



Australian Government



Public Interest Disclosure Policy

March 2022

The CEFC is a corporate Commonwealth entity established by the Australian Government under the *Clean Energy Finance Corporation Act 2012* (CEFC Act).

The CEFC is committed to the highest standards of ethical behaviour. CEFC encourages the reporting of wrongdoing under the *Public Interest Disclosure Act 2013*. The CEFC will act, in accordance with the PID Act, when disclosures are received to protect disclosers from Reprisals or threats of Reprisals as a result of making a disclosure.

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1. Introduction

The *Public Interest Disclosure Act 2013* (PID Act) promotes integrity within the Commonwealth public sector and corporate Commonwealth entities by providing protections to persons making Disclosures under the Public Interest Disclosure scheme.

The CEFC is committed to the highest standards of ethical behaviour. The CEFC encourages the reporting of wrongdoing under the PID Act. The CEFC will act, in accordance with the PID Act, when disclosures are received to protect disclosers from Reprisals or threats of Reprisals as a result of making a disclosure.

These procedures have been developed to assist the CEFC to fulfil its obligations under the PID Act and set out the way in which the organisation receives, investigates and manages *Public Interest Disclosures*, including:

- (a) Who can make a Public Interest Disclosure
- (b) What can be reported
- (c) How a Public Interest Disclosure can be made, and
- (d) How and when a Public Interest Disclosure will be investigated.

2. Definitions

Authorised Officer means:

- (i) The Chief Executive Officer (CEO) of the CEFC as the principal officer of the CEFC for the purposes of the PID Act; or
- (ii) A person appointed as an authorised officer by the Principal Officer under the PID Act.

The CEO has appointed Chief Risk Officer Craig Whalen and Director, Legal, Matthew Hislop as Authorised Officers.

Disclosable conduct, detailed in section 29 of the PID Act, includes

- (a) Conduct by an agency, a Public Official or a contracted Commonwealth service provider (in connection with the contract) that:
 - Contravenes the law
 - Is corrupt
 - Perverts the course of justice
 - Results in wastage of public funds or property
 - Is an abuse of public trust
 - Unreasonably endangers health and safety or endangers the environment
 - Is maladministration, including conduct that is unjust, oppressive or negligent
- (b) Conduct that is engaged in by a Public Official that involves abuse of the Public Official's position or, if proved, would give rise to disciplinary conduct against the official.

Conduct is not *Disclosable Conduct* if it relates only to government policy, action or expenditure with which a person disagrees.

Discloser means an individual who discloses information.

Disclosure means information disclosed by a Discloser.

Principal Officer means the CEO or his/her delegate as appointed from time to time.

Public Official is detailed in section 69 of the PID Act. It is a broad term which, in summary, includes any person who is or was employed or appointed by the Australian Government, staff of Commonwealth companies, Commonwealth authorities and statutory agencies, the Parliament Service, statutory officeholders and service providers under a Contract to the Commonwealth, and, of relevance for the CEFC, includes all current and former (to the extent of their CEFC activities only) CEFC employees, directors and contractors.

Public Interest Disclosure means a disclosure:

- (a) Made by a Discloser who is or was a Public Official
- (b) To an Authorised Officer who is an authorised internal recipient for that disclosure under section 34 of the PID Act or a supervisor of the Discloser
- (c) Of information which tends to show, or the Discloser believes on reasonable grounds that the information tends to show, one or more instances of Disclosable Conduct.

Reprisal occurs if someone causes, by an act or omission, any detriment to another person because they believe or suspect that person, or anyone else, may have made or intends to make a *Public Interest Disclosure*. Detriment is any disadvantage to a person, e.g. dismissal, injury in their employment, discrimination between them and other staff or alteration of their position to their disadvantage. It does not include legitimate actions related to the work performance of the individual or administrative action taken to protect that person from *Reprisals*.

3. Making a Public Interest Disclosure to the CEFC

Who can make a Public Interest Disclosure?

