

Hello Colleague,

Welcome to our final issue for the year! It's been a pleasure to work with you in 2011. We wish you all the best for the holiday season and look forward to working with you in 2012.

PID reporting requirements

New guidelines

The Premier's Memorandum M2011-22 [Public Interest Disclosures – New Reporting Requirements](#) sets out the new reporting requirements for agencies that will commence on 1 January 2012.

Annual and six monthly reporting

Public authorities will be required to prepare an annual report on their obligations under the [Public Interest Disclosures Act 1994](#) (PID Act) within four months after the end of a reporting year.

Public authorities are also required to provide the Ombudsman with statistical information regarding their compliance with their obligations under the PID Act on a six monthly basis.

The [Public Interest Disclosures Regulation 2011](#) outlines the information that public authorities are required to provide in their reports.

1 January 2012 starting date

Public authorities will need to start collecting this information from **1 January 2012**.

The Premier's Memorandum states that heads of Government agencies should nominate officers who will be responsible for preparing the annual and six monthly reports and ensuring that the required information is collected from 1 January.

Guidance on reporting requirements

The Ombudsman's office will be releasing guidance to assist agencies in fulfilling their reporting functions in the first quarter of 2012.

Online reporting tool

The Ombudsman is currently developing an online reporting tool to assist public authorities in providing their statistical reports. We will be trialling this tool in the New Year and it will be available for agencies to use before the first reporting period ends on 30 June 2012.

PID practitioners forums

Thank you to the 50 representatives of State and local government who attended our first PID forum on 22 November 2011. Participants analysed and discussed our PID case study, focussing on how to assess disclosures and how to manage the issues of confidentiality and risk.

The NSW Ombudsman will release the following new PID guidelines before the end of the year:

- **C4**, *Assessing risk of reprisals and conflicts*
- **C5**, *Investigating disclosures*
- **D2**, *Information, advice and feedback to internal reporters*
- **D4**, *Preventing and containing reprisals and conflicts*
- **E1**, *Organisational model for internal reporter support.*

"We are publishing our C4 and D4 'reprisal' guidelines together for agencies that need to assess and manage any risks of reprisal or conflict following a disclosure," said **Jane Olsen**, Project Officer PID Unit.

"Guideline **D4** provides strategies and ideas of what agencies can do to help prevent reprisals occurring."

We circulated guideline **C4** to forum participants for their comments and also used it as a basis for the forum discussion.

Maya Borthwick, Senior Investigations Officer PID Unit, consulted extensively with the panel of investigators at the Internal Audit Bureau while writing

Our Q and A followed the case study, tackling the questions that participants submitted in advance and on the day.

Thank you also to those attendees who sent in their forum evaluations. We appreciate the feedback.

PID forums in 2012

We are now planning our program for 2012 and we want to hear from you about how the PID forums can help you and your organisation manage public interest disclosures.

When we sent out the invitation for this forum we received responses from PID practitioners in regional and rural NSW who couldn't get to Sydney to attend a lunchtime session.

We particularly want to hear from agencies and staff located outside the Sydney area about how they would like to participate in future forums.

2012 suggestion list

We want to hear from those of you who weren't able to attend the forum. Here is our list of forum suggestions:

- Targeted forums for agencies with shared interests, e.g. local government ()
- Innovative delivery options to cater for regional and rural practitioners ()
- Guest speakers on relevant topics ()
- Q and A ()
- Panel events with expert guests' discussion ()
- Case studies for analysis and discussion ()
- Participation forums for sharing ideas and expertise ().

Please rate our 2012 PID forum suggestions from 1 (highest rating) to 7 (lowest rating) and return this list to: pid@ombo.nsw.gov.au.

Please include your suggestions and requests for next year's program.

guideline **C5**, *Investigating disclosures*.

Thank you to everyone who contributed to the writing and review of these guidelines.

Publication date

We will notify you when the new guidelines are available on the NSW Ombudsman website.

PID forum case study

Our public interest disclosures case study, with discussion questions, is available to public sector agencies for training.

Please email us at: pid@ombo.nsw.gov.au if you would like a copy.

PID e-learning

Our first PID e-learning module, *Raising awareness about public interest disclosures*, has been distributed to over 50 agencies. We are currently getting feedback from the agencies that are trialling the module.

You can order a free copy of the first PID e-learning module from **Sandra Duke** on: (02) 9265 0488 or at: pid@ombo.nsw.gov.au.

PID in Western Australia

Jane Olsen, Project Officer PID Unit, attended the Australian Public Sector Anti-Corruption Conference (APSACC) in W.A. recently and has some interesting facts to share.

In the APSACC whistleblower session, Professor **A.J Brown**, Griffith University, said that the NSW public interest disclosures legislation is ranked number one in Australia, particularly in the areas of oversight and protection for people who report to the media.

Professor Brown said that the next legislative challenge was to provide better remedies for people who make disclosures, as all jurisdictions are currently inadequate in this area.

PID training

Book your free PID training for 2012

We are taking bookings for public interest disclosure training sessions for State and local government organisations for 2012.

We can provide training for your staff, managers, PID co-ordinators, disclosure officers and Councillors in-

Professor **Natasja Holtzhausen**, University of South Africa, spoke about the risks of reprisal for whistleblowers in South Africa who frequently ended up 'dead in a ditch'.

"The challenges that Natasja spoke of, about enacting cultural change, building management commitment and practical implementation, ring true regardless of nationality," said Jane.

APSACC's plenary session provided the opportunity for 500 delegates to vote on issues during the session. In response to the questions:

- "Would you blow the whistle?" **66%** of respondents said they would.
"Are whistleblowers supported?" only **20%** of respondents said "yes".

house or at a location of your choice.

Our 2012 training program is now booked until March 2012, so please reserve your training at:

pid@ombo.nsw.gov.au.

Contact us at:

pid@ombo.nsw.gov.au

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