

1. Purpose

Sunwater is committed to:

- fostering an ethical and transparent culture and values, and encourages any person who considers they have witnessed a wrongdoing, or has come across an activity or incident that could impact adversely on Sunwater, to come forward and make a disclosure, and
- ensuring that any person who makes a public interest disclosure (**PID**) about, or to, Sunwater is provided the protection to which they are entitled under the Public Interest Disclosure Act 2010 (Qld) (**PID Act**).

This document is one element of ensuring that Sunwater has in place, and implements, appropriate procedures to meet the objectives of Sunwater’s Public Interest Disclosure and Whistleblower Policy (the **Policy**), and to comply with the requirements of the PID Act and the Public Interest Disclosure Standards respectively. This Procedure outlines the process involved in making a PID about or to Sunwater, and how Sunwater will assess and manage the PID.

The Company Secretary is the Sunwater ‘PID and Whistleblower Coordinator’ (the **PID Coordinator**) and the owner of this Procedure.

It is noted that a disclosure may also be considered in accordance with the provisions of the Corporations Act 2001 (**Cth**) (**CA**), and both the PID Act and the CA may apply to the same disclosure. If one Act imposes stricter obligations on Sunwater than the other in relation to the processing of a disclosure, then Sunwater will adhere to the stricter obligations.

This Procedure should be read in conjunction with the Policy.

2. Types of Public Interest Disclosures Relevant to Sunwater and Who Can Make Them

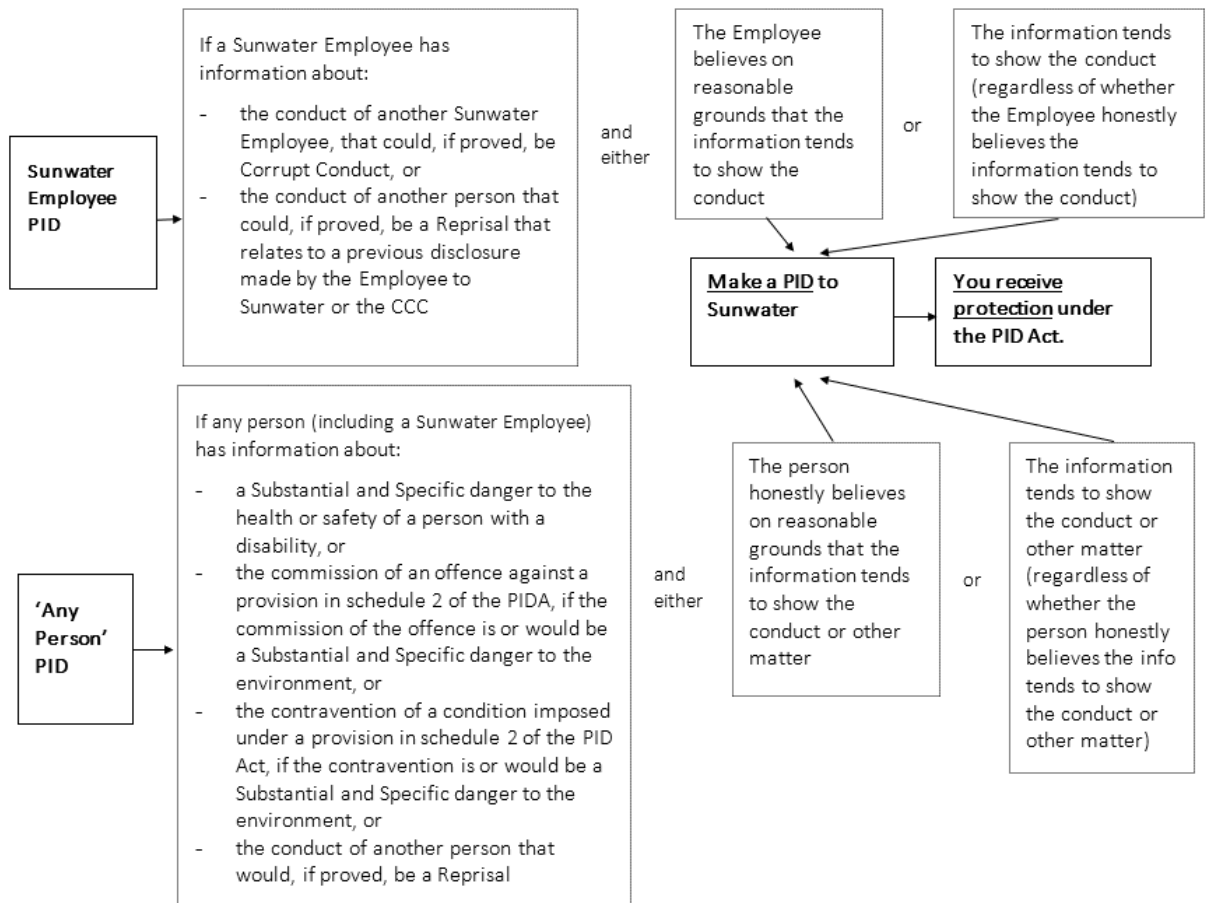
Under the PID Act, a PID relating to Sunwater can be made by a Sunwater Employee or another person as follows:

Disclosable Matters	
Sunwater Employees Only	<p>A Sunwater Employee can make a PID by disclosing information about either:</p> <ul style="list-style-type: none"> • the conduct of another Sunwater Employee, that could, if proved, be Corrupt Conduct; or • the conduct of another person that could, if proved, be a Reprisal that relates to a previous disclosure made by a Sunwater Employee to Sunwater or the CCC.
Any person (including a Sunwater Employee)	<p>Any person (including a Sunwater Employee), can make a PID by disclosing information about any of the following:</p> <ul style="list-style-type: none"> • a Substantial and Specific danger to the health or safety of a person with a disability; or • the commission of an offence against a provision listed in Schedule 2 of the PID Act (refer to Appendix 1) that would be a Substantial and Specific danger to the environment; or • a contravention of a condition imposed under a provision listed in Schedule 2 of the PID Act (refer to Appendix 1), that would be a Substantial and Specific danger to the environment; or • the conduct of another person that could, if proved, be a Reprisal.

3. Procedure for making a Public Interest Disclosure

3.1. Step 1 - Who can make a PID

The permitted PIDs made to Sunwater are set out in the flow chart below.



For a disclosure of information to receive the unique protections afforded under the PID Act, the information must satisfy the elements set out above in the flowchart.

Even if the Discloser’s information turns out to be incorrect or is unable to be substantiated, their PID is still protected by the PID Act as long as they honestly believe on reasonable grounds that their information tends to show the relevant misconduct or state of affairs.

A Discloser of a PID has a choice of whether to make a PID anonymously or not.

3.2. Step 2 - Who to make a PID to?

Disclosures concerning Sunwater can be made internally to Sunwater or externally to another proper authority. This Procedure is focused on internal disclosures made to Sunwater (but also identifies below the types of external disclosures that may be made that concern Sunwater).

<p>Internal disclosures to Sunwater</p>	<p>Disclosures concerning Sunwater can be made to Sunwater internally in accordance with this Procedure by contacting:</p> <ul style="list-style-type: none"> • The PID Coordinator, julie.tealby@sunwater.com.au • A Manager or Supervisor • The People and Culture Team • The Chief Executive Officer • The Whistle-blower Hotline - via the PKF Integrity Services website (Link: PKF Integrity Services), by calling the PKF Integrity Services toll-free hotline at
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	1800298497 , OR via email: Sunwaterdisclosures@pkf.com.au. Note that PKF Integrity Services online system allows Sunwater to communicate with a Discloser anonymously.
External disclosures to another proper authority	<p>Disclosures concerning Sunwater can be made externally by contacting:</p> <ul style="list-style-type: none"> • The Crime and Corruption Commission (CCC) for disclosures about corrupt conduct including Reprisal • The Department of Child Safety, Youth and Women for disclosures about danger to the health and safety of a child or young person with a disability • The Department of Communities, Disability Services and Seniors for disclosures about danger to the health and safety of a person with a disability • The Office of the Public Guardian for disclosures about danger to the health and safety of a person with a disability • The Department of Environment and Science disclosures about danger to the environment • A Member of the Legislative Assembly (MP) for any wrongdoing or danger • A Journalist – subject to the following conditions: - <ul style="list-style-type: none"> ○ a valid PID was initially made to a proper authority ○ the proper authority: - <ul style="list-style-type: none"> ▪ 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. <p><i>However, Disclosers should be aware that journalists are not bound under the confidentiality provisions of section 65 of the PID Act.</i></p>

Sunwater will acknowledge receipt of the disclosure in writing as soon as practicable after receipt. If the disclosure has been referred to Sunwater by another authority, Sunwater will advise that entity that it will direct future communication in relation to the PID to the Discloser (if the Discloser is not anonymous).

3.3. Step 3 – Provide the Relevant Information

To assist in the assessment, and any subsequent investigation of a PID, Disclosers are requested to:

- provide contact details (this could be an email address that is created for the purpose of making the disclosure or a telephone number); and
- 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
 - any further information that could help investigate the PID
- provide this information in writing.

Making a false or misleading disclosure

An Employee or person who gives information to Sunwater, knowing that it is false or misleading, and intending that it be acted upon as a PID commits a criminal offence with a maximum penalty of

two years' imprisonment or 167 penalty units¹ under the PID Act. An Employee may also face disciplinary action under the Sunwater Code of Conduct.

