

Public Interest Disclosure (Whistleblower) Policy

POT-0685
REVISION: 10

1. POLICY STATEMENT

Port of Townsville Limited ('the Port') is committed to creating and maintaining a workplace where strong ethical standards are displayed through employee behaviour and actions. Those who report suspected Wrongdoing ensure these minimum standards of behaviour are upheld. The Port encourages a "Speak Up" culture to ensure that any suspected Wrongdoing in the workplace is properly assessed and, if necessary, appropriately investigated and dealt with. The Port will provide support and protection to those who make PID's, including protection from Reprisal. The Port will actively implement its *Public Interest Disclosure Management Program* to ensure PID reporting is encouraged and managed in accordance with the *Public Interest Disclosure Act 2010* (Qld) ('PID Act').

2. OBJECTIVES

By complying with the Commonwealth whistleblower and Queensland PID regulatory requirements, the Port will:

- promote the public interest by facilitating public interest disclosures (PIDs) of Wrongdoing;
- ensure that PIDs are properly assessed and, where appropriate, properly investigated and dealt with;
- ensure appropriate consideration is given to the interests of persons who are the subject of a Disclosure; and
- ensure protection from Reprisal is afforded to persons making disclosure.

3. SCOPE

This policy applies to anyone, including Port Employees, who make or wish to make a PID to the Port.

This policy does not apply to disclosures of personal work-related grievances, EXCEPT where the information contained in the disclosure also meets the criteria for a PID.

4. WHY MAKE A PID?

People who are prepared to speak up about wrongdoing can be an important source of information to identify and address problems in public sector administration. The Port supports the disclosure of information about wrongdoing because:

- implementing systems for reporting and dealing with wrongdoing contributes to the integrity and culture of the Port
- the outcomes of PIDs can include improvements to systems that prevent fraud and other loss or harm to the Port
- the community's trust in public administration is strengthened by having strong processes in place for reporting wrongdoing.

When making a PID, the Discloser also receives support and protections provided under the PID Act which is further outlined in section 14 of this policy.

5. WHAT IS A PID?

A disclosure of wrongdoing must meet the following 3 criteria to be considered a PID under the PID Act:

1. An **appropriate disclosure**;
2. of **public interest information**;
3. made **to a proper authority**.

An appropriate disclosure means the Discloser must have an honest belief based on reasonable grounds that the information tends to show the wrong can have either a 'reasonable belief' that wrongdoing has occurred, or provide evidence which tends to show the wrongdoing has occurred.

The PID Act also distinguishes between PIDs made by public officers (Port Employees) and those made by anyone else. What constitutes a PID depends on who is making the disclosure.

It is an offence under the PID Act to intentionally give false or misleading information intending it be acted on as a PID. Employees may be subject to disciplinary action for intentionally giving false or misleading information in a PID, or during an investigation into a PID.

A Disclosure amounts to a PID and is covered by the PID Act even if the:

- Discloser reports the information as part of their duties – such as an auditor reporting a fraud or an environmental officer reporting an environmental breach or concern.
- Disclosure is made anonymously – the Discloser is not required to give their name or any identifying information.
- Discloser has not identified the disclosure or material as a PID – it is up to the PID Coordinator to assess information received and decide if it is a PID.
- Disclosure is unsubstantiated following investigation – the Discloser is protected when the information they provide is assessed as a PID, whether or not it is subsequently investigated or found to be substantiated.

5.1 PID BY A PORT EMPLOYEE (S 19)

Employees of Queensland Government Owned Corporations (GOCs) can make disclosures about the following public interest information:

- Corrupt Conduct¹ as defined by the *Crime and Corruption Act 2001* (Qld).
- The conduct of another person that could, if proved, be a Reprisal that relates to a previous disclosure made by the Employee to the Port or the Crime and Corruption Commission.

