectify any identified serious wrongdoing.

3. Purpose

- 3.1 The NSWEC is committed to complying with the requirements of the PID Act and to:
 - a) facilitate the disclosure of serious wrongdoing in or affecting the NSWEC
 - b) promote a culture in which public interest disclosures are encouraged
 - c) protect public officials, witnesses and other persons from detriment or liability that might arise as a result of public interest disclosures
 - d) establish procedures for receiving and dealing with disclosures that are or may be public interest disclosures.
- 3.2 The NSWEC will not tolerate corrupt conduct and serious wrongdoing.

4. Scope

- 4.1. This policy applies to PIDs made by a public official, including:
- all ongoing, temporary and casual employees of the NSWEC;
 - contractors, subcontractors and volunteers who are engaged to deliver services on behalf of the NSWEC or exercise the functions of the NSWEC if they themselves deliver those services or exercise those functions; and
 - the three-member NSW Electoral Commission statutory body constituted under s 8 of the *Electoral Act 2017*.
- 4.2. This policy focuses on:
- Corrupt conduct and serious wrongdoing committed against the NSW Electoral Commission statutory body and staff agency; and
 - Corrupt behaviour that adversely affects the exercise of official functions by a public official acting for the NSWEC.
- 4.3 Reporting of corrupt conduct and serious wrongdoing committed by political participants, against the democratic and electoral process is outside the scope of this policy and addressed by separate policies maintained by the NSWEC Funding Disclosure & Compliance and General Counsel Division.
- 4.4 Reporting of fraud and corruption instances which fall below the threshold of what constitutes 'serious wrongdoing' are outside the scope of this policy and are addressed by separate Fraud and Corruption Control policies maintained by the NSWEC's Governance Team.
- 4.5 This policy does **not** apply to:
- people who have received services from NSWEC or are regulated by NSWEC and want to make a complaint about us or allege a breach of an electoral or lobbying law by another participant (for example, voters or candidates)
 - people, including contractors, who only provide services to NSWEC and not on behalf of NSWEC. For example, employees of a company that only sold computer software to NSWEC are not public officials, but people engaged to help us deliver our statutory functions by operating and maintaining our information systems (such as contract staff engaged through ICT labour hire/service provider firms) will be public officials.

This means that if you are not a public official, this policy does **not** apply to your complaint (there are some circumstances where a complaint can be deemed to be a voluntary PID, see [s5.26](#) of this policy for more information).

However, you can still make a complaint to the NSWEC.

General complaints or suggestions about our service delivery may lodged by post, telephone or online using the details under [Contact us](#) on the NSWEC website. Email communications via this channel can be made using the "Complaints or compliments about us" drop-down enquiry type on that webpage.

The NSW Electoral Commission will respond to any complaints made this way in accordance with its [Complaints Management Policy](#).

Reports of allegations of contraventions of electoral or lobbying laws by people outside NSWEC (for example, parties and candidates) should be made separately, in writing, and these will be assessed in accordance with the [Compliance and Enforcement Policy and Procedures](#), published in the NSWEC Policy Library.

5. Policy details

What is a public interest disclosure (PID)

- 5.1. A PID is a report made about *serious wrongdoing* made by a public official. The PID Act defines serious wrongdoing as 'corrupt conduct, a government information contravention, a local government pecuniary interest contravention, serious maladministration, a privacy contravention or a serious and substantial waste of public money'.
- 5.2. When a public official reports suspected or possible wrongdoing in the public sector, their report will be a PID if it has the features specified by the PID Act.
- 5.3. Some internal complaints or internal grievances may also be PIDs, as long as they have the features of a PID under the PID Act.
- 5.4. If an internal complaint or grievance is a report of serious wrongdoing, the Disclosures Coordinator will assess if it is a PID. If it satisfies the PID criteria, we will deal with the report as set out in this policy, but will also make sure we follow policies relevant to the complaint or grievance being made.
- 5.5. It is important that we quickly recognise that we have received a PID, as:
 - the person who has made the report is entitled to certain protections; and
 - action will need to be taken on how we will deal with the PID and how we will protect and support the person who has made the report.

What is serious wrongdoing?

- 5.6 Reports **must** be of one or more of the following categories of *serious wrongdoing* to be a voluntary PID, in addition to having the other features set out below, and therefore subject to the PID Act processes and protections.
- 5.7 Serious wrongdoing is defined in the PID Act as:
 - **Corrupt conduct**

As defined under ss 7, 8 and 9 of the ICAC Act. Corrupt conduct examples include taking or offering bribes, public officials dishonestly using influence, blackmail, fraud, election bribery, collusive tendering or defrauding the public revenue.
 - **Government information contravention**

A failure, other than a trivial failure, to properly fulfil functions under the GIPA Act or the State Records Act. Examples include

 - destroying, concealing or altering records to prevent them from being released;
 - knowingly making decisions that are contrary to the GIPA Act;
 - directing another person to make a decision that is contrary to the GIPA Act; or
 - intentionally overlooking documents that are clearly covered by an access application.
 - **Local government pecuniary interest contravention**

A contravention of an obligation imposed in connection with a pecuniary interest by the *Local Government Act 1993* or a code of conduct adopted by a council. A pecuniary interest is an interest that a person has in a matter because they have a reasonable likelihood, or expectation, of appreciable financial gain or loss to themselves or someone within their family. Examples of local government pecuniary interest contraventions include:

 - a senior council staff member recommending a family member for a council contract and not declaring the relationship
 - a general manager holding an undisclosed shareholding in a company competing for a council contract

- a councillor participating in considering a development application for a property in which they or their family have an interest.