A current or former *Public Official* can make a *Public Interest Disclosure* to the CEFC.

What can be reported?

A current or former *Public Official* can disclose information that they believe on reasonable grounds tends to show *Disclosable Conduct*.

Who to contact

If you wish to make a *Public Interest Disclosure* to the CEFC or require further information about how the CEFC operates under the *Public Interest Disclosure* scheme, please contact one of the following:

Chief Executive Officer	Principal Officer	02 8039 0810
Chief Risk Officer	Authorised Officer	03 9081 3927
Director, Legal Matthew Hislop	Authorised Officer	07 3188 1651

A *Public Interest Disclosure* may be made verbally or in writing (by letter or email) directly to an *Authorised Officer*. Alternatively, you can send an email to pid@cefc.com.au which is a secure, dedicated email address set up to receive *Disclosures*. Only *Authorised Officers* have access to this email account.

You may also choose to make a disclosure directly to your supervisor. If your supervisor has reasonable grounds to believe that the information concerns, or could concern, *Disclosable Conduct*, they are required to pass the matter on to an *Authorised Officer* as soon as reasonably practicable for appropriate investigation.

If your *Disclosure* is made orally, a record will be made by the *Authorised Officer* of what was said.

Further detailed advice on how to make a *Public Interest Disclosure* can be found on the Commonwealth Ombudsman website at www.pid.ombudsman.gov.au.

You will be able to find general information on this website as well as information on how to make an external or emergency *Disclosure* or a *Disclosure* directly to the Ombudsman.

Can you remain anonymous?

The CEFC will accept and act on anonymous *Disclosures* where practicable.

You are not required to identify yourself at any stage to anyone, including the *Authorised Officer* who receives the *Disclosure*. If the *Disclosure* comes from an email address from which your identity cannot be determined and you do not identify yourself in the email, it will be treated as an anonymous *Disclosure*. In order to gain the protections in the *PID Act*, you must be or have been a *Public Official* and an *Authorised Officer* will attempt to contact you to establish your status and determine whether you are prepared to provide a means of contact during the investigation of the matter.

Where your identity is known to the *Authorised Officer*, they will not provide your name and contact details to the *Principal Officer* (for the purposes of investigating the *Disclosure*) without seeking your consent. You are not required to provide consent.

However, before making an anonymous *Disclosure*, or advising the *Authorised Officer* that you do not want your name and/or contact details to be disclosed to the *Principal Officer*, you might like to consider that:

- The *PID Act* requires the CEFC to keep your identity confidential subject to limited exceptions and, if your identity needs to be disclosed or is likely to become apparent, the *Authorised Officer* will discuss this with you.
- It will be difficult for the CEFC to ensure your protection from Reprisal if it does not know your identity.
- If an *Authorised Officer* is satisfied on reasonable grounds that there is no reasonable basis on which the *Disclosure* could be considered to be an internal disclosure, the *Authorised Officer* is not required to allocate the *Disclosure* for investigation. Accordingly, if the *Authorised Officer* cannot contact you to seek further information about your *Disclosure*, the matter may not proceed.
- Once a *Disclosure* has been allocated, the *Principal Officer* may decide not investigate it if they consider it impracticable to do so because your name and contact details have not been disclosed.
- If you maintain anonymity you will not be able to be updated on the progress and outcome of the investigation.

What supporting information should you provide?

No particular supporting information is required from you. The onus is not on you to prove the underlying wrongdoing the subject of the *Public Interest Disclosure*, you only need to put the CEFC on notice that you honestly believe, on reasonable grounds, that there has been wrongdoing. However, including as much of the below information as possible in your *Disclosure* will assist the CEFC in determining how to proceed:

- (a) Your name and contact details
- (b) The nature of the wrongdoing
- (c) Who you think committed the wrongdoing
- (d) When and where the wrongdoing occurred
- (e) Relevant events surrounding the wrongdoing
- (f) If you did anything in response to the wrongdoing
- (g) Others who know about the wrongdoing and have allowed it to continue
- (h) Whether you believe your information is a *Public Interest Disclosure* under the PID Act
- (i) Whether you are concerned about possible Reprisal as a result of making a *Disclosure*.