5.2 PID BY ANY OTHER PERSON (S 12)

Any person (including a Port Employee or member of the public) can make a disclosure about the following public interest information:

- A ‘Substantial and Specific’ danger to the health or safety of a person with a Disability.
- the Commission of an offence, or contravention of a condition imposed under a provision of legislation mentioned in the PID Act Schedule 2, if the offence or contravention would be a ‘Substantial and Specific’ danger to the Environment.
- Reprisal because of a belief that a person has made, or intends to make a disclosure.

6. WHO CAN THE PID BE DISCLOSED TO?

A PID must be made to the ‘proper authority’ to receive disclosures of the type being made.

6.1 PORT OF TOWNSVILLE AUTHORITIES

Disclosers are encouraged to make the Disclosure to an appropriate officer of the Port in the first instance. Any person can make a Disclosure to:

Proper Authority:	How to make the disclosure:
Port of Townsville Limited	To the PID Coordinator, which is the Company Secretary: • Phone: 07 4781 1665 • Email: companysecretary@townsville-port.com.au • Post, addressed to: Company Secretary, Port of Townsville Limited, PO Box 1031, Townsville QLD 4810
	To the Chief Executive Officer: • Email: ceo@townsville-port.com.au • Post, addressed to: Chief Executive Officer, Port of Townsville Limited, PO Box 1031, Townsville QLD 4810
	SpeakUp hotline, facilitated by CoreIntegrity (independent of the Port): • Call: 1800 360 084 and speak with a representative from CoreIntegrity. • Online via the CoreIntegrity online reporting form: Link here • Email: speakup@coreintegrity.com.au

¹ Refer to the Port’s *Fraud and Corruption Control Policy* for further information.

	Post, addressed to: PO Box 730, Milsons Point NSW 1656 (re: Port of Townsville)
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6.2 EXTERNAL AUTHORITIES

Disclosures can also be made to external agencies that have responsibility for investigating the public interest information being disclosed:

Proper Authority:	How to make the disclosure:
Crime and Corruption Commission (CCC)	Disclosures concerning Corrupt Conduct (including Reprisal) may also be made to the CCC: Refer CCC website - 'Report corruption'
Queensland Human Rights Commission (QHRC)	Disclosures concerning Reprisal may also be made to the QHRC under s 44 of the PID Act: Refer QHRC website
Department of Environment, Tourism, Science & Innovation (DETSI)	Disclosures concerning the commission of an offence, or contravention of a condition imposed under PID Act Schedule 2 constituting a Substantial and Specific danger to the Environment may also be made to DETSI: Refer DETSI website
Department of Families, Seniors, Disability Services and Child Safety (DCSSDS)	Disclosures concerning danger to the health and safety of a person with a Disability may also be made to DCSSDS: Refer DCSSDS website
Office of the Public Guardian (OPG)	Disclosures concerning danger to the health and safety of a person with a Disability may also be made to OPG: Refer OPG website
Member of the Legislative Assembly	

A Disclosure can also be made to a journalist if the following conditions have been met:

- A valid PID was initially made to a Proper Authority; and
- The Proper Authority:
 - decided not to investigate or deal with the Disclosure; or
 - investigated the Disclosure but did not recommend taking any action; or
 - failed to notify the Discloser within six months of making the Disclosure whether or not the Disclosure was to be investigated or otherwise dealt with.

A person who makes a Disclosure to a journalist in these circumstances is protected under the PID Act. However, Disclosers should be aware that journalists are not bound under the confidentiality provisions of section 65 of the PID Act.

7. HOW TO MAKE A PID

A Discloser can make a PID to the Proper Authority openly or anonymously, either verbally or in writing. To assist in the assessment, and any subsequent investigation of a PID, Disclosers are encouraged to:

- provide contact details (this could be an anonymous email address that is created for the purpose of making the Disclosure or a telephone number)
- provide as much information as possible about the suspected wrongdoing, including:
 - who was involved; what happened; when it happened; where it happened; whether there were any witnesses, and if so who they are; any evidence that supports the PID, and where the evidence is located; and any further information that could help investigate the PID.
- provide this information in writing.

If circumstances prevent the Discloser from providing the information in writing, the person who received the PID should record the date, time and circumstances of the PID and ask the Discloser to confirm the contents before signing it. This information should then be forwarded to the PID Coordinator. If the PID involves the PID Coordinator, it should be forwarded to the Chief Executive Officer.

