

FACT SHEET

WHAT IS MISCONDUCT?

The Integrity Commission accepts complaints about misconduct by Tasmanian public officers and designated public officers, as defined in the *Integrity Commission Act 2009*.

A recent public perceptions survey initiated by the Commission found that 90% of people in Tasmania had a view that there would always be some dishonesty, unethical behaviour and corruption in the public sector.

Misconduct definition

Misconduct, under the legislation, means conduct by a public officer that involves:

- breaching a code of conduct that is applicable to that public officer;
- any dishonest or improper performance or exercise of the public officer's functions or powers;
- any misuse of information or materials acquired through a public officer's performance of duties;
- misuse of public resources in connection with the public officer's powers or functions; and
- interfering with the honest and proper performance of the duties and functions being performed by another public officer.

Misconduct does not include any conduct or attempted conduct by a public officer in connection with a proceeding in Parliament.

Some examples of misconduct

- A public officer accepting money or gifts in exchange for ensuring that a particular person wins a government contract.
- A public officer passing on information obtained through their duties to help a friend gain an advantage in a tender process.
- A public officer using public resources accessed through their State Service employment in order to support their own private business or to make a personal gift.





‘Perceptions of unethical behaviour and misconduct can seriously erode confidence in our public authorities.’

Hon. Murray Kellam AO,
Chief Commissioner,
Integrity Commission

Who are public officers?

A public officer is someone who holds any office, employment or position in a public authority. This includes Members of Parliament and their staff, State Service employees, employees of local councils, councillors, police, people working for a Government Business Enterprise, employees of State-owned companies and more.

Complaints must be about misconduct by public officers

For the Integrity Commission to accept a complaint, it must be about a public officer. The relevant behaviour must be misconduct as defined in the Act.

Some individuals or organisations are not public officers or authorities under the legislation, such as judges, the Governor of Tasmania, courts, tribunals and others. The Commission cannot accept complaints about people in these positions.

If in doubt, check our website, www.integrity.tas.gov.au, or contact the Commission. If we cannot accept your complaint, we may be able to tell you who can.

Further information

For more information about the Integrity Commission's work, see www.integrity.tas.gov.au or pick up a brochure from a Service Tasmania shop.

You can make a complaint online at www.integrity.tas.gov.au or request a printed complaint form by contacting us on 1300 720 289 or at integritycommission@integrity.tas.gov.au.