You should be clear and factual, and avoid speculation, personal attacks and emotive language. The *Authorised Officer* may ask you for any supporting correspondence or other documents, such as file notes or a diary of events, and the names of any people who witnessed the conduct or who may be able to verify the events set out in your *Disclosure*. You should not investigate a matter yourself before making the *Public Interest Disclosure* because this may hinder a future investigation.

Even if the information you provide turns out to be incorrect or is unable to be substantiated, your *Disclosure* is protected by the *PID Act*, provided that you made the disclosure to an appropriate person under the *PID Act* and believe, on reasonable grounds, that the information tends to show *Disclosable Conduct*.

What about your own wrongdoing?

Making a *Public Interest Disclosure* does not protect you from the consequences of your own wrongdoing. The handling of such matters will be assessed on a case-by-case basis.

In addition, if you make a *Disclosure* that is intentionally false or misleading, or which you know contravenes a designated publication restriction without reasonable excuse, you will not be entitled to the protections conferred by the *PID Act*.

What are your obligations in making a Public Interest Disclosure?

You should not discuss the details of your *Public Interest Disclosure* with anyone other than your supervisor or the *Authorised Officer*, because discussions with other people will not be covered by the protections in the *PID Act*.

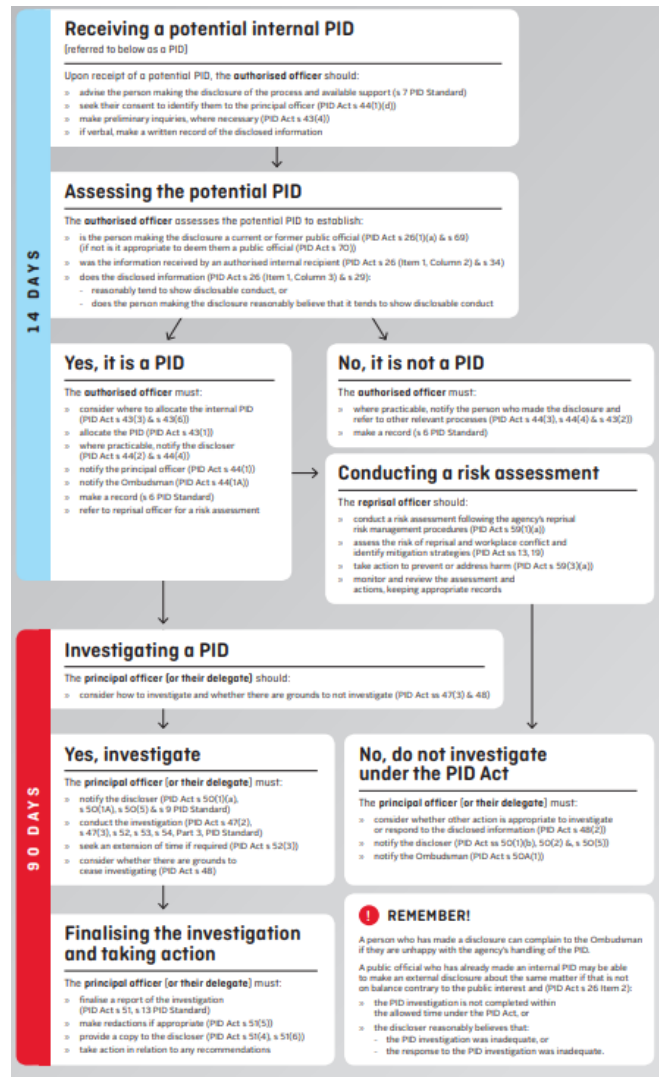
If you are uncertain of your rights and responsibilities in relation to a proposed disclosure and require independent legal advice, you may seek independent legal advice in relation to making a disclosure. However, in that process, you must not disclose "intelligence information"¹ or "sensitive law enforcement information"².