While any assessment of whether a disclosure is false or misleading will take into account the circumstances of the Employee, indicators of a false or misleading disclosure include:

- the Discloser has a history of making false or unsubstantiated complaints
- there is no information to support the allegation in any way
- the allegation is not serious or sensible, and is of such a nature that a reasonable person could not treat it as being genuine, and
- the allegation is on face value, without foundation and appears to be designed to harass, annoy or embarrass the Subject Officer.

3.4. Step 4 – Sunwater Assessment on Receipt of a PID

On receipt (or referral) of a disclosure, the PID Coordinator will make an initial assessment of the veracity of the disclosure and subsequently escalate this information to the CEO. In conjunction with the CEO, a decision will be made in accordance with this Procedure as follows:

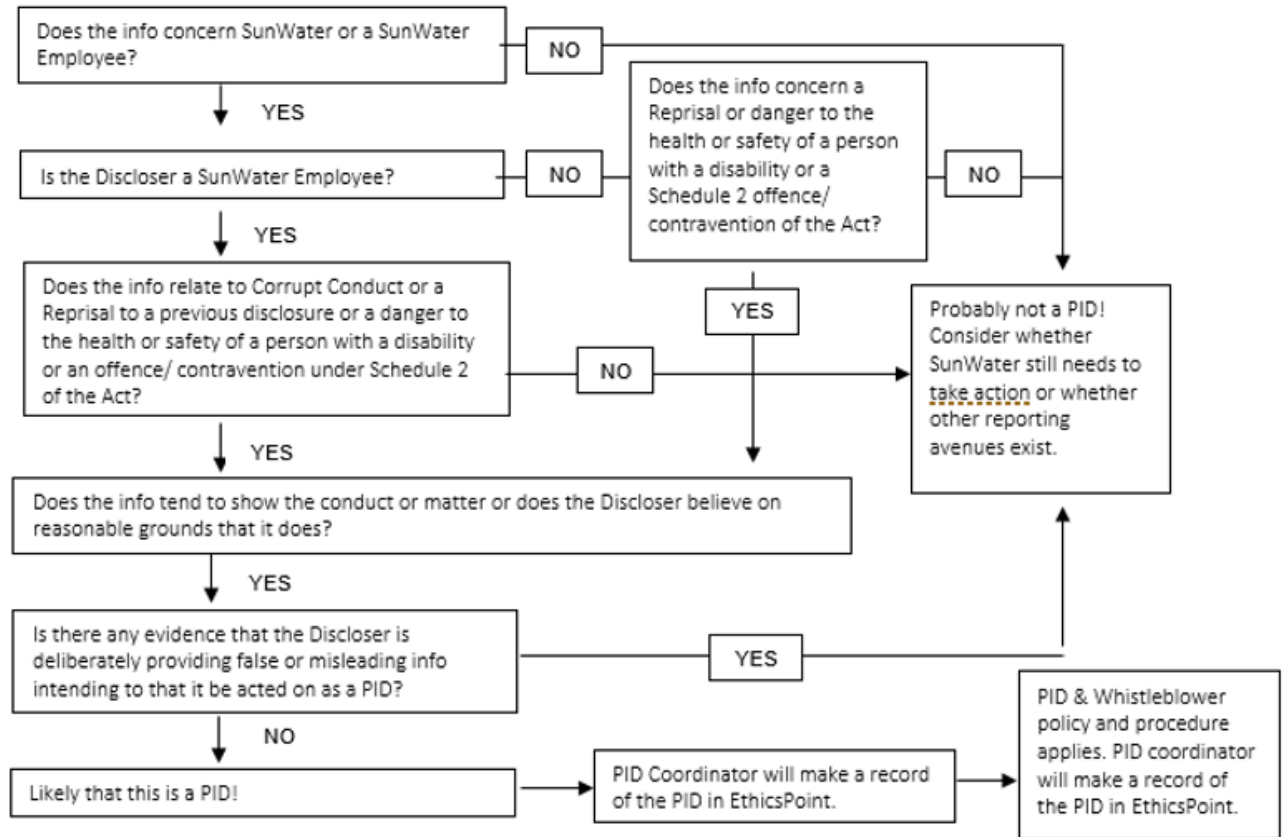
- the person making the disclosure is able to receive the protection under the PID Act;
- the disclosure concerns a matter about which a PID can be made;
- the disclosure meets either the subjective or objective test set out in the PID Act;
- the disclosure has been made to an individual or entity who may receive a PID; and
- the disclosure has been made in accordance with Sunwater's procedure or to a person listed in the PID Act.

Where there is doubt on the face of the information as to whether it should be assessed as a PID, Sunwater will treat the disclosure as a PID and apply the PID Act to the management of the disclosure.

All PIDs are then assessed and managed by the PID Coordinator in conjunction with the General Counsel, and the Manager P&C (if required) and the CEO. In making an assessment on whether Sunwater has received a PID, the following flowchart will apply.

