**The role of the Public Interest Disclosure Coordinator during Ombudsman enquiries and investigations**The [*Public Interest Disclosures Act 2012* (Vic)](https://www.legislation.vic.gov.au/in-force/acts/public-interest-disclosures-act-2012/025)encourages people to report improper conduct and detrimental action by protecting people who make disclosures and those who cooperate with investigations.

Employed by public sector agencies, Public Interest Disclosure Coordinators (PID Coordinators) are nominated to receive and notify the Independent Broad-based Anti-corruption Commission (IBAC) of potential public interest disclosures.

PID Coordinators also play a vital role in public interest complaint enquiries and investigations by:

* assisting IBAC and Victorian Ombudsman officers
* supporting the welfare of disclosers and others involved in investigations
* ensuring staff are aware of the public interest disclosure legislation.

**Starting an investigation**  
The Ombudsman generally makes enquiries into public interest complaints referred by IBAC to determine if an investigation by the Ombudsman is warranted. Ombudsman officers contact the PID Coordinator if their assistance is needed with an enquiry.

In the first instance, we will generally call or request a meeting with the PID Coordinator to discuss our processes and expectations, and to request any information required. We may follow up with written confirmation of any requests.

If we start an investigation into a public interest complaint, we notify the discloser, principal officer and Minister (and Mayor, in relation to investigations involving a councillor or council officers). We will also inform the PID Coordinator if their assistance may be required.

**Maintaining confidentiality**The Public Interest Disclosures Act contains strict confidentiality provisions. Part 7 of the Public Interest Disclosures Act makes it an offence to disclose the content of a disclosure or the identity of the discloser, except in limited circumstances (such as for the purposes of assisting an investigation).

To prevent breaches of confidentiality and to minimise the risk of detrimental action, public sector agencies must establish a secure electronic and/or paper filing system, which can only be accessed by authorised people.

**Discreetly responding to requests for information**When we ask the PID Coordinator to gather information to assist with an enquiry or investigation into a public interest complaint, we expect that the PID Coordinator:

* will not reveal they are gathering information in relation to a public interest complaint, unless authorised by Ombudsman officers
* will obtain information discreetly or contact Ombudsman officers if they are unable to do so
* will provide information by the due date agreed with Ombudsman officers or contact us before that date if they cannot
* will help identify other documents and data that may be relevant
* will contact Ombudsman officers if they are unsure about any aspect of what they have been asked to do.

If we request a large amount of information, we may ask the PID Coordinator to provide the information as it becomes available.

Generally, we prefer that information is provided electronically, via email or secure file sharing software. Copies of documents should be provided, rather than originals.

Given the sensitive and confidential nature of some of the material Ombudsman officers request, it is vital that the PID Coordinator has enough authority within their agency to ask officers for the information requested without being questioned.

A large agency, or an agency with offices in several locations, may appoint a number of Public Interest Disclosure Officers to help the PID Coordinator respond to the Ombudsman’s requests. In such cases, we recommend that the PID Coordinator maintains oversight to ensure officers are aware of their legal obligations and that full and accurate information is provided to the Ombudsman.

**Ensuring people’s welfare**Public bodies have a responsibility to ensure the welfare of disclosers and any person who has cooperated or intends to cooperate with an investigation (including witnesses).

Managing a person’s welfare can involve monitoring their specific needs, ensuring they are reasonably provided with practical advice or support, and taking steps to protect them from detrimental action

Public bodies also have a responsibility to ensure the welfare of their staff where they are the subject of the disclosure. Ombudsman officers may refer a discloser, a person who is cooperating with an investigation, or the subject of a disclosure, to the PID Coordinator for welfare support.

**Advising staff of their rights and obligations**Ombudsman officers may refer witnesses and subjects of investigations to the PID Coordinator for general advice about their rights and obligations.

The PID Coordinator should ensure that witnesses and subjects are familiar with policies, procedures and the relevant parts of the legislation, particularly their confidentiality obligations and the consequences of breaching the relevant Acts.

Unless authorised by the Ombudsman, the PID Coordinator should not discuss the specifics of the matter under investigation.

Ombudsman officers may also refer a witness to the PID Coordinator if:

* the witness needs help to arrange leave from work to attend an interview with Ombudsman officers
* the witness seeks legal advice or representation for an interview or to respond to an Ombudsman report.

**Further information for Public Interest Disclosure Coordinators**Resources for PID Coordinators, including online training modules and guidance materials on receiving, notifying and dealing with public interest disclosures, are available from IBAC’s website at [www.ibac.vic.gov.au/](http://www.ibac.vic.gov.au/). If you would like to discuss the role of the PID Coordinator, contact the Ombudsman’s office on (03) 9613 6222 or via email at [enquiries@ombudsman.vic.gov.au](mailto:enquiries@ombudsman.vic.gov.au)