¹ This includes information that has originated with, or has been received from, an intelligence agency including the Department of Defence, reveal certain matters connected with an intelligence agency including the Department of Defence or connected with disclosures made by public officials of foreign governments or reveal the identity of persons employed by such agencies or governments. Refer section 41 of the *PID Act* for the full definition.

² Information the disclosure of which is reasonably likely to prejudice Australia's law enforcement interests. Refer section 41 of the *PID Act* for the full definition.

4. How does the CEFC handle a Public Interest Disclosure?

Refer diagram, and explanation on following pages.



¹ Commonwealth Ombudsman PID Flowchart

Step 1 – Initial consideration of disclosure

When an *Authorised Officer* receives a disclosure of information, he or she will consider the information disclosed and determine whether there are reasonable grounds on which the disclosure could be considered to be an internal disclosure made in accordance with the PID Act.

On receipt of a disclosure, where practicable, the *Authorised Officer* will advise the *Discloser* about the *Public Interest Disclosure* process at the CEFC and the support available to a person who makes a *Public Interest Disclosure* (see also “Support for Disclosers” of this Policy below). The *Discloser* may be asked further questions so the *Authorised Officer* clearly understands the nature of the *Disclosure* they are making.

If the Authorised Officer is satisfied that there is a reasonable basis on which the Disclosure could be a Public Interest Disclosure:

- They will allocate the disclosure to one or more agencies for further handling and investigation in accordance with the process outlined at Step 2; and
- If the *Authorised Officer* is aware of the name and/or contact details of the *Discloser*, he or she will seek the *Discloser's* consent to provide this information to the Principal Officer (including the Principal Officer's delegate). The *Authorised Officer* will not provide this information to the Principal Officer without consent.

If the Authorised Officer is not so satisfied:

- The *Disclosure* will not be allocated
- If contacting the *Discloser* is reasonably practicable, as soon as reasonably practicable after deciding not to allocate the *Disclosure*, the *Authorised Officer* must inform the *Discloser* in writing of:
 - The reasons why the *Disclosure* will not be allocated to an agency
 - Any other course of action that might be available to the *Discloser* under other laws of the Commonwealth
- the *Authorised Officer* will keep appropriate records of whether the *Discloser* was informed of the allocation decision).

Step 2 - Allocation

Allocating a Disclosure

The *Authorised Officer* will use his or her best endeavours to decide the allocation within 14 days after the Disclosure is made.

In deciding the agency or agencies to which a *Disclosure* will be allocated, the *Authorised Officer* will have regard to:

- The principle that an agency – other than the Ombudsman, the Inspector-General of Intelligence and Security (IGIS) or an investigative agency prescribed by the Public Interest Disclosure Rules – should only deal with disclosures that relate to that agency
- Other matters (if any) as the *Authorised Officer* considers relevant.

In addition, if the *Authorised Officer* is contemplating allocating the disclosure to the Ombudsman, the IGIS or an investigative agency that has been prescribed by the Public Interest Disclosure Rules, the *Authorised Officer* must have regard to additional matters set out in the PID Act.³

The *Authorised Officer* must not allocate a *Disclosure* to another agency unless an authorised officer of that agency has consented to the allocation.

Giving notice of allocation decision

Informing the receiving agency

When the *Authorised Officer* allocates the handling of a disclosure to an agency (including to the CEFC), the *Authorised Officer* will inform the principal officer of that agency of:

- The allocation to the agency
- The information that was disclosed to the *Authorised Officer*
- The suspected disclosable conduct
- If the Discloser's name and contact details are known to the *Authorised Officer*, and the *Discloser* consents to the principal officer being informed – the *Discloser's* name and contact details.

Informing the Discloser

If contacting the *Discloser* is reasonably practicable, as soon as reasonably practicable after the allocation has occurred, the *Authorised Officer* will also inform the *Discloser* in writing of the allocation and of the information that has been provided to the principal officer of that agency.