Disclosures that are false or misleading, and that are made to the media (except as described in section 20 of the PID Act) are not protected by the PID Act.

8. PID ASSESSMENT AND INVESTIGATION PROCESS

The Disclosure will be assessed in accordance with the PID Act, the Queensland Ombudsman PID Standards and Guidelines, and this Policy. The PID management process is outlined in **Appendix A** of this Policy. The PID Coordinator will assess a disclosure and determine whether it meets the requirements of a PID. The Port's *Public Interest Disclosure Assessment Form* to help assess whether a matter is a disclosure under the PID Act.

If there is any doubt as to whether a matter is a PID, further information may be obtained to inform the decision. If doubt still remains, the matter will be considered and managed as a PID. Mere disagreements over policy do not meet the threshold for a PID under the PID Act.

If the PID has been made anonymously and the Discloser has not provided any contact details, the Delegate will not be able to acknowledge the PID or provide any updates to the Discloser.

8.1 IF THE MATTER DOES AMOUNT TO A PID

Once the matter has been assessed, if the matter does amount to a PID, the Port will advise the Discloser:

- that their information has been received and assessed as a PID
- the action to be taken by the Port in relation to the disclosure, which could include referring the matter to an external agency, or investigating
- the likely timeframe involved

- the name and contact details of the appointed Support Officer they can contact for updates or advice
- of the discloser's obligations regarding confidentiality
- the protections the discloser has under the PID Act
- the commitment of the Port to keep appropriate records and maintain confidentiality, except where permitted under the PID Act
- how updates regarding intended actions and outcomes will be provided to the discloser
- contact details for the Port's Employee Assistance Program.

8.2 IF THE MATTER DOES NOT AMOUNT TO A PID

Once the matter has been assessed, if the matter does not amount to a PID, the Port will advise the Discloser:

- that their information has been received but was not assessed as a PID
- the reasons for the decision;
- the review rights available if the discloser is dissatisfied with the decision and how to request review;
- any action the Port proposes to take in relation to the matter;
- any other options the discloser has in relation to the matter.

9. REFERRAL TO ANOTHER AGENCY OR PROPER AUTHORITY

If the Port decides there is another proper authority that is better able to deal with the PID, the PID may be referred to that agency. This may be because:

- the PID concerns wrongdoing by that agency or an employee of that agency
- that agency has the power to investigate or remedy the matter.

Before referring the PID to another agency, the PID Coordinator will conduct a risk assessment, and will not proceed with the referral if there is an unacceptable risk of reprisal.

It may also be necessary to refer the PID to another agency because of a legislative obligation, for example, refer a matter to the Crime and Corruption Commission where there is a reasonable suspicion that the matter involves or may involve corrupt conduct (as required by section 38 of the Crime and Corruption Act 2001).

The confidentiality obligations of the PID Act permit appropriate officers of the Port to communicate with another agency about the referral of a PID. Officers will exercise discretion in their contacts with any other agency.

The discloser will be advised of the action taken by the Port.

10. DECLINING TO TAKE ACTION ON A PID

Under the PID Act, the Port may decide not to investigate or deal with a PID because:

- the information disclosed should be dealt with by another process or it has already been investigated;
- the age of the information makes it impractical to investigate;
- the information disclosed is too trivial and dealing with it would substantially and unreasonably divert the Port from the performance of its functions; and/or
- another agency with jurisdiction to investigate the information has informed the Port that an investigation is not warranted.

If a decision is made not to investigate or deal with a PID, the Port will give the discloser written reasons for that decision.

If the discloser is dissatisfied with the decision they can request a review by writing to the Chief Executive Officer of the Port within 28 days of receiving the written reasons for decision.

11. DECISION TO INVESTIGATE A PID

If the matter is required to be investigated by the Port, the PID Coordinator will be responsible for coordinating the investigation who may also engage an independent investigator.

