

PID risk assessment

To be completed by the disclosures coordinator after a PID is made internally or if a report has been made anonymously.

Details of reporter

Reporter's name:

Role:

Details of assessor

Assessor's name:

Role:

Stage 1. Identify the risks

Are the reporter's expectations reasonable?

Yes ☐ No ☐ N/A ☐

Prompts: Explain the internal reporting process and likely outcomes.

What outcome does the reporter expect? Is the outcome they are seeking unlikely or unrealistic?

Is the reporter's identity known?

Yes ☐ Not currently known ☐ N/A ☐

If you answered 'Yes' to the question above, what are the circumstances in which the identity of the reporter is known?

Prompts: The PID Act recognises that there are circumstances where it may be necessary for information to be disclosed that may identify the person who has reported wrongdoing. This information may be disclosed by an investigating authority, public authority or public official who receives a PID if:

- ☐ The person consents in writing to the disclosure of the information.
- ☐ It is 'generally known' that the person has made the PID as they have voluntarily identified themselves as the person who made the PID.
- ☐ It is essential for the identifying information to be disclosed to a person to satisfy the principles of natural justice.
- ☐ It is necessary for the information to be disclosed for the effective investigation of the matter.
- ☐ It is otherwise in the public interest to do so.

If you answered 'Not currently known' to the question above, could the reporter's identity become known?

Yes ☐ No ☐ N/A ☐

Prompts: Has the reporter told anyone else that they have made or intended to make a report? Have they raised their concerns previously? Is the nature of the report such that their identity is easily identified? Has the reporter previously been identified as the maker of disclosures of a similar nature or about the same subject officer(s)? Is it a small workplace?

Is the reporter at risk of reprisal?

Yes ☐ No ☐ N/A ☐

Prompts: Does the reporter work at the same location as the subject officer(s)? Has the reporter expressed fear of reprisal? Has the subject officer(s) previously engaged in reprisal or poor conduct? Is the subject officer(s) the reporter's line manager? Is the reporter being performance managed? Are there effective supervisory arrangements to monitor the conduct of the subject officer(s)? Is the reporter employed part-time, on a casual basis or on contract?

Is any subject officer(s) at risk of adverse consequences?

Yes ☐ No ☐ N/A ☐

Prompts: When will the subject officer(s) be made aware of the allegations? How will they be provided with support?

Is there a risk to the authority's functions, services and/or reputation?

Yes ☐ No ☐ N/A ☐

Prompts: Will business continuity be affected by the PID being investigated? Could there be media interest in the allegations raised?

Human resources

Yes ☐ No ☐ N/A ☐

Are there known mitigating factors or potential risks in the workplace for the reporter and/or subject officer(s)?

Prompts: Is there a history of conflict in the workplace, particularly involving the reporter or subject officer(s)? Has the reporter received a threat or experienced recent bullying or harassment in the workplace? Is a restructure of the workplace planned?

Stage 2. Risk analysis and evaluation

Analyse the risks to determine how they might affect the reporter, subject officer(s) and authority.

Consequence(s) What is the potential impact of the risks to the reporter, subject officer(s) and the authority?

Likelihood What is the likelihood of the risks occurring, particularly if confidentiality cannot be maintained?

Controls Are there strategies in place to control or eliminate the risks?

Prompts: Refer to a list of suggested strategies in stage 3. risk treatment

RISK RATING Select a risk rating based on all of the available information (examples or risks are below)

☐ Low risk

The reporter's identity can be maintained or the reporter's identity is known and the reporter and assessor are confident that no reprisals will be taken against the reporter in response to having made a PID.

The subject officer is unaware that a PID has been made/an investigation is progressing.

The authority is compliant with the internal reporting policy and the authority's obligations under the PID Act.

☐ Medium risk

The reporter's identity cannot be maintained.

Potential for low level reprisals against the reporter, workplace conflict or other difficulties in response to making a PID.

Concerns about the conduct of the parties involved. i.e. reporter and subject officer.

Possibility the authority is not compliant with the internal reporting policy and the authority's obligations under the PID Act.

☐ High risk

Detrimental action against the reporter that is substantially in reprisal for the reporter making a PID. Detrimental action means causing, comprising or involving any of the following (PID Act, s.20(2)):

- a) injury, damage or loss,
- b) intimidation or harassment,
- c) discrimination, disadvantage or adverse treatment in relation to employment,
- d) dismissal from, or prejudice in, employment, disciplinary proceeding.

Conflict involving the reporter and the subject officer(s).

The reporter will not comply with the internal reporting policy.

The authority is not compliant with the internal reporting policy and the authority's obligations under the PID Act.

Stage 3. Risk treatment

Develop strategies to eliminate, minimise or manage risks to the reporter, subject officer(s) and authority.

Prompts: Possible strategies:

- Keep the identity of the reporter and subject officer(s) confidential.
- Develop a reporter support strategy.
- Communicate with managers and supervisors about keeping the identity of the reporter confidential, monitoring and managing workplace risks.
- Communicate with the reporter and subject officer(s) at regular intervals.
- Take proactive management intervention by warning the subject officer(s) about taking reprisal action.
- Provide general awareness or training.
- Ensure the report is dealt with in an appropriate timeframe.
- Facilitate alternative dispute resolution options.
- Consult with the reporter about whether they want to change employment arrangements.
- Change supervisory arrangements.
- Consider the timing and process of any restructure.
- Independently verify the work performance of the reporter.

[Refer to Guideline D4: *Preventing and containing reprisals and conflict*].

SIGNATURE

Risks may need to be reviewed at various points in the process, such as when a decision is made to investigate, during the investigation into the report and once the outcome of an investigation is known.

Signature of assessor: Date: / / Review date: / /