Informing other relevant bodies

If the *Authorised Officer* allocated a *Disclosure* to an agency, including the CEFC itself, other than the Ombudsman, the IGIS or an intelligence agency, he or she will inform the Ombudsman of this in writing. If the *Disclosure* is allocated to an intelligence agency, the *Authorised Officer* will inform the IGIS of this in writing.

³

See section 43(3)(a)(iii)-(iv) of the PID Act.

Making a record of the allocation decision

When an *Authorised Officer* allocates the handling of a *Disclosure* to one or more agencies, he or she must keep an appropriate written record of the:

- (a) Decision (including the name of the agency or agencies to which the *Disclosure* is to be allocated)
- (b) Reasons for the decision
- (c) Consent of the principal officer of the agency or agencies who are being allocated the *Disclosure*.

In addition, the *Authorised Officer* must keep appropriate records of whether the *Discloser* was informed of the allocation decision and, if so, of the:

- (a) Day and time the *Discloser* was notified
- (b) Means by which the *Discloser* was notified
- (c) Content of the notification.

These records should be kept confidential.

Step 3 – Reprisal Risk Assessment

The *Authorised Officer* will complete a formal risk assessment as to the risk that *Reprisals* will be taken against the *Discloser*. As part of this risk assessment, the *Discloser* may be asked why they are reporting the wrongdoing and from whom they might fear a *Reprisal*. The *Discloser's* supervisor may also be contacted. This information will assist the *Authorised Officer* in assessing:

- (a) The likely perceptions amongst staff as to why the *Discloser* came forward
- (b) How colleagues may respond if the *Discloser's* identity becomes known or suspected in the future
- (c) The potential motives of staff who could be involved in *Reprisals*.

Schedule 1 sets out considerations that will be taken into account when the *Authorised Officer* undertakes the risk assessment.

Based on the risk assessment, the *Authorised Officer* will determine what strategy, if any, should be put in place to mitigate the risk of *Reprisals* or related workplace conflict. This strategy may include some or all of the support measures set out in Step 6.

The *Authorised Officer* will monitor and review the risk of *Reprisals* throughout the investigation process and may contact the *Discloser* to discuss their experience.

Step 4 - Investigation

The *Principal Officer* is responsible for undertaking investigations into allegations set out in a *Public Interest Disclosure*. The *Principal Officer* has delegated those powers and functions to the *Authorised Officers*, and those delegates may seek assistance from independent and skilled investigators.

Providing initial information to Discloser

If the *Authorised Officer* has determined that a *Disclosure* should be allocated to the CEFC (refer Step 2), the *Principal Officer* will, within 14 days of allocation, give the *Discloser* information about the *Principal Officer's* powers to decide:

- (a) Not to investigate the *Disclosure*,
- (b) Not to investigate the *Disclosure* further
- (c) To investigate the *Disclosure* under a separate investigative power.

Considering whether to investigate the Disclosure

The *Principal Officer* may decide not to investigate, or may discontinue an investigation, if the:

- (a) *Discloser* is not a current or former Public Official
- (b) Information does not, to any extent, concern serious Disclosable Conduct
- (c) *Disclosure* is frivolous or vexatious
- (d) *Disclosure* is the same or substantially the same as another *Disclosure* which has been or is being investigated under the PID Act, to avoid duplication

- (e) Disclosure concerns disclosable conduct that is the same or substantially the same as disclosable conduct that is being investigated under another Commonwealth law or the executive power of the Commonwealth and:
 - it would be inappropriate to conduct another investigation at the same time
 - the Principal Officer is reasonably satisfied that there are no further matters concerning the Disclosure that warrant investigation
- (f) Discloser has advised the Principal Officer that the Discloser does not wish the investigation to be pursued and the Principal Officer is reasonably satisfied that there are no matters concerning the disclosure that that warrant investigation; or
- (g) It is impracticable to investigate the Disclosure because:
 - Of the age of the information
 - The Discloser's name and contact details have not been disclosed
 - The Discloser has failed, or is unable, to give the person who is or will be investigating the information or assistance they have requested.