¹ 1 penalty unit = \$133.45 as at 1 July 2019





It is important to note that the following factors are not relevant to the assessment of whether a disclosure is a PID:

- how the disclosure is received (e.g. orally, verbally, by email)
- if it is made anonymously
- whether the information identifies the conduct of a particular identified person or not, and
- whether the Discloser identifies the information as a 'PID' or not.

If a disclosure meets the requirements of a PID, the Discloser is afforded the protection under this Procedure and the PID Act.

Sunwater will advise the Discloser if a purported PID does not meet the requirements of a PID. Sunwater will also provide the Discloser written reasons for its decision, the information relied upon in making the decision, the name of the delegated officer, the right of review of the decision, and how to exercise that review right as soon as practicable.

If Sunwater is not the appropriate authority to receive the information as a PID, Sunwater will seek the Discloser’s consent to forward the information to the appropriate authority.

3.5. Step 5 – Sunwater’s PID Procedures after Validation of a PID matter

Once Sunwater has assessed the disclosure as a valid PID matter, the following support may be offered to the Discloser:

- acknowledgement that making the PID was the right thing to do and is valued
- making a clear statement that Sunwater will support the Discloser
- appointing an appropriate person (separate from the investigation function) with sufficient authority to ensure the Discloser has appropriate support and protection from Reprisals
- regularly checking on the Discloser’s well-being where this is warranted and advising the Discloser of the availability of the Sunwater Employee Assistance Program (where relevant), and

- where the health of the Discloser becomes a concern, liaising with officers responsible for occupational workplace health and safety.

On receipt of a PID and after assessment, a proper record of the disclosure will be maintained on the PKF Integrity Services case management system. Access to the PKF Integrity Services Case Management System is limited to only the PID Coordinator (Company Secretary), General Counsel, and Chief People Officer.

Details recorded are:

- the name of the Discloser (if known), information disclosed and any action taken, and
- if the matter has been referred to the CCC, then a note to that effect. If the matter is referred to the CCC, all the above information is forwarded to the CCC for the CCC to make a decision.

Sunwater will keep a record of the items listed in Appendix 2.

Written notification will be provided by Sunwater to the Discloser covering:

- confirmation that the PID was received by Sunwater
- confirmation of whether the Disclosure has been assessed as a PID
- the protections under the PID Act that apply
- that the Discloser's identity and the information disclosed will be kept confidential, except as allowed under the PID Act
- that the Discloser has an obligation to maintain confidentiality, except as allowed under the PID Act
- a description of the action proposed to be taken, or taken, by Sunwater in relation to the disclosure, and if action has been taken by Sunwater in relation to the PID - a description of the results of the action
- the Discloser's likely involvement in any action Sunwater proposes to take (for example, if the Discloser will be a witness in an investigation)
- the likely timeframe for taking action
- how the Discloser will be advised of progress and the frequency of updates
- the arrangements Sunwater has/will put in place to support the Discloser
- the name and contact details of the PID Support Officer assigned to support the Discloser, and
- after action has been taken in response to the PID, the results of the action.

However, no notification will be provided to a Discloser if the giving of the information would likely adversely affect either:

- a person's safety
- the investigation of an offence or possible offence, or
- protecting the confidentiality about an informant's existence or identity.

If the matter is referred back from the CCC to Sunwater to deal with, then the Fraud and Corruption Procedure will apply in terms of the process and the investigation into the matter.

Sunwater may also decide not to investigate or deal with a PID if:

- the substance of the disclosure has already been investigated or dealt with by another appropriate process; or
- Sunwater reasonably considers that the disclosure should be dealt with by another appropriate process; or
- the age of the information relating to the disclosure makes it impracticable to investigate; or
- Sunwater reasonably considers that the disclosure is too trivial to warrant investigation and that dealing with the disclosure would substantially and unreasonably divert Sunwater resources; or
- another entity or body that has jurisdiction to investigate the disclosure has notified Sunwater that investigation of the disclosure is not warranted.

If Sunwater decides **not** to investigate or deal with a PID, Sunwater will give written notice to the Discloser within 21 days from date of notification setting out the reasons for its decision. A Discloser may apply to the CEO for a review of the decision within 28 business days after receiving the written reasons.

If Sunwater makes the decision to not investigate or deal with a PID, then it must:

- record the information relied upon in making a decision not to investigate or deal with the PID, and
- record the ground or grounds under PID Act on which it is decided not to investigate or deal with a PID, the reasons for the decision and the delegated officer who made the decision.