If a decision is made to investigate a PID, this will be done with consideration for the:

- principles of natural justice
- obligation under the PID Act to protect confidential information
- obligation under the PID Act to protect officers from Reprisal
- interests of Subject Officers.

If as a result of investigation, the information about wrongdoing provided in the PID is substantiated, appropriate action will be taken.

Where the investigation does not substantiate wrongdoing, the Port will review systems, policies and procedures to identify whether there are improvements that can be made and consider if further training is required.

12. RISK ASSESSMENT AND PROTECTION FROM REPRISAL

Disclosers should not suffer any form of Detriment as a result of making a PID. Upon receiving a PID, the Port will conduct a risk assessment to assess the likelihood of the Discloser (or witnesses or affected third parties) suffering Reprisal action as a result of having made the disclosure. This assessment will take into account the actual and reasonably perceived risk of the Discloser (or witnesses or affected third parties) suffering from Detriment, and will include consultation with the Discloser.

A risk assessment will be undertaken if the Discloser is anonymous on the basis of information available in the PID. The risk assessment will also take into account the risk to persons who may be suspected of making the PID.

The PID Coordinator will determine the appropriate level of protection and support for a Discloser (or witnesses or affected third parties) by using the Port's *Public Interest Disclosure Risk Assessment Form* to develop a risk management plan. The PID Coordinator will regularly reassess

the risk of Reprisal while the PID is being managed, in consultation with the Discloser, and review the risk management plan as necessary.

In the event of Reprisal action being alleged or suspected, the Port will:

- attend to the safety of the Discloser (or witnesses or affected third parties) as a matter of priority
- review its risk assessment, risk management plan and any protective measures needed to mitigate any further risk of Reprisal
- manage any allegation of a Reprisal as a result of a PID in its own right.

13. COMMUNICATION WITH DISCLOSERS

Under the PID Act, the Port must give reasonable information to a Discloser. The Port will acknowledge receipt of the PID in writing as soon as practicable. The Discloser will be provided with information that meets the requirements of the PID Act and the PID Standards, including:

- the action that will be taken in response to the PID
- the protections under the PID Act
- confidentiality obligations of the discloser and the Port
- support arrangements.

The Port will maintain contact with the Discloser and provide regular updates during the management of the PID.

In accordance with the PID Act, after finalising action in response to the PID, the Port will advise the Discloser in writing of the action taken and the results of the action.

14. DISCLOSER SUPPORT AND PROTECTION

When making a PID, the Discloser will receive the protections provided under the PID Act:

- **Confidentiality** (s 65)

A Discloser's name and other identifying information will be protected to the extent possible. A Discloser's identity may need to be disclosed to provide Natural Justice to Subject Officers or respond to a court order, legal directive or court proceedings.

The Port will ensure that communication with all parties will be arranged discreetly to avoid identifying the Discloser wherever possible. Strict confidentiality is to always be maintained in relation to the reporting and investigation of PIDs.

- **Protection against Reprisal** (s 40-42)

A person must not cause, or attempt or conspire to cause, Detriment to another person because of a belief that another person has made or intends to make a PID. This is known as a Reprisal, or the taking of a Reprisal.

A Discloser is protected from Reprisal by the Port and its employees, as a result of making the PID or intending to make the PID. Reprisal under the PID Act is also a criminal offence and investigations may be referred to the Queensland Police Service for further investigation.

Note, unrelated disciplinary action or other work-related action against a Discloser may be considered Reasonable Management Action and therefore not Detriment to the Discloser under the PID Act (s 45).

- **Immunity from liability (s 36)**

The Discloser is not subject to any civil or criminal liability, but is not exempt from action if they have engaged in wrongdoing.

- **Protection from defamation (s 38)**

The Discloser has a defence against any accusation of defamation by any Subject Officer.

14.1 ORGANISATIONAL SUPPORT

The Port will provide organisational support to Disclosers. This includes undertaking the following actions such as, but is not limited to:

- advising Disclosers about internal resources available to handle any concerns they have as a result of making their PID
- appointing a mentor, confidante or other support officer to assist the Discloser through the process
- referring the Discloser to the Port's Employee Assistance Program
- generating support for the Discloser in their business unit where appropriate
- ensuring that any suspicions of victimisation or harassment are dealt with
- maintaining contact with the Discloser throughout the PID process
- negotiating with the Discloser and their Support Officer a formal end to their involvement with the support program when it is agreed that they no longer need assistance.