Notifying the Discloser and the Ombudsman

If the Disclosure will not be investigated

- (a) If the *Principal Officer* decides not to investigate a disclosure, he or she will, if reasonably practicable to contact the *Discloser*, inform the discloser that the Principal Officer has decided not to investigate the Disclosure, identifying
 - The reasons for the decision not to investigate (other than those reasons that would be exempt for the purposes of Part IV of the *Freedom of Information Act 1982*, have or be required to have a national security or other protective security classification or contain intelligence information)
 - Any courses of action that might be available to the Discloser under other laws of the Commonwealth
- (b) Inform the Ombudsman of the decision not to investigate and the reasons for that decision.

If the Disclosure will be investigated

If the Principal Officer decides to investigate the Disclosure, he or she will, as soon as reasonably practicable, inform the Discloser:

- That they are required to investigate the Disclosure
- The estimated length of the investigation.

A written record of any decision will be kept by the *Principal Officer*.

Conducting the investigation

If the investigation proceeds, the Discloser will be informed of the progress of the investigation where appropriate.

The investigation of the Disclosure should be conducted in as confidential manner as possible (see also Step 5).

Any interviews conducted by the Principal Officer or investigator should be conducted in private. Where anyone is to be interviewed as part of the investigation, the interviewee will be informed of the identity and function of each individual conducting the interview, the process of conducting an investigation, the authority of the *Principal Officer* to conduct the investigation and the protections provided by the PID Act.

The CEFC will not allow an audio or visual recording of the interview without the interviewee's knowledge and, when an interview ends, the interviewee will be given an opportunity to make a final statement or comment or express a position which will be included in the record of the interview.

Natural justice requires that a person has an opportunity to respond to adverse allegations made against them and, at an appropriate time during the course of the investigation, the *Principal Officer* will discuss the allegations with the person named in the *Disclosure*. It is possible that the person named will be aware of who has made the allegations, even if your name is not disclosed. However, the *Principal Officer* will not disclose your identity as the Discloser without your consent. A person the subject of allegations may not be informed if the allegations against them are found to lack substance or are clearly frivolous or vexatious.

If the person conducting the investigation suspects that information that has been disclosed as part of a *Public Interest Disclosure* or is obtained during the course of an investigation constitutes evidence of an offence against a Commonwealth, State or Territory law, that person may disclose that information to a member of an Australian police force. However, in cases where the potential offence is serious and punishable by imprisonment of two years or more, notification to a relevant police force is mandatory.

Notification to the police does not necessarily mean the CEFC investigation can or should stop. However, if the police do commence an investigation, the *Authorised Officer* may decide not to investigate further on the basis that it would be inappropriate to conduct another investigation at the same time.

Step 5 – Preparation of an investigation report

Once the Principal Officer has completed the investigation, he or she will prepare a report of the investigation.

The Principal Officer must complete the investigation report within 90 days after the disclosure was allocated to the CEFC, unless this period is extended by the Ombudsman.

The outcome of the investigation will be based upon a decision as to whether the evidence is relevant, logically proves the existence or non-existence of the facts and is sufficient to prove the facts on the balance of probabilities.

The final report into a *Public Interest Disclosure* will set out:

- (a) The matters considered in the course of the investigation
- (b) The duration of the investigation
- (c) Whether there has been one or more instances of Disclosable Conduct
- (d) Any regulations, rules, administrative requirements or similar matters to which the Disclosable Conduct relates
- (e) An explanation of the steps taken to gather evidence
- (f) A summary of the evidence
- (g) The findings and recommendations of the investigation
- (h) Any claims made about and any evidence of reprisal action taken against the Discloser, together with the CEFC response to those claims and that evidence.