If a Discloser applies to the CEO for a review of a decision of Sunwater not to investigate or deal with a PID, then Sunwater must as soon as practicable:

- assess the request and conduct a review to determine whether to confirm or overturn the previous decision not to investigate or deal with the PID
- record the review decision, the reasons for the decision, and the officer who made the decision
- provide the Discloser with written reasons for the decision, including the reasons for the review decision, the information relied on in making the review decision, the name of the officer who made the decision, and
- notify the Discloser of their right of external review if they are not satisfied with the review decision.

Sunwater will respond to a PID, but resolution of the matter does not necessarily require a formal investigation. Possible next steps could include:

- provide an explanation to the Discloser (e.g. if the Discloser was not aware of all the circumstances surrounding an action which appeared to be improper)
- increase supervision or performance management strategies, guidance or counselling, or specific training; or mediate or review the operations of a particular unit; or
- follow through with an internal audit; or implement or change policies, procedures or practices, or initiate a formal investigation of the allegation or refer the matter to an appropriate external entity.

The PID Coordinator, General Counsel, and/or Manager P&C (or delegate) will make recommendations to the CEO in relation to appropriate action to be taken in relation to proven Corrupt Conduct or wrongdoing which is the subject of the PID. The recommendations will give consideration to the seriousness of the wrongdoing and may include appropriate disciplinary actions including termination of employment and/ or referral to the Queensland Police Service for further investigation.

Sunwater will report to the Queensland Ombudsmen the information listed in Appendix 2 through the RaPID reporting database operated by the Queensland Ombudsmen. Sunwater will:

- report information within 30 days of the assessment of a disclosure being a PID
- update information within 30 days of the management of the PID being finalised, and
- regularly audit case records in RaPID to identify and update incomplete records.

3.6. Step 6 – Discloser Protections

Anonymity and Confidentiality protections

Sunwater's preference is for a Discloser to identify themselves to facilitate a more efficient and successful assessment of the disclosure. However, a Discloser has the option of making a disclosure anonymously.

Sunwater is committed to acting on a Discloser's information discretely and confidentially without revealing a Discloser's name (unless required by a law, to those involved in undertaking the assessment or investigation process or with the Discloser's consent).

The PID Act makes it an offence for an Employee who receives confidential information to make a record of the information or intentionally or recklessly disclose the information to anyone except:

- for the purpose of the PID Act or another Act
- for a proceeding in a court or tribunal
- if authorised under a regulation or another Act
- if the person to whom the information relates consents in writing
- if the consent of the person to whom the information relates cannot reasonably be obtained, and the disclosure of information would be unlikely to harm the interests of that person and would be reasonable in the circumstances, or
- if the person reasonably believes that making the record or disclosing the information is necessary to provide for the safety or welfare of a person.

Maintaining confidentiality is very important in the handling of a disclosure. Confidentiality not only protects a Discloser against Reprisals, but any other people affected by a disclosure. In protecting a Discloser's confidentiality, Sunwater will ensure that the details of the disclosure, the investigation and related decisions will be kept secure. However, while every attempt to protect confidentiality will be made, there will be occasions when disclosure of a Discloser's identity may be necessary and these include providing natural justice to the Subject Officer and/or responding to a court order or legal directive in court proceedings (e.g. subpoena, notice to produce, direction by a parliamentary committee).

Sunwater will advise a Discloser if their identity needs to be revealed for any reason listed above and seek the Discloser's consent. Sunwater will attempt as far as possible to avoid a situation where a Discloser's identity will need to be revealed.

Sunwater will assess the risk of Reprisal from a PID

Sunwater will consider relevant factors that may lead to a higher than normal risk of Reprisal in relation to each particular PID. This includes the risk of Reprisal to a Discloser and any relevant witnesses.

For example:

- where the investigation is unlikely to be substantiated; or the wrongdoing is serious and occurs frequently, or
- where the Subject Officer is more senior than the Discloser; or there is more than one wrongdoer, or
- where the Discloser's immediate work unit is small.

Sunwater will assign the Discloser a PID Support Officer.

In addition to protecting the identity of a Discloser, under the PID Act Sunwater must also protect the identity of the Subject Officer.

What is a Reprisal

The PID Act requires that a person must not cause, or attempt or conspire to cause, detriment to another person because, or in the belief that:

- someone has made or intends to make a PID, or
- someone has been or intends to be involved in a proceeding under the PID Act against any person.

Under the PID Act, such action constitutes a Reprisal or the taking of a Reprisal. The PID Act defines 'detriment' as including:

- personal injury or prejudice to safety; or property damage or loss, or
- intimidation or harassment; or adverse discrimination, disadvantage or treatment about a person's career, profession or employment, trade or business, or
- financial loss; or damage to reputation.

In order to be considered a Reprisal, there must be a causal link between the detriment and a PID or an intention to make a PID. It is sufficient if the making of a PID is the substantial ground for causing detriment, even if there is another ground.

