

# MANAGING REFERRED COMPLAINTS



*This complaint was **investigated** by the Integrity Commission – what next?*

The complaint you have received was made to the Integrity Commission and relates to your organisation.

It has been assessed and then investigated by the Commission.

You will have received the Commission's investigation report. The report will probably include findings of fact and supporting material.

## Why is the Integrity Commission referring this complaint?

As a result of the investigation, we have decided that your organisation is best placed to:

- manage the complaint and take action if misconduct has occurred – we may have made factual findings that warrant further action, which may include a misconduct investigation, and
- take the necessary steps if the complaint highlights shortcomings in policies and procedures, or misconduct risks.

## What are the Commission's expectations?

You should read the referral letter and see if we have made any specific recommendations about how to manage the complaint and any actions you should take.

Unless indicated in our letter, we do not necessarily expect you to investigate the complaint. However, we do expect you to take appropriate action.

## Managing the complaint

Good practice does not usually involve going straight to the subject of the complaint (the 'respondent'). You should follow the [Guide to managing misconduct in the Tasmanian public sector](#).

You should consider whether whistle