Step 6 – CEFC actions

At the end of the investigation the *Principal Officer* or delegate will take appropriate action in response to the findings and recommendations set out in the investigation report. The actions may include:

- (a) Commencing a disciplinary process
- (b) Referral of the matter to the police or another body that can take further action
- (c) Mediation or conciliation of a workplace conflict
- (d) An internal audit or other review of an issue or the operations of a particular unit
- (e) Implementation of or the amending of policies, procedures or practices
- (f) Conduct training and awareness sessions for staff.

Step 7 – Reporting to the Discloser

Where it is reasonably practicable to contact the Discloser, the Discloser will be provided with feedback on the results of the investigation and a copy of the final report within a reasonable time. However, the Principal Officer may delete from the copy of the report given to the Discloser any material:

- That is likely to enable the identification of the Discloser or another person
- Would be exempt for the purposes of Part IV of the *Freedom of Information Act 1982*, would require a national security or other protective security clearance, contains intelligence information or contravenes a designated publication restriction as defined in the PID Act.

5. Confidentiality

The CEFC will make every reasonable effort to protect the identity of a person who has made a *Public Interest Disclosure*.

With some limited exceptions, it is an offence for a person to disclose information, without the *Disclosure's* consent, that identifies, or is likely to lead to the identification of, the *Discloser*.

Similarly, if a person discloses information to another person or uses information otherwise than in accordance with the PID Act, the person commits an offence if the information was obtained by the person:

- (a) In the course of conducting a Public Interest Disclosure investigation
- (b) In connection with the performance of a function or the exercise of a power by the person under the PID Act.

The CEFC is also bound by obligations under the *Privacy Act 1988* in relation to the storage, use and sharing of personal information.

However, you should understand that your identity or information that would effectively identify you as the *Discloser* may need to be disclosed in order to investigate the *Disclosure* effectively or to protect you against *Reprisals*. It may not be possible for the staff involved in the handling of the *Disclosure* to prevent your identity from becoming known.

6. Support for Disclosers

The CEFC will take all reasonable steps to support public officials who have made a *Public Interest Disclosure* and to protect them from detriment or threats of detriment relating to the *Public Interest Disclosure*.

This may include taking one or more of the following actions:

- Appointing a support person to assist the *Discloser*, who is responsible for checking on the wellbeing of the *Discloser* regularly
- Informing the *Discloser* of the progress of the investigation
- Advising the *Discloser* of the availability of the Employee Assistance Program
- Where there are any concerns about the health and wellbeing of the *Discloser*, liaising with officers responsible for work health and safety in the CEFC
- Transferring the *Discloser* to a different area within the workplace (with the consent of the *Discloser*).

7. Record keeping

The *Authorised Officers* must securely keep records of how and when a *Public Interest Disclosure* was made. Each *Disclosure* should be given a unique reference number. Details of the risk assessment of *Reprisal*, allocation, the investigation, notification to the *Discloser* and others will also be kept.

In addition, the CEFC is required to report the following information to the Ombudsman in a de-identified manner on an annual basis the:

- (a) Numbers and types of Public Interest Disclosures received
- (b) Number of investigations undertaken during the relevant financial year
- (c) Kinds of Disclosable Conduct to which they related
- (d) Number of Disclosure investigations that were handled directly by the CEO as Principal Officer
- (e) Outcomes (including action taken in response to investigation report findings and recommendations)
- (f) Details of any support provided to Disclosers and allegations of Reprisal.

8. Other disclosures

As a matter of best practice, the CEFC will deal with certain disclosures that are not *Public Interest Disclosures* in a way that is consistent with the obligations of a "regulated entity" with respect to a disclosure made under section 1317AA(2) of the *Corporations Act 2001*. The disclosures that this applies to are following types of disclosures:

- (a) Disclosures made about a "disclosable matter" by relatives or dependents of CEFC employees, or directors or secretaries of its related body corporates
- (b) Internal disclosures made about conduct that may represent a danger to the financial system
- (c) Internal disclosures made about a "disclosable matter" to either/or an:
 - "Officer" or "senior manager" who is not an Authorised Officer or a supervisor of the Discloser
 - Auditor of the CEFC or a related body corporate
 - Actuary of the CEFC or a related body corporate.