- **Serious maladministration**

Conduct, other than conduct of a trivial nature, of an agency or a public official relating to a matter of administration that is unlawful; or unreasonable, unjust, oppressive or improperly discriminatory; or based wholly or partly on improper motives. This could include an agency systemically failing to comply with proper recruitment processes when hiring staff.

- **Privacy contravention**

A failure, other than a trivial failure, by an agency or public official to exercise functions in accordance with the PPIP Act, or the HRIP Act. This could:

- a public official unlawfully accessing a person's personal information, for their personal use or for another non-work-related matter, on a database that is used by an agency to retain customer information
- an agency having poor data management processes in place which leads to the disclosure of the personal information about a person, or group of persons, to another agency or entity without a lawful reason
- an agency's poor email practices resulting in repeated failures by staff of the agency to ensure emails containing personal information go to the correct recipient.

- **Serious and substantial waste of public money**

Any uneconomical, inefficient, or ineffective use of resources, authorised or unauthorised, which results in a loss of public funds or resources. Examples of this include:

- misappropriation or misuse of public property
- the purchase of unnecessary or inappropriate goods and services
- incurring costs which might otherwise have been avoided
- programs not achieving their objectives and therefore the costs being clearly ineffective and inefficient
- failure to maintain public property in a way that results in far greater expense being incurred in the future.

5.8 **Important note:** A person making a report does not need to state what category of serious wrongdoing they are reporting, or that they are reporting serious wrongdoing.

When will a report be a PID

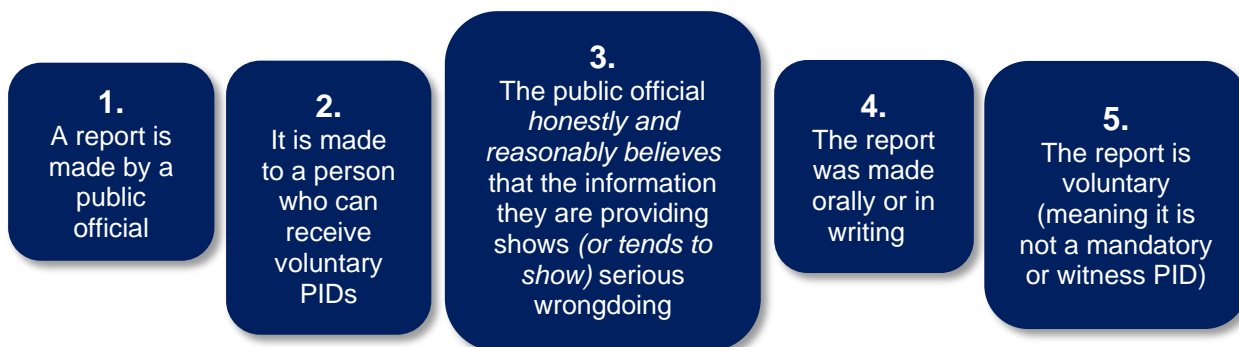
5.9 The PID Act defines three categories of public interest disclosures:

- **Voluntary public interest disclosures** – a disclosure of information by a public official where the maker of the disclosure honestly, and on reasonable grounds, believes the disclosure shows or tends to show serious wrongdoing
- **Mandatory public interest disclosures** – a disclosure about serious wrongdoing made by a public official carrying out the official's ordinary duties or under a statutory or other legal obligation
- **Witness public interest disclosures** – where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

5.10 Voluntary PIDs are the kind of reports most people have in mind when they think about 'whistleblowing'.

5.11 They involve a public official making a report because they have information that they believe shows (or tends to show) serious wrongdoing, where they are not under a legal obligation to make that report and where it is not an ordinary part of their role to report such wrongdoing.

5.12 A report is a voluntary PID if it has the following five features, which are set out in s 24 to s 27 of the PID Act:



5.13 When making a Voluntary PID:

- You will ***not*** be expected to prove that what you reported actually happened or is serious wrongdoing.
- You ***do*** have to honestly believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

Note that, even though you do not have to prove the serious wrongdoing happened or provide evidence, a mere allegation with no supporting information is unlikely to meet this test.

- If it is not identified that you have made a voluntary PID, you are still entitled to the protections under the PID Act until such time as the disclosure is determined ***not*** to be a PID.
- If you make a report and believe an error has been made by not identifying that you have made a voluntary PID, this should be raised with a nominated disclosure officer or your contact officer for the report.

If you are still not satisfied with this outcome, you can seek an internal review or we may seek to conciliate the matter. You may also contact the NSW Ombudsman.

Further information on rights to internal review and conciliation is found in section 7 of this policy.

- 5.14 People who make a mandatory PID or a witness PID are still entitled to protection. Refer to section [5.30](#) of this Policy for more information about what protections are available. More information about mandatory and witness PIDs are in the Ombudsman's guidelines 'Dealing with mandatory PIDs' and 'Dealing with witness PIDs'.

Who can make a voluntary PID

- 5.15 Any public official can make a voluntary PID. You are a public official if:

- you are employed by the NSWEC; or
- you are a contractor or subcontractor who provides services, or exercises functions, on behalf of the NSWEC.

- 5.16 A public official can make a PID about serious wrongdoing relating to any agency, not just the agency for which they are working.

- 5.17 This means that the Electoral Commissioner or a NSWEC disclosure officer may receive PIDs from public officials outside our agency. It also means that you can make a PID to the head of, or a disclosure officer in, any agency, including an integrity agency like the Independent Commission Against Corruption (**ICAC**) and the NSW Ombudsman.

[Appendix B](#) of this policy has a list of integrity agencies and their contact details.