The allocated PID Support Officer will regularly assess the support needs of the party, using the Port's *Public Interest Disclosure Support Plan Form*.

15. RIGHTS OF SUBJECT OFFICERS

The Port acknowledges that for officers who are the subject of a PID (Subject Officers), the experience may be stressful. The Port will protect the rights of Subject Officers by:

- assuring them that the PID will be dealt with impartially, fairly and reasonably in accordance with the principles of natural justice;
- confirming that the PID is an allegation only until information or evidence obtained through an investigation substantiates the allegation;
- providing them with information about their rights and the progress and outcome of any investigation; and
- referring them to the Port's Employee Assistance Program for support.

Information and support will be provided to a Subject Officer until the matter is finalised.

16. RECORD-KEEPING

In accordance with its obligations under the PID Act and the *Public Records Act 2002* (Qld), the Port will ensure that:

- accurate data is collected about the receipt and management of PIDs
- anonymised data is reported to the Office of the Queensland Ombudsman in their role as the oversight agency, through the PID reporting database.

Records about disclosures, investigations, and related decisions will be kept secure and accessible only to appropriately authorised people involved in the management of the PID.

17. ROLES & RESPONSIBILITIES

CHIEF EXECUTIVE OFFICER COMPANY SECRETARY (‘PID COORDINATOR’)	• Overall responsibility for ensuring that the Port develops, implements and maintains a PID and whistleblower management program.
	• Act as principal contact for PID issues within the Port • Document and manage implementation of PID management program • Review and update this policy • Maintain and update internal records of PIDs received • Report data on PIDs to Queensland Ombudsman • Assess PIDs received • Provide acknowledgment of receipt of PID to discloser • Undertake risk assessments in consultation with Disclosers and other relevant officers • liaise with other agencies about referral of PIDs • Allocate Investigator and Support Officer to PID matter
PID SUPPORT OFFICER	Appointed by the PID Coordinator for each PID: • Provide advice and information to Discloser on the Port’s Public Interest Disclosure (Whistleblower) Policy • Provide personal support and referral to other sources of advice or support as required • Facilitate updates on progress of investigation • Proactively contact Discloser throughout PID management process
INVESTIGATOR	An appropriate internal or external investigator will be appointed for each PID investigated depending upon the type of Disclosure and other relevant considerations. Investigator will be responsible for: • Conduct investigation of information in PID in accordance with terms of reference • Prepare report for delegated decision-maker
ALL EMPLOYEES	• Report all suspected wrongdoing through the appropriate channels outlined in this policy • Participate in training related to PID’s

18. COMPLIANCE AND RELATED LEGISLATION

LEGISLATION
<i>Corporations Act 2001 (Cth)</i> <i>Crime and Corruption Act 2001 (Qld)</i> <i>Public Interest Disclosure Act 2010 (Qld)</i> <i>Public Records Act 2022 (Qld)</i>
STANDARDS
Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Program Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting
GUIDELINES
Qld Ombudsman - Making a public interest disclosure: A guide for individuals working in the public sector Qld Ombudsman - Handling a public interest disclosure: A guide for public sector managers and supervisors Qld Ombudsman - Managing a public interest disclosure program: A guide for public sector organisations

