

# FACT SHEET

## HOW TO REPORT MISCONDUCT

The Integrity Commission is an independent body that works with public authorities and the community in raising the standard of conduct, ethics and propriety in state and local government.

The Office of the State Service Commissioner reported in 2010 that approximately half the employees in the Tasmanian State Service were confident with the way their manager would handle a grievance claim.

We assess and investigate misconduct, work to prevent misconduct through education, training and research, and assist public authorities to develop misconduct prevention and management strategies.

### DEALING WITH MISCONDUCT

#### What is misconduct?

Public officers commit misconduct if they breach their code of conduct, if they abuse their official powers, misuse information or resources, or attempt to use their role to adversely affect another public officer.

#### Why report misconduct if you're a public officer?

Misconduct affects the reputation of public organisations and the good character of other public officers. It wastes public resources and erodes community trust in public administration.

#### What can I do?

If you become aware of misconduct, you can take action, including reporting.

#### Internally

Public authorities have a responsibility to provide employees with policies and procedures for reporting misconduct and making complaints. These policies should clearly state who accepts internal complaints, the complaint-handling process and the legislative options for the complainant. It should include information about protection for the complainant.





The Office of the State Service Commissioner reported in 2010 that only a minority of employees felt that they would not suffer negative consequences if they did lodge a grievance.

## Externally

The Commission receives complaints about misconduct from public officers and the general public. You can consider making a complaint to the Commission if you feel the relevant public organisation may not deal with your complaint adequately, or if you are not satisfied with an organisation's complaint-handling procedures. All complaints are assessed in accordance with the *Integrity Commission Act 2009*.

## Public Interest Disclosure (PID)

A public officer can also make a public interest disclosure using the *Public Interest Disclosure Act 2002 (PID Act)*. You can make disclosure to your organisation, to the Integrity Commission or to the Ombudsman.

Under the PID Act you can make a disclosure about corrupt conduct, substantial risks to public health or safety, substantial risks to the environment that would, if proven, constitute a criminal offence, or reasonable grounds for terminating a public officer's employment.

## What happens to my complaint?

We carefully consider all allegations of misconduct. If an allegation falls within our jurisdiction we can:

- refer the allegations to the appropriate public authority to deal with;
- audit or review an investigation done by other organisations;
- investigate the misconduct and use our own investigation powers;





Download a complaint form from our website or request one by phone or email.

- initiate a joint investigation with another integrity agency or Tasmania Police;
- refer the complaint to the Commissioner of Police; or
- dismiss the complaint.

All information provided to us helps build our understanding of misconduct issues across Tasmania's state and local government sectors. This enables us to work closely with public authorities to ensure that misconduct strategies and systems are continually improved.

### **Providing information**

To make a complaint about misconduct by a public officer working for a public authority in Tasmania:

- download a complaint form from [www.integrity.tas.gov.au](http://www.integrity.tas.gov.au);
- contact us on 1300 720 289;
- email us at [integritycommission@integrity.tas.gov.au](mailto:integritycommission@integrity.tas.gov.au); or
- write to us at GPO Box 822, Hobart, TAS, 7001 to request a form.

We prefer that complaints are provided on the form. If you would like to speak to a Commission Officer about making a complaint, please call us to make an appointment.