How can I make a voluntary PID

5.18 For a report to be a voluntary PID, it must be made to certain public officials, as set out below.

5.19 Reporting internally

Reports of suspected serious wrongdoing can be made to one of the nominated officers within the NSWEC. These are:

- The head of the agency – the Electoral Commissioner
- A Disclosure Officer – A list of Disclosure Officers is included at [Appendix A](#) of this Policy
- The reporter's own manager/s – the person who directly, or indirectly, supervises the person reporting. All managers who received voluntary disclosures must make sure that the report is communicated to a disclosure officer, or they may accompany the public official to make the report to a disclosure officer.

5.20 Reporting to a recipient outside of the NSWEC

A report can also be made to some public officials in another agency or an integrity agency. These include:

- the *head of another agency* — this means the head of any public service agency
- an *integrity agency* — a list of integrity agencies is located at [Appendix B](#) of this policy
- a *disclosure officer for another agency* — ways to contact disclosure officers for other agencies are located in an agency's PID policy which can be found on their public website
- a *Minister or a member of a Minister's staff*, but the report ***must be made in writing***.⁴

If you choose to make a disclosure outside of the NSWEC, it is possible that your disclosure may be referred back to us so that appropriate action can be taken.

5.21 Reporting to a Member of Parliament or journalist

Disclosures about serious wrongdoing made to MPs (other than Ministers -see s 28(2)) or journalists are sometimes protected under the PID Act in limited circumstances. The key pre-requisite is that you made a disclosure about the serious wrongdoing to a disclosure officer first. A report of wrongdoing will only be treated as a voluntary PID to an MP or journalist if the criteria set out in the below table have been met:

Criterion		The disclosure will only be a voluntary PID to an MP (other than a Minister) or journalist if...
1.	The disclosure must have the features of a voluntary PID.	The disclosure complies with the attributes as described above at s5.12 of this Policy
2.	The disclosure must be substantially true.	Unlike a Voluntary PID to an Agency, this means that the substance of the allegations made must be true in fact. Generally, a disclosure about suspected serious wrongdoing may be a voluntary PID provided the maker honestly believes, on reasonable grounds that serious wrongdoing occurred. If the allegation is not true, then the report will not be a PID and the report maker will not be protected under the PID Act (even if the person who made the report honestly

⁴ Note, also, that s 16(2) specifies that a Minister's office is not an agency under the PID Act. Therefore, there is no duty to deal with a voluntary PID *other* than to communicate the report to an appropriate agency.

Criterion		The disclosure will only be a voluntary PID to an MP (other than a Minister) or journalist if...
		believed it was true and even if they had reasonable grounds for that belief).
3.	The maker must have previously made substantially the same voluntary PID to a recipient of PIDs.	The maker of a disclosure to an MP or journalist must have made substantially the same voluntary PID to a manager, disclosure officer or head of an agency. Note: If the disclosure made to the MP or journalist contains a new allegation of substantially new information about serious wrongdoing which was not disclosed in the previous PID, it may not be <i>substantially the same</i> .
4.	The previous disclosure must NOT have been anonymous.	When the previous PID was made, the maker must not have remained anonymous. Even if the recipient of a PID knows the identity of the maker, but the maker is not contactable, it may still be considered to be an anonymous PID.
5.	The maker of the previous disclosure must not have waived their right, in writing, to receive information under s 59 of the PID Act.	When a PID is received, an acknowledgement will be provided to the maker of the PID outlining their rights under the Act and details of how the report will be dealt with (see s5.43). Under s 59 of the PID Act, the maker of the PID can, in writing, waive their right to receive this information from the NSWEC about the treatment of the disclosure. If the maker of the PID has waived this right in writing, then any report to an MP or Journalist cannot be considered a PID (and consequently not receive protections under the PID Act).
and one of the following must occur:		
6A.	The maker was notified that the agency would not investigate nor refer the disclosure or would cease investigating without referring the disclosure.	At any stage after making the PID: <ul style="list-style-type: none"> notice of the agency's decision to not investigate the relevant serious wrongdoing nor refer the disclosure, or to cease investigating the relevant serious wrongdoing without completing the investigation or referring the disclosure.
6B.	At the end of the investigation period, the maker had not been notified of the required information	At the end of the investigation period: <ul style="list-style-type: none"> notice of the agency's decision to investigate the disclosure of serious wrongdoing, and a description of the results of the investigation (that is, the findings made), and details of the corrective action taken, proposed, or recommended as a result of the investigation. <i>The investigation period is:</i> <ul style="list-style-type: none"> <i>months after the previous disclosure was made, or</i> <i>12 months from the making of the previous PID if the maker applied for an internal review within 6 months after the PID was made.</i>

If all the above requirements are met, your disclosure to an MP or journalist may be a voluntary

PID.⁵

5.22 A voluntary PID can be made:

- **In writing**

This can be an email or letter to a person who can receive voluntary PIDs.

- **Verbally**

Have a private discussion with a person who can receive voluntary PIDs. This can be face-to-face, via telephone or virtually.

If the report is made verbally, the manager or nominated officer receiving the report should make a written record of the disclosure at the time the report is made.

Both parties should sign the record to confirm its accuracy.

- **Anonymously**

Write an email or letter or call a person who can receive PIDs to make a report without providing your name or anything that might identify you as the maker of the report.

A report will only be considered anonymous if there is no reasonable or practical way of communicating with the person making the report. Even if you choose to remain anonymous, you will still be protected under the PID Act.

It may be difficult for the NSWEC to investigate the matter(s) you have disclosed if we cannot contact you for further information and limit the extent to which the concern is investigated.