19. DEFINITIONS AND ACRONYMS

Administrative Action	has the meaning in Schedule 4 of the PID Act: <i>administrative action—</i> <i>(a) means any action about a matter of administration, including, for example—</i> <i>(i) a decision and an act; and</i> <i>(ii) a failure to make a decision or do an act, including a failure to provide a written statement of reasons for a decision; and</i> <i>(iii) the formulation of a proposal or intention; and</i> <i>(iv) the making of a recommendation, including a recommendation made to a Minister; and</i> <i>(v) an action taken because of a recommendation made to a Minister; and</i> <i>(b) does not include an operational action of a police officer or of an officer of the Crime and Corruption Commission.</i>
Confidential Information	has the meaning in section 65(7) of the PID Act: <i>confidential information—</i> <i>(a) includes—</i> <i>(i) information about the identity, occupation, residential or work address or whereabouts of a person—</i> <i>(A) who makes a public interest disclosure; or</i> <i>(B) against whom a public interest disclosure has been made; and</i> <i>(ii) information disclosed by a public interest disclosure; and</i> <i>(iii) information about an individual's personal affairs; and</i> <i>(iv) information that, if disclosed, may cause detriment to a person; and</i>

	(b) does not include information publicly disclosed in a public interest disclosure made to a court, tribunal or other entity that may receive evidence under oath, unless further disclosure of the information is prohibited by law.
Corrupt Conduct	<p>has the meaning in section 15 of the Crime and Corruption Act 2001 (Qld):-</p> <p>(1) <i>Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—</i></p> <p class="margin-left: 40px;">(a) <i>Adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of —</i></p> <p class="margin-left: 80px;">(i) <i>unit of public administration; or</i></p> <p class="margin-left: 80px;">(ii) <i>a person holding an appointment; and</i></p> <p class="margin-left: 40px;">(b) <i>results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—</i></p> <p class="margin-left: 80px;">(i) <i>is not honest or is not impartial; or</i></p> <p class="margin-left: 80px;">(ii) <i>involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or</i></p> <p class="margin-left: 80px;">(iii) <i>involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and</i></p> <p class="margin-left: 40px;">(c) <i>would, if proved, be—</i></p> <p class="margin-left: 80px;">(i) <i>a criminal offence; or</i></p> <p class="margin-left: 80px;">(ii) <i>a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment.</i></p> <p>(2) <i>Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—</i></p> <p class="margin-left: 40px;">(a) <i>impairs, or could impair, public confidence in public administration; and</i></p> <p class="margin-left: 40px;">(b) <i>involves, or could involve, any of the following—</i></p> <p class="margin-left: 80px;">(i) <i>collusive tendering;</i></p> <p class="margin-left: 80px;">(ii) <i>fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)—</i></p> <p class="margin-left: 120px;">(A) <i>protecting health or safety of persons;</i></p> <p class="margin-left: 120px;">(B) <i>protecting the environment;</i></p> <p class="margin-left: 120px;">(C) <i>protecting or managing the use of the State’s natural, cultural, mining or energy resources;</i></p> <p class="margin-left: 80px;">(iii) <i>dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;</i></p> <p class="margin-left: 80px;">(iv) <i>evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;</i></p>

	(v) <i>fraudulently obtaining or retaining an appointment; and</i> (c) <i>would, if proved, be—</i> (iii) <i>a criminal offence; or</i> (iv) <i>a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment.</i>
Detriment	has the meaning in Schedule 4 of the PID Act: <i>detriment includes—</i> (a) <i>personal injury or prejudice to safety; and</i> (b) <i>property damage or loss; and</i> (c) <i>intimidation or harassment; and</i> (d) <i>adverse discrimination, disadvantage or adverse treatment about career, profession, employment, trade or business; and</i> (e) <i>financial loss; and</i> (f) <i>damage to reputation, including, for example, personal, professional or business reputation.</i>
Disability	has the meaning in section 11 of the Disability Services Act 2006 (Qld): (1) <i>A disability is a person’s condition that—</i> (a) <i>is attributable to—</i> (i) <i>an intellectual, psychiatric, cognitive, neurological, sensory or physical impairment; or</i> (ii) <i>a combination of impairments mentioned in subparagraph (i); and</i> (b) <i>results in—</i> (i) <i>a substantial reduction of the person’s capacity for communication, social interaction, learning, mobility or self care or management; and</i> (ii) <i>the person needing support.</i> (2) <i>For subsection (1), the impairment may result from an acquired brain injury.</i> (3) <i>The disability must be permanent or likely to be permanent.</i> (4) <i>The disability may be, but need not be, of a chronic episodic nature.</i>
Discloser	means a person who makes a disclosure in accordance with the PID Act.
Employee	means all paid employees of the Port whether full time, part-time or casual.
Environment	has the meaning in section 8 of the Environmental Protection Act 1994 (Qld): <i>Environment includes—</i> (a) <i>ecosystems and their constituent parts, including people and communities; and</i> (b) <i>all natural and physical resources; and</i> (c) <i>the physical characteristics of locations, places and areas, however large or small; and</i> (d) <i>the physical surroundings of people, including the land, waters, atmosphere, climate, sound, odours and tastes; and</i>