In particular, the paragraphs of this policy in relation to confidentiality and support for Disclosers will apply to disclosures of these types.

Where an investigation into a disclosure of this type is conducted, the investigation will be conducted in a manner which is broadly consistent with the investigation process in Step 4 of the process for investigating a *Public Interest Disclosure*.

9. Policy Responsibility and Reviews

The Chief Risk Officer is responsible for overseeing this Policy's implementation as well as ensuring the Policy is periodically reviewed so that it remains effective and appropriate for CEFC business activities.

At a minimum the Policy is reviewed every two years.

10. Further guidance

All questions regarding this Policy should be directed to the CEFC Head of Risk and Compliance.

About the CEFC

The CEFC has a unique mission to accelerate investment in Australia's transition to net zero emissions. We invest to lead the market, operating with commercial rigour to address some of Australia's toughest emissions challenges. We're working with our co-investors across renewable energy generation and energy storage, as well as agriculture, infrastructure, property, transport and waste. Through the Advancing Hydrogen Fund, we're supporting the growth of a clean, innovative, safe and competitive hydrogen industry. And as Australia's largest dedicated cleantech investor, we continue to back cleantech entrepreneurs through the Clean Energy Innovation Fund. With \$10 billion to invest on behalf of the Australian Government, we work to deliver a positive return for taxpayers across our portfolio.

11. Schedule 1 Risk Assessment Considerations

Adapted from the Commonwealth Ombudsman Agency Guide to the Public Interest Disclosure Act 2013

Consideration		Likelihood assessment criteria A – E	Consequence assessment criteria 1 – 5	Risk level: extreme, high, medium, low	Control effectiveness rating 1-5	Risk category
Threats or past experience	Has a specific threat against the Discloser been received?					
	Is there a history of conflict between the Discloser and the subject of the disclosure, management, supervisors or colleagues?					
	Is there a history of reprisals or other conflict in the workplace?					
	Is it likely that the disclosure will exacerbate this?					
Confidentiality unlikely to be maintained	Who knows that the disclosure has been made or was going to be made?					
	Has the Discloser already raised the substance of the disclosure or revealed the identity in the workplace?					
	Who in the workplace knows the Discloser's identity?					
	Is the Discloser's immediate work unit small?					
	Are there circumstances, such as the Discloser's stress level, that will make it difficult for them to not discuss the matter with people in their workplace?					
	Will the Discloser become identified or suspected when the existence or substance of the disclosure is made known or investigated?					
	Can the disclosure be investigated while maintaining confidentiality?					
Significant reported wrongdoing	Are there allegations about individuals in the disclosure?					
	Who are their close professional and social associates within the workplace?					

Consideration		Likelihood assessment criteria A – E	Consequence assessment criteria 1 – 5	Risk level: extreme, high, medium, low	Control effectiveness rating 1-5	Risk category
	Is there more than one wrongdoer involved in the matter?					
	Is the reported wrongdoing serious?					
	Is or was the reported wrongdoing occurring frequently?					
	Is the disclosure particularly sensitive or embarrassing for any subjects of the disclosure, senior management, the CEFC or government?					
	Do these people have the intent to take Reprisals – for example because they have a lot to lose?					
	Do these people have the opportunity to take Reprisals – for example, because they have power over the Discloser?					
Vulnerable discloser	Is or was the reported wrongdoing directed at the Discloser?					
	Are there multiple subjects of the disclosure?					
	Is the disclosure about a more senior staff member?					
	Is the Discloser isolated – for example, geographically or because of shift work?					
	Are the allegations unlikely to be substantiated – for example, because there is a lack of evidence?					
	Is the disclosure being investigated outside the CEFC?					