Anyone who is proven to have taken a Reprisal or conspires to cause a Reprisal commits an indictable offence and is liable to two years imprisonment or a fine of 167 penalty units. They can also be liable in damages to anyone who suffers detriment as a result.

Note - Unrelated disciplinary or other work-related action against a Discloser may be considered as Reasonable Management Action and therefore not "detriment" under the PID Act.

In accordance with the PID Act, Sunwater has established procedures to protect a Discloser from Reprisals which include:

- monitoring a Discloser's workplace for signs of Reprisal action
- early intervention through an assessment of the culture within the work area and conducting awareness communication sessions and training
- holding supervisors and/or managers responsible for supporting the Discloser and ensuring the Discloser does not suffer harassment, victimisation or any form of Reprisal, and
- changing work environments e.g. changing seating arrangements, granting a Discloser leave of absence until the matter is resolved, transfer/ relocation of affected staff etc.

The action taken to prevent, or in response to a PID will depend on the level of risk of Reprisal, its seriousness and other circumstances. Every allegation of Reprisal is taken seriously, recorded and responded to. Furthermore, each allegation of Reprisal is assessed separately from the initial allegation, as a potential fresh PID under the PID Act.

A person against whom a Reprisal is made or proposed may also be entitled to seek an injunction to halt Reprisal action. A Discloser also has the right to request relocation within Sunwater if they suffer from or risk a Reprisal from making a PID.

3.7. Step 7 – Subject Officer Protections

Natural justice

The Subject Officer will be provided natural justice. Also known as procedural fairness, natural justice will be managed by the PID Coordinator.

It means that the Subject Officer has the right to:

- know about the substance of the allegations if a decision is going to be made about their conduct
- have a reasonable opportunity to put their case forward (whether in writing, at a hearing or otherwise), and
- have a decision-maker act fairly and without bias.

However, providing natural justice does not mean that Sunwater must advise the Subject Officer of the allegation as soon as it is received.

Furthermore, the Subject Officer need not be told about the allegation if it is misleading or is of no substance, and thus Sunwater does not intend to act on the allegation. Sunwater will only provide the name of the Discloser if it is essential to do so to afford the Subject Officer natural justice and if it is unlikely that a Reprisal will be taken against the Discloser.

Support

Once it is appropriate to advise the Subject Officer, Sunwater will reassure them that the PID will be assessed impartially, objectively and reasonably, and is only an allegation until evidence collected shows otherwise. Sunwater will provide them with information about their rights, and the progress and outcomes of any investigations. Sunwater will also refer the person to the Sunwater Employee Assistance Program to ensure that they receive appropriate support.

When is a disclosure NOT a PID?

There are times when disclosures do not fall within the scope of the PID Act. Examples of disclosures that do not fall within the PID Act include:

- disclosures that do not meet the criteria of a PID as outlined in Step 1
- those made to the media (except in circumstances listed in 1.2 of this Procedure)
- disclosures made frivolously
- those which are a mere disagreement over government or Sunwater policy, and
- those that are made substantially to avoid disciplinary action with no further substance.

What happens if the disclosure is not a PID?

If a disclosure is not a PID, but the information relates to Sunwater, the information may be dealt with under other Sunwater procedures, such as:

- Performance Counselling Policy and Guide
- Misconduct and Discipline Policy and Guide
- Unacceptable Workplace Behaviour Policy and Guide
- Grievance Resolution Policy and Guide, or
- Fraud and Corrupt Conduct Procedure.

4. Review and evaluation

This Procedure will be reviewed by the Company Secretary with input from the General Counsel every 2 years. A review may also be triggered at any time through changes in legislation, policy, organisation or any other change which requires an update to the policy.

The CEO and/or Company Secretary can amend the Procedure for legislative changes or where immaterial changes are required to the Procedure.

5. Related Legislation and Documents

Where a decision to be made by Sunwater under this Procedure is a decision to which the Human Rights Act 2019 (Qld) applies, Sunwater will comply with its obligations under the Human Rights Act 2019 (Qld) in relation to making that decision.

This Procedure is to be read in conjunction with:

- Sunwater Public Interest Disclosure and Whistleblower Policy
- Public Interest Disclosure Act 2010 (Qld)
- Queensland Ombudsman Public Interest Disclosure Standard No. 1/2019
- Queensland Ombudsman Public Interest Disclosure Standard No. 2/2019
- Queensland Ombudsman Public Interest Disclosure Standard No. 3/2019
- Whistleblower Procedure
- Sunwater Enterprise Agreement
- Sunwater Code of Conduct
- Fraud and Corrupt Conduct Procedure
- Fraud Control Plan
- Unacceptable Workplace Behaviour Policy, and
- Public Interest Disclosure Standards.