	<i>(e) the social, economic, aesthetic and cultural conditions that affect, or are affected by, things mentioned in paragraphs (a) to (d).</i>
Investigation	means any enquiry undertaken to establish whether the information provided in a PID can be substantiated, including a review or audit.
Journalist	has the meaning in section 20(4) of the PID Act : <i>journalist means a person engaged in the occupation of writing or editing material intended for publication in the print or electronic news media.</i>
Natural Justice	Natural justice, also referred to as ‘procedural fairness’ applies to any decision that can affect the rights, interests or expectations of individuals in a direct or immediate way. Natural justice is at law a safeguard applying to an individual whose rights or interests are being affected. The rules of natural justice, which have been developed to ensure that decision-making is fair and reasonable, are: • avoid bias; and • give a fair hearing. • act only on the basis of logically probative evidence.
Proper Authority	means a person or organisation that is authorised under the PID Act to receive Disclosures about the public interest information. <i>[Refer section 6 of this policy]</i>
Public Interest Disclosure (‘PID’)	means an appropriate disclosure, of public interest information, made to a proper authority, under the PID Act. <i>[Refer section 5 of this policy and the PID Act s 11]</i>
Reasonable Belief	means a view which is objectively fair or sensible.
Reasonable management action	has the meaning in section 45(3) of the PID Act : <i>reasonable management action, taken by a manager in relation to an employee, includes any of the following taken by the manager—</i> <i>(a) a reasonable appraisal of the employee’s work performance;</i> <i>(b) a reasonable requirement that the employee undertake counselling;</i> <i>(c) a reasonable suspension of the employee from the employment workplace;</i> <i>(d) a reasonable disciplinary action;</i> <i>(e) a reasonable action to transfer or deploy the employee;</i> <i>(f) a reasonable action to end the employee’s employment by way of redundancy or retrenchment;</i> <i>(g) a reasonable action in relation to an action mentioned in paragraphs (a) to (f);</i> <i>(h) 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 employee’s employment.</i>
Reprisal	has the meaning in section 40 of the PID Act :

	<i>causing, attempting to cause or conspiring to cause detriment to another person in the belief that they or someone else:</i> <i>(a) has made or intends to make a disclosure; or</i> <i>(b) has been or intends to be involved in a proceeding under the disclosure Act against any person.</i> Reprisal under the PID Act is a criminal offence and investigations may be undertaken by the Queensland Police Service.
Subject Officer	means the employee who is the subject of allegations of wrongdoing made in a disclosure.
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 criticisms.

20. RELATED DOCUMENTS

DOCUMENT NUMBER	DOCUMENT TITLE
POT-2575	Public Interest Disclosure Management Plan
POT-2576	Public Interest Disclosure Assessment Form
POT-2194	Public Interest Disclosure Risk Assessment Form
POT-2580	Public Interest Disclosure Support Plan Form
POT-0219	Code of Conduct
POT-1093	Fraud and Corruption Control Policy

21. DOCUMENT INFORMATION

DOCUMENT OWNER	Chief Executive Officer
APPROVAL AUTHORITY	Board
APPROVAL DATE	27/08/2025
APPROVAL RESOLUTION NO.	2067782 2.5
REVIEW SCHEDULE	36 months

Acknowledgement

In developing this Policy, Port of Townsville Limited acknowledges and gives credit to the Queensland Ombudsman's Model Procedure and associated documents.

APPENDIX A – PID MANAGEMENT PROCESS