5.23 You should provide as much information as possible so we can deal with the report effectively. The type of information you should include is:

- date, time and location of key events
- names of person(s) involved in the suspected wrongdoing, their role, title and how they are involved
- your relationship with the person(s) involved, such as whether you work closely with them
- your explanation of the matter you are reporting
- how you became aware of the matter you are reporting
- possible witnesses
- other information you have that supports your report.

5.24 You should report all wrongdoing of which you become aware, regardless of whether you think it is serious wrongdoing. It is important for the NSWEC to understand what is or may be occurring. However, it is important to note that, if you are expecting that the processes and protections of the PID Act will apply to you, you must believe, on reasonable grounds, that the information you are reporting shows or tends to show serious wrongdoing.

5.25 The NSWEC is then responsible for making sure your report is handled appropriately under the PID Act, or if it is not a PID, in line with our other procedures.

5.26 Even if your report is not a PID, it may fall within another one of the agency's policies for dealing with other reports, allegations of breaches of NSW electoral and lobbying laws or grievances.

⁵ See also the relevant NSW Ombudsman's Guide at https://www.ombo.nsw.gov.au/data/assets/pdf_file/0008/142856/PIDs-to-Ministers-Members-of-Parliament-and-journalists.pdf

Deeming that a report is a voluntary PID

- 5.26 The Electoral Commissioner can, in certain circumstances, determine that a report is a voluntary PID even if the report does not otherwise have all the features of a voluntary PID. This is known as the ‘deeming power’. For example, the Electoral Commissioner might decide to deem a report of serious wrongdoing made by a public official to a senior officer of the NSWEC to be a PID, even though the recipient was not a disclosure officer.
- 5.27 By deeming that a report is a voluntary PID, it ensures that reporters are provided with protections under the PID Act.
- 5.28 If you make a report that has not met all the requirements of a voluntary PID, you can refer your matter to the Electoral Commissioner to request that the Commissioner consider deeming your report to be a voluntary PID.
- 5.29 A decision to deem a report to be a voluntary PID is at the discretion of the Electoral Commissioner. For more information about the deeming power, see the Ombudsman’s guideline [‘Deeming that a disclosure is a voluntary PID’](#).

Protections

How is the maker of a voluntary PID protected

- 5.30 When you make a voluntary PID you receive special protections under the PID Act.
- 5.31 The NSWEC is committed to taking all reasonable steps to protect you from detriment as a result of having made a PID. We are also committed to maintaining your confidentiality as much as possible while the PID is being dealt with.
- 5.32 The NSWEC will not tolerate any type of detrimental action being taken against you because you have made a report, might make a report or are believed to have made a report.
- 5.33 The maker of a voluntary PID is protected in the following ways:

Action	Protection
Detrimental action	<ul style="list-style-type: none">• A person cannot take detrimental action against another person because they have made a voluntary PID or are considering making a PID. Detrimental action includes bullying, harassment, intimidation or dismissal.• Once we become aware that a voluntary PID by a person employed or otherwise associated with the NSWEC that concerns serious wrongdoing has been made, we will undertake a risk assessment and take steps to mitigate the risk of detrimental action occurring against the person who made the voluntary PID.• It is a criminal offence for someone to take detrimental action against a person because they have made or may make a voluntary PID. It is punishable by a maximum penalty of 200 penalty units or imprisonment for five years or both.• A person may seek compensation where unlawful detrimental action has been taken against them.• A person can apply for a court order (injunction) where detrimental action is threatened or has occurred (for example, an order to prevent dismissal or to require reinstatement).• Note that a person who makes a PID can still be subject to reasonable management action (such as ordinary performance reviews and performance management). Provided such action is not taken because of the PID, it is not detrimental action under the PID Act.

Action	Protection
Immunity from civil and criminal liability	<ul style="list-style-type: none"> Public officials are subject to important legal duties of confidentiality about the information they access as part of their work. A breach by a public official of a statutory duty to keep information confidential can be a criminal offence, defamation and/or a code of conduct issue. If a public official includes confidential information in a disclosure that is a PID, however, the PID Act protects the maker from civil, criminal or disciplinary action. This legal protection will not apply if the disclosure is not a PID.
Confidentiality	<ul style="list-style-type: none"> Public officials and agencies must not disclose information tending to identify a person as the maker of a voluntary PID unless doing so is permitted by the PID Act.
Protection from liability for own past conduct	<ul style="list-style-type: none"> The Attorney General can give the maker an undertaking that a disclosure of their own past conduct will not be used against them if a person discloses their own wrongdoing or misconduct while making a report. This undertaking can only be given on application by an integrity agency to the Attorney General.

Protections for people who make mandatory and witness PIDs

5.34 Apart from PIDs that are made voluntarily by public officials, there are other types of reports that are recognised as PIDs under the PID Act:

- *A mandatory PID:* This is a PID where the public official has made the report about serious wrongdoing because they have a legal obligation to make that report, or because making that report is an ordinary aspect of their role or function in an agency.
- *A witness PID:* This is a PID where a person discloses information during an investigation of serious wrongdoing following a request or requirement of the investigator.

5.35 Protections for makers of mandatory and witness PIDs are detailed in the table below.

Protection	Mandatory PID	Witness PID
Detrimental action It is an offence to take detrimental action against a person based on the suspicion, belief or awareness that a person has made, may have made or may make a PID.	✓	✓
Right to compensation A person can initiate proceedings and seek compensation for injury, damage or loss suffered as a result of detrimental action being taken against them.	✓	✓
Ability to seek injunction An injunction can be sought to prevent the commission or possible commission of a detrimental action offence against a person. For example, an order to prevent dismissal or to require reinstatement.	✓	✓

Protection	Mandatory PID	Witness PID
<p>Immunity from civil and criminal liability</p> <p>a person will not incur civil or criminal liability if the person breaches a duty of confidentiality while making a disclosure. This means that legal action cannot be taken against a person for:</p> <ul style="list-style-type: none"> breaching a duty of secrecy or confidentiality, or breaching another restriction on disclosure. 	✓	✓

Reporting detrimental action

- 5.36 If you experience adverse treatment or detrimental action as the result of making a PID, such as bullying or harassment, you should report this immediately.
- 5.37 You can report any experience of adverse treatment or detrimental action directly to the NSWEC, or to an integrity agency. A list of integrity agencies is located at [Appendix B](#) of this policy.