6. Definitions

Defined Term	Explanation
Confidential Information	<ol style="list-style-type: none"> 1. includes – <ol style="list-style-type: none"> a) information about the identity, occupation, residential or work address or whereabouts of a person – <ol style="list-style-type: none"> (i) who makes a public interest disclosure; or (ii) against whom a public interest disclosure has been made; and b) information disclosed by a public interest disclosure; and c) information about an Employee’s personal affairs; and d) information that, if disclosed, may cause detriment to a person; and 2. 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>‘Corrupt Conduct’ (as defined under the <i>Crime and Corruption Act 2001</i>) means:</p> <p>Type ‘A’ Corrupt Conduct</p> <ol style="list-style-type: none"> 1. conduct of a person, regardless of whether the person holds or held an appointment, that: <ol style="list-style-type: none"> a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of: <ol style="list-style-type: none"> (i) a unit of public administration; or (ii) a person holding an appointment; and b) 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: <ol style="list-style-type: none"> (i) is not honest or is not impartial; or (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or (iii) 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 c) would, if proved, be: <ol style="list-style-type: none"> (i) a criminal offence; or (ii) a disciplinary breach providing reasonable grounds for terminating the person’s services, if the person is or were the holder of an appointment. <p>Type ‘B’ Corrupt Conduct</p> <ol style="list-style-type: none"> 2. conduct of a person, regardless of whether the person holds or held an appointment, that <ol style="list-style-type: none"> a) impairs, or could impair, public confidence in public administration; and b) involves, or could involve, any of the following: <ol style="list-style-type: none"> (i) collusive tendering (ii) fraudulent applications for licences, permits and other authorities under an Act necessary to protect – <ol style="list-style-type: none"> A. the health and safety of persons B. the environment C. the use of the State’s natural resources (iii) dishonestly obtaining benefits from the payment or application of public funds or the disposition of state assets (iv) evading State taxes, levies, duties or fraudulently causing a loss of State revenue (v) fraudulently obtaining or retaining an appointment; and c) would, if proved, be – <ol style="list-style-type: none"> (i) a criminal offence



Defined Term	Explanation
	<p>(ii) a disciplinary breach providing reasonable grounds for terminating the (iii) person's services, if the person is or were the holder of an appointment. (iv)</p> <p>To meet the definition of Corrupt Conduct, all three elements must be met under either of Type A or Type B (e.g. under Type A - the effect of the conduct under (a), the result of the conduct under (b) and which results in a criminal offence or a disciplinary breach under (c)).</p> <p>For Sunwater's purposes, the behaviour need not necessarily be criminal to be subject to the operation of this Procedure.</p>
Discloser	A person who makes a PID.
Employee/s	This refers to employees engaged on a full time, part time, temporary or casual basis and includes a person engaged by Sunwater under a contract of service.
Subject Officer	The person (e.g. Employee) who is the subject of allegations of wrongdoing made in the disclosure.
Substantial and Specific	The term 'Substantial' is not defined in the PID Act, however from a Sunwater perspective 'Substantial' means it needs to be more than trivial or minimal and have weight or importance to Sunwater. An example of something that meets the definition of substantial will be a Sunwater Employee receiving a kickback from a supplier for the referral of Sunwater work to that supplier, even if the amounts involved are small. The term 'Specific' refers to conduct or detriment that is particular and able to be identified, as opposed to broad or general concerns or criticism.
PID Support Officer	An officer of Sunwater independent of the PID investigation, delegated by the chief executive officer or the PID Coordinator with responsibility for providing support to a Discloser, Subject Officer or witness who is involved in the management of a PID.
Public Interest disclosure ('PID' or 'disclosure')	A public interest disclosure under the PID Act.
Reasonable Management Action	Reasonable management action under the PID Act means action taken by a manager in relation to an Employee, and includes any of the following taken by the manager— <ul style="list-style-type: none"> (a) a reasonable appraisal of the Employee's work performance (b) a reasonable requirement that the Employee undertake counselling (c) a reasonable suspension of the Employee from the employment workplace (d) a reasonable disciplinary action (e) a reasonable action to transfer or deploy the Employee (f) a reasonable action to end the Employee's employment by way of redundancy or retrenchment (g) a reasonable action in relation to an action mentioned in paragraphs (a) to (f) (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.
Reprisal	Means causing, attempting or conspiring to cause, detriment to another person because, or in the belief that - <ul style="list-style-type: none"> (a) the other person or someone else has made, or intends to make, a public interest disclosure; or (b) the other person or someone else is, has been, or intends to be, involved in a proceeding under the PID Act against any person. <p>Attempting to cause detriment includes an attempt to induce a person to cause detriment.</p>



7. Approval and Review Details

Owner:	Co Sec	Issue Date:	December 2022	Document No:	2518140 v3
SME:	General Counsel	Next Revision Date:	December 2024	Reference No:	CORP PRO 16



Appendix 1 | Schedule 2 of the PID Act - Offences or contraventions endangering the environment

Please refer to the Public Interest Disclosure Act 2010 to verify the currency of the below list.

