

IS THE DISCLOSURE A PUBLIC INTEREST DISLOSURE?

• Disclosure must involve an allegation of improper conduct or detrimental action

AND

 Disclosure must relate to a public officer, public body, or person who intends to or whose conduct adversely affect(s) the honest performance of a function by a public officer or public body

NO

DISCLOSURE ≠ PUBLIC INTEREST COMPLAINT

 Advise discloser within a reasonable time after determination

Deal with the disclosure in accordance with the *Parliamentary Committees Act 2003* (Vic), if possible, under the:

• monitoring and reviewing function

OR

 complaints function relating to the Office of the Victorian Information Commissioner

CAN THE COMMITTEE RECEIVE THE DISCLOSURE?

 Disclosure must be about the Victorian Inspectorate (VI) or a VI officer

AND

YES

· Conduct must not be 'trivial'

AND

 information must show or tend to show improper conduct or detrimental action OR discloser must have a reasonable belief that it does

NO

MISDIRECTED DISCLOSURE

 Notify appropriate entity (IBAC or VI) within 28 days of receiving disclosure

AND

 Advise discloser of notification of misdirected disclosure

OR

 Advise discloser to make disclosure about Member of Parliament to the relevant Presiding Officer of the Parliament of Victoria

PUBLIC INTEREST COMPLAINT DETERMINATION

Investigate under the *Public Interest Disclosures Act 2003* (Vic)

 Advise discloser within a reasonable time after determination

OR

YES

Do not investigate

 Advise discloser within a reasonable time of receiving public interest complaint

Note:

- This flow chart does not cover notifications from notifying entities.
- 'Appropriate entity' means an entity that can assess a public interest disclosure and make a determination.
- 'Notifying entity' means an entity that has notified a public interest disclosure to the Committee for assessment.