General support

- 5.38 The NSWEC offers support to any staff member who makes a PID.
- 5.39 A contact person is assigned to the maker of the report a person who will be their key contact person and will take steps to protect their interests, for example, if there is risk of detrimental action.
- 5.40 A person who makes a report is provided with access to support services, such as counselling services. This includes the NSWEC Employee Assistance Program (**EAP**), where confidentiality is maintained. For further information on the EAP or to make an appointment, please call 1800 337 068 or visit the [Converge International](#) website.
- 5.41 The NSW Ombudsman provides advice and resources if an employee has questions about the PID Act and reporting generally. Refer to the [NSW Ombudsman website](#) or [Appendix B](#) for contact details.
- 5.42 Where the assertions contained in a disclosure are not demonstrated or established as true, the person the subject of the disclosure is entitled to reasonable and appropriate support of the NSWEC in such manner as the Electoral Commissioner considers appropriate.

How we deal with voluntary PIDs

Acknowledgement

- 5.43 When a disclosure officer in the NSWEC receives a report which is a voluntary PID, or looks like it may be a voluntary PID, the person who made the report will receive the following information:
- 5.44 Acknowledgment that the report has been received will include the following details advising:
- that the report will be assessed to identify whether it is a PID
 - that the PID Act applies to how the NSWEC deals with the report
 - of information on how the PID policy and any supporting materials can be accessed; and
 - details of a contact person and available supports.

- 5.45 If the report is a voluntary PID, we will inform you as soon as possible how we intend to deal with the report. This may include:
- that we are investigating the report of serious wrongdoing; or
 - that we will refer the report to a different agency; or
 - If we decide to not investigate the report and to not refer it to another agency for it to be investigated, we will tell you the reasons for this decision. We will also notify the NSW Ombudsman of this decision.

Refer to [Where the report is a voluntary PID](#) (s5.57) for details of these decisions.

- 5.46 If we decide to investigate the serious wrongdoing, we will provide you with updates on the investigation at least every three months. During this time, if you would like more frequent updates, you should contact the contact person who was nominated when you made the report.
- 5.47 If we investigate the serious wrongdoing, we will provide you with the following information once the investigation is complete:
- a description of the results of the investigation — that is, we will tell you whether we found that serious wrongdoing took place.
 - information about any corrective action as a result of the investigation/s — this means we will tell you what action we took in relation to the person who engaged in the serious wrongdoing or if the serious wrongdoing was by our agency, what we have put in place to address that serious wrongdoing.
 - Corrective action could include taking disciplinary action against someone or changing the practices, policies and procedures that we have in place which led to the serious wrongdoing.
- 5.48 There may be some details about both the findings made as a result of the investigation and the corrective action taken that cannot be revealed to you. We will always balance the right of a person who makes a report to know the outcome of that report, with other legal obligations we have.
- 5.49 If you have made an anonymous report, in many cases we may not be able to provide this information to you.

Assessment

- 5.50 Once a report is received the NSWEC will look at the information contained in the report to see if it has the features of a voluntary PID.
- 5.51 This assessment is undertaken to identify whether the report is a voluntary PID or another type of disclosure, and to make sure that the right steps are followed. If it is a voluntary PID, we will ensure that we comply with the requirements in the PID Act.

Report not a voluntary PID

- 5.52 If the report is determined not to be a voluntary PID, it will still need to be dealt with in a manner consistent with other processes relevant to the complaint.
- 5.53 If the report is not a voluntary PID, we will let you know that the PID Act does not apply to the report and how we will deal with the concerns raised in the report.
- 5.54 If you are not happy with this assessment or otherwise disagree with it, you can raise it with the person who has communicated the outcome with you or a disclosure officer; request an internal review; or request that the matter be conciliated. The NSWEC can, but does not have to, request the NSW Ombudsman to conciliate the matter. Refer to the [Review and Dispute Resolution](#) section of this Policy.

Cease dealing with report as voluntary PID

5.56 The NSWEC may stop dealing with a voluntary PID because it is not actually a voluntary PID (meaning it does not have all the features of a PID as set out at [5.12](#) of this Policy).

Where the report is a voluntary PID

5.57 If the report is a voluntary PID:

- In most cases we will conduct an investigation to make findings about whether the serious wrongdoing disclosed in the report occurred, who was involved, who was responsible, and whether the people involved, or the agency engaged, in serious wrongdoing. There may be circumstances where we believe an investigation is not warranted — for example, if the conduct previously has been investigated.
- There may also be circumstances where we decide that the report should be referred to another agency, such as an integrity agency. For example, reports concerning possible corrupt conduct may be required to be reported to the ICAC in accordance with section 11 of the ICAC Act.
- Before referring a matter, we will discuss the referral with the other agency, and we will provide you with details of the referral and a contact person within the other agency.
- If we decide not to investigate a report and to not refer the matter to another agency, we must let you know the reasons for this and notify the NSW Ombudsman.

Protect confidentiality

5.58 Under the PID Act, people who make voluntary PIDs have a right to confidentiality, including their identity and the fact that they have made a report.