<https://www.legislation.qld.gov.au/view/pdf/2017-03-01/act-2010-038>

Aboriginal Cultural Heritage Act 2003

- section 24(1) (Unlawful harm to Aboriginal cultural heritage)
- section 25(1) (Prohibited excavation, relocation and taking away)
- section 26(1) (Unlawful possession of Aboriginal cultural heritage)

Biosecurity Act 2014

- section 36 (Reporting presence of prohibited matter)
- section 37 (Dealing with prohibited matter)
- section 42 (Reporting presence of category 1 or 2 restricted matter)
- section 44 (Requirement to kill and dispose of category 7 restricted matter)
- section 45 (Offences about other categories of restricted matter)

Environmental Protection Act 1994

- all provisions for which a contravention is an offence

Fisheries Act 1994

- section 90 (Nonindigenous fisheries resources not to be possessed, released etc.)
- section 91 (Aquaculture fisheries resources not to be released)
- section 92 (Duty of person who takes or possesses noxious or nonindigenous fisheries resources)
- section 122 (Protection of fisheries resources in declared fish habitat area)
- section 123 (Protection of marine plants)

Forestry Act 1959

- section 53(1)(b) (Interference with forest products on Crown holdings and particular entitlements)
- section 54 (Interfering with forest products on Crown lands etc.)

Greenhouse Gas Storage Act 2009

- all provisions for which a contravention is an offence

Land Act 1994

- section 404 (No trespassing)

Mineral Resources Act 1989

- section 194 (Conditions of mineral development license)
- section 209 (Contravention by holder of mineral development license)
- section 276 (General conditions of mining lease)
- section 308 (Contravention by holder of mining lease)

Nature Conservation Act 1992

- section 88 (Restrictions on taking protected animal and keeping or use of unlawfully taken protected animal)
- section 89(1) (Restriction on taking etc. particular protected plants)
- section 91 (Restriction on release etc. of international and prohibited wildlife)
- section 92 (Prohibition on breeding etc. hybrids of protected animals)
- section 93 (Aborigines' and Torres Strait Islanders' rights to take etc. protected wildlife)
- section 94 (Conservation officers prohibited in dealing with protected wildlife)



- section 97(2) (Restriction on taking etc. of native wildlife in areas of major interest and critical habitats)
- section 109 (Compliance with order)

Petroleum Act 1923

- all provisions for which a contravention is an offence
- Petroleum and Gas (Production and Safety) Act 2004
- all provisions for which a contravention is an offence

Queensland Heritage Act 1992

- section 104 (Offence to destroy protected area)
- section 155 (Contravention of stop order)
- section 164B (4) (Restoration orders)

Torres Strait Islander Cultural Heritage Act 2003

- section 24(1) (Unlawful harm to Torres Strait Islander cultural heritage)
- section 25(1) (Prohibited excavation, relocation and taking away)
- section 26(1) (Unlawful possession of Torres Strait Islander cultural heritage)

Transport Operations (Marine Pollution) Act 1995

- all provisions for which a contravention is an offence

Water Act 2000

- section 272(4) (Immediate suspension of permit in exceptional circumstances)
- section 273(3) (Notice to owner of land to remove vegetation etc.)
- section 814 (Destroying vegetation, excavating or placing fill without permit)



Appendix 2 | Record Keeping

General

Sunwater must keep a record of the following information:

- the name of the person making the disclosure (if known)
- the information disclosed
- the name of the entity that referred the disclosure (if relevant)
- any action taken on the disclosure
- date PID received
- if PID is a referral from a Member of Parliament
- if PID is a referral from another entity
- public sector entity which the referral was received from
- type of PID
- if a reprisal PID, details of the PID history
- Discloser type
- Discloser’s location
- Subject Officer type
- Subject Officer’s location
- Discloser’s relationship to Subject Officer/s
- a summary of the PID
- date initial risk assessment completed for Discloser
- if PID Support Officer assigned to Discloser
- date PID assessment completed
- assessment decision
- grounds for decision to take no action
- date decision to take no action communicated to Discloser
- if Discloser requested a review of decision to take no action
- basis for review request
- date review of decision to take no action completed
- outcome of review
- date investigation of PID commenced
- date investigation of PID completed
- outcome of investigation
- if investigation discontinued, an explanation
- resolution action taken by Sunwater
- date outcome of investigation communicated to Discloser

Sunwater should keep a record of the following information where practicable to do so:

- Discloser’s gender, ATSI identity and language background
- Subject Officer’s gender, ATSI identity and language background
- legal proceedings, appeal or complaint processes that arose during or after management of the PID
- outcome of legal proceedings, appeal or complaint processes
- if the Discloser contacted the media
- if so, at what stage of the PID management process.