5.59 Information tending to identify a person as the maker of a voluntary PID (known as *identifying information*) is not to be disclosed by a public official or an agency.

5.60 There are certain circumstances under the PID Act that allow for the disclosure of identifying information. These include:

- where the person consents in writing to the disclosure
- where it is generally known that the person is the maker of the voluntary PID because of their voluntary self-identification as the maker
- when the public official or the NSWEC reasonably considers it necessary to disclose the information to protect a person from detriment
- where it is necessary for the information to be disclosed to a person whose interests are affected by the disclosure
- where the information has previously been lawfully published
- when the information is disclosed to a medical practitioner or psychologist for the purposes of providing medical or psychiatric care, treatment or counselling to the individual disclosing the information
- when the information is disclosed for the purposes of proceedings before a court or tribunal
- when the disclosure of the information is necessary to deal with the disclosure effectively
- if it is otherwise in the public interest to disclose the identifying information.

5.61 We will not disclose identifying information unless it is necessary and authorised under the PID Act.

5.62 We will put in place steps to keep the identifying information of the maker and the fact that a report has been made confidential.

5.63 It may not be possible for us to maintain complete confidentiality while we progress the investigation, but we will do all that we practically can to not unnecessarily disclose information from which the maker of the report can be identified. We will take the following steps to do this:

- We will limit the number of people who are aware of the maker's identity or information that could identify them.
- We will ensure that only authorised persons have access to emails, files or other documentation that contain information about the identity of the maker.
- We will provide information to the maker of the PID about the importance of maintaining confidentiality and advising them how best to protect their identity, for example, by telling them not to discuss their report with other staff.
- If we must disclose information that may identify the maker of the PID, we will still not disclose the actual identity of the maker of the PID, unless we have their consent to do so.
- We will ensure that any person who does know the identity of the maker of a PID is reminded that they have a legal obligation to keep their identity confidential.
- We will undertake an assessment to determine if anyone is aware of the maker's identity and if those persons have a motive to cause detrimental action to be taken against the maker or impede the progress of the investigation.

5.64 If confidentiality cannot be maintained or is unlikely to be maintained, the NSWEC will:

- advise the person whose identity may become known
- provide additional supports to the person who has made the PID
- remind persons who become aware of the identifying information of the consequences for failing to maintain confidentiality and that engaging in detrimental action is a criminal offence and may also be a disciplinary matter.
- implement strategies to minimise the risk of detrimental action
- review and update the risk management plan developed to protect the person making the report (refer to the [Protections](#) section of this Policy)

Assess and minimise risk of detrimental action

5.65 The NSWEC will not tolerate any detrimental action being taken by any person against a person who has made a PID, investigators, witnesses or the person the report is about.

5.66 The NSWEC will assess and take steps to mitigate detrimental action from being taken against the maker of a voluntary PID, the person whose conduct is the subject of a PID, investigators and witnesses.

5.67 Detrimental action against a person is an act or omission that causes, comprises, involves or encourages detriment to a person or a threat of detriment to a person (whether express or implied). Detriment to a person includes:

- injury, damage or loss
- property damage
- reputational damage
- intimidation, bullying or harassment
- unfavourable treatment in relation to another person's job
- discrimination, prejudice or adverse treatment
- disciplinary proceedings or disciplinary action, or
- any other type of disadvantage.

Detrimental action does **not** include:

- lawful action taken by a person or body to investigate serious wrongdoing or other misconduct
- the lawful reporting or publication of a finding of serious wrongdoing or other misconduct

- the lawful making of adverse comment, resulting from investigative action
- the prosecution of a person for a criminal offence
- reasonable management action taken by someone in relation to a person who made or may make a PID. For example, a reasonable appraisal of a PID maker's work performance.

5.68 The NSWEC will take the following steps to assess and minimise the risk of detrimental action:

- The disclosures coordinator undertaking a risk assessment, and creating a risk management plan, which will be reassessed through the entirety of the matter
- The risk management plan will outline the protections that will be offered, following discussion of protection options with the maker of the report. This may include remote working or approved leave for the duration of the investigation.
- Advise how the agency will communicate with the maker of the report to identify risks
- Outlining supports that will be provided to the person making the report

Dealing with allegations of a detrimental action offence

5.69 If the NSWEC becomes aware of an allegation that a detrimental action offence has occurred or may occur, we will:

- take all steps possible to stop the action and protect the person(s)
- take appropriate disciplinary action against anyone that has taken detrimental action
- refer any evidence of a detrimental action offence to the Commissioner of Police and the ICAC or the Law Enforcement Conduct Commission (whichever is applicable)
- notify the NSW Ombudsman about the allegation of a detrimental action offence being committed.

What the NSWEC will do if an investigation finds that serious wrongdoing has occurred

5.70 If, after an investigation, it is found that serious wrongdoing or other misconduct has occurred, the NSWEC will take the most appropriate action to address that wrongdoing or misconduct.

5.71 This action can include:

- a formal apology
- improving internal policies to adequately prevent and respond to similar instances of wrongdoing
- providing additional education and training to staff where required
- taking employment action against persons involved in the wrongdoing (such as termination of employment, relocation, a caution or reprimand)
- payment of compensation to people who have been affected by serious wrongdoing or other misconduct.

5.72 The Fraud and Corruption Reporting and Response Guideline provides further details concerning:

- who receives the findings of an investigation
- the steps will be taken to address any recommendations in the findings
- responsibility for who ensures corrective action takes place, and
- how the maker will be notified of the proposed or recommended corrective action.

Review and dispute resolution

Internal review

- 5.73 People who make voluntary PIDs can seek internal review of the following decisions made by the NSWEC:
- that the NSWEC is not required to deal with the report as a voluntary PID
 - to stop dealing with the report because the NSWEC decided it was not a voluntary PID
 - to not investigate the serious wrongdoing and not refer the report to another agency
 - to cease investigating the serious wrongdoing without either completing the investigation or referring the report to another agency for investigation.
- 5.74 The NSWEC will ensure internal reviews are conducted in compliance with the PID Act.
- 5.75 An application for an internal review must be applied for in writing within 28 days of being informed of the NSWEC's decision.
- 5.76 The application should state the reasons why the decision should not have been made. You may also submit any other relevant material with your application.

Voluntary dispute resolution

- 5.77 If a dispute arises between the NSWEC and a person who has made a report which is, or may be, a voluntary PID, we may request the NSW Ombudsman to conciliate the dispute.
- 5.78 Conciliation is a voluntary process and will only be suitable for disputes where the NSWEC and the maker of the report are willing to resolve the dispute.

Other obligations

Record keeping requirements

- 5.79 The NSWEC must keep full and accurate records with respect to all information received in connection with the PID Act. This ensures that the NSWEC complies with its obligations under the *State Records Act 1998*.
- 5.80 Information received in connection with a PID report, including all communications regarding reports made in accordance with the PID Act, will stored with appropriate security and access levels applied.

Reporting of voluntary PIDs and NSWEC annual return to the Ombudsman

- 5.81 Each year the NSWEC will provide an annual return to the NSW Ombudsman which includes:
- information about voluntary PIDs received by the NSWEC during each return period (yearly with the start date being 1 July)
 - action taken by the NSWEC to deal with voluntary PIDs during the return period
 - how the NSWEC promoted a culture in the workplace where PIDs are encouraged.

Compliance with the PID Act and this policy

- 5.82 The Disclosures Coordinator will ensure that mechanisms are in place for monitoring the effectiveness of this Policy and compliance with the PID Act. This will include:
- Internal reviews to be included in annual Fraud and Corruption Control Work Plans
 - Annual returns to be reported to the Senior Executive Committee and the NSWEC Audit and Risk Committee, including corrective actions taken concerning any PIDs made
 - Reports about compliance provided to the Senior Executive Committee and the NSWEC Audit and Risk Committee

6 Roles and responsibilities

The following table outlines the nature of the commitment expected from staff and the way that commitment should be implemented:

Who	Commitment	How
NSW Electoral Commissioner	<p>The Electoral Commissioner has ultimate accountability for the establishment and maintenance of effective corruption controls at the NSWEC</p> <p>The Electoral Commissioner is responsible for ensuring the NSWEC complies with the PID Act and the Commission's PID policy</p>	<ul style="list-style-type: none"> • Fostering a workplace culture where reporting is encouraged • As the Accountable Authority of the agency, the Commissioner is able to receive reports of wrongdoing under the provisions of the PID Act • Ensures the NSWEC complies with the PID Act, and has appropriate systems for: <ul style="list-style-type: none"> • Assessing disclosures • Overseeing internal compliance • Supporting public officials who make voluntary PIDs, including minimising the risk of detrimental action • Implementing corrective action regarding allegations or findings of detrimental action
NSW Electoral Commission members	Members ensure that their roles as part of the agency's PID policy are fulfilled	<ul style="list-style-type: none"> • Members can receive disclosures in accordance with the PID Act⁶ and the NSWEC PID Policy
Executive Directors/ Directors	<p>The NSWEC's senior executives also contribute to the 'tone at the top' and champion the control of corruption in their divisions and business units</p> <p>Executive Directors and Directors ensure that their roles as part of the agency's PID policy are fulfilled</p>	<ul style="list-style-type: none"> • The executives participate in the fraud and corruption risk assessment process to ensure that fraud risks in their business areas are identified, assessed, and controlled • Senior executives can receive disclosures in accordance with the PID Act and the NSWEC PID Policy
Manager Governance (Chief Risk Officer)	The Manager Governance works with stakeholders to develop and maintain the PID Policy and annual fraud and corruption control work plans.	<ul style="list-style-type: none"> • Maintains appropriate records of allegations of serious wrongdoing and advises relevant agencies of identified frauds • Develops a fraud and corruption control assessment and work plan to prevent, detect and manage fraud and corruption • Provides the statistical returns and reports to the Ombudsman required under the PID Act • The Manager Governance also acts

⁶ Pursuant to s 18(1)(c) of the PID Act.

Who	Commitment	How
		as a Disclosure Officer under the PID Policy
Disclosures Coordinator (Director Enterprise Portfolio Management Office and Corporate Governance)	The Disclosures Coordinator receives and assesses reports, determines their status as a PID and ensures appropriate action is taken.	<ul style="list-style-type: none"> • Receive, forward and or act upon disclosures in accordance with the Policy • Assess each disclosure to determine whether the disclosure is a disclosure within the meaning of the PID Act • Co-ordinate any internal investigation relating to a disclosure • Take all necessary and reasonable steps to ensure that the identity of persons who make disclosures, and the persons the subject of disclosures, are kept confidential • Support persons who make disclosures and actively protect them from victimisation, harassment or any other form of reprisal • Notify the reporter, within six months of the disclosure being made, of the action taken or proposed to be taken in respect of the disclosure.
Disclosure Officers	Ensure that their roles as part of the agency's PID policy are fulfilled	<ul style="list-style-type: none"> • Receiving reports from public officials • Receiving reports when they are passed on to them by managers • Ensuring reports are dealt with appropriately, including by referring the matter to the appropriate complaint unit (if relevant) • Ensuring that any oral reports that have been received are recorded in writing.
Managers	Ensure that their roles as part of the agency's PID policy are fulfilled	<ul style="list-style-type: none"> • Passing on any voluntary disclosures they receive in a timely manner to a disclosure officer. • Assist Disclosures Coordinator in: <ul style="list-style-type: none"> • maintaining confidentiality of the persons who make disclosures, and the person subject to disclosures • the support and protection of persons who make disclosures from reprisal actions

Who	Commitment	How
All staff members	All staff have an obligation to comply with the Code of Ethics and Conduct and a role in preventing and detecting fraud	<ul style="list-style-type: none"> • Report suspected serious wrongdoing or other misconduct • Assist in an investigation of serious wrongdoing if asked to do so by a person dealing with a voluntary PID on behalf of the NSWEC • Treat any person dealing with or investigating reports of serious wrongdoing with respect. • Undertake relevant fraud awareness training • All employees must not take detrimental action against any person who has made, may in the future make, or is suspected of having made, a PID.

7 Monitoring, evaluation and review

7.1 The PID Policy will be reviewed every three years; or if policy, legislation, or the NSWEC's control environment changes.

8 Associated documents

Governance:

- [Fraud and Corruption Control Policy and Framework](#)
- [Risk Management Policy](#)

Employment and HR:

- [Code of Ethics and Conduct](#)

Finance and Procurement:

- [Business Ethics Confidentiality and Compliance Agreement - Service Provider and NSW Electoral Commission](#)
- [Statement of Business Ethics](#)

9 Relevant legislation

- [Evidence Act 1995](#)
- [Government Information \(Public Access Act\) 2009](#)
- [Health Records and Information Privacy Act 2002](#)
- [Independent Commission Against Corruption Act 1988](#)
- [Local Government Act 1993](#)

- *Privacy and Personal Information Protection Act 1998*
- *Public Interest Disclosure Act 2022*
- *State Records Act 1998*

10 Document control

Document management

Approved by A/Electoral Commissioner:	Date approved:
Rachel McCallum	Date: 3 October 2023
Executive Director Review:	
Matt Phillips Executive Director Corporate	
Director Review:	
Riaan Husselmann Director EPMO & CG	

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11/2011	V 1	Developed by Administration Branch
12/2013	V 1.1	Revised by Administration Branch
1/2014	V 1.2	Revised by Administration Branch
5/7/2017	V 1.3	Revised by Legal & Governance Business Unit
August 2023	V 2.0 Draft	Updated for new legislation (PID Act 2022); inclusion of roles and responsibilities; updated Associated Documents list; presentation/layout updates

Appendix A — NSWEC disclosure officers

The NSWEC Officers holding the roles are designated pursuant to s 18(1)(d) of the PID Act to receive public interest disclosures under this policy:

Division	Disclosure Officer
Corporate	<ul style="list-style-type: none">• Executive Director Corporate• Director Enterprise Portfolio Management Office• Corporate Governance Manager Governance
Digital Modernisation	<ul style="list-style-type: none">• Executive Director, Digital Modernisation
Elections	<ul style="list-style-type: none">• Executive Director Elections
Funding, Disclosure, Compliance and General Counsel Division	<ul style="list-style-type: none">• Executive Director Funding, Disclosure, Compliance and General Counsel• Director Compliance
Information Services	<ul style="list-style-type: none">• Executive Director Information Services

Appendix B — List of integrity agencies under s 19 of the PID Act

Integrity agency	What they investigate	Contact information
The NSW Ombudsman	Most kinds of serious maladministration by most agencies and public officials (but not NSW Police, judicial officers or MPs)	Telephone: 1800 451 524 between 9am to 3pm Monday to Friday Writing: Level 24, 580 George Street, Sydney NSW 2000 Email: info@ombo.nsw.gov.au
The Auditor-General	Serious and substantial waste of public money by auditable agencies	Telephone: 02 9275 7100 Writing: GPO Box 12, Sydney NSW 2001 Email: governance@audit.nsw.gov.au
Independent Commission Against Corruption	Corrupt conduct	Telephone: 02 8281 5999 or toll free on 1800 463 909 (callers outside Sydney) between 9am and 3pm, Monday to Friday Writing: GPO Box 500, Sydney NSW 2001 or faxing 02 9264 5364 Email: icac@icac.nsw.gov.au
The Inspector of the Independent Commission Against Corruption	Serious maladministration by the ICAC or the ICAC officers	Telephone: 02 9228 3023 Writing: PO Box 5341, Sydney NSW 2001 Email: oiicac_executive@oiicac.nsw.gov.au
The Law Enforcement Conduct Commission	Serious maladministration by the NSW Police Force or the NSW Crime Commission	Telephone: 02 9321 6700 or 1800 657 079 Writing: GPO Box 3880, Sydney NSW 2001 Email: contactus@lecc.nsw.gov.au
The Inspector of the Law Enforcement Conduct Commission	Serious maladministration by the LECC and LECC officers	Telephone: 02 9228 3023 Writing: GPO Box 5341, Sydney NSW 2001 Email: oiiecc_executive@oiiecc.nsw.gov.au
Office of Local Government⁷	Local government pecuniary interest contraventions	Email: olg@olg.nsw.gov.au
The Privacy Commissioner	Privacy contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au
The Information Commissioner	Government information contraventions	Telephone: 1800 472 679 Writing: GPO Box 7011, Sydney NSW 2001 Email: ipcinfo@ipc.nsw.gov.au

⁷ The LG Act confers powers and responsibilities on the 'Departmental Chief Executive', currently the Secretary of the Department. The OLG is a business unit within the Department that advises the Minister for Local Government and exercises delegated functions of the Secretary of the Department under the LG Act. A Deputy Secretary oversees the OLG and reports to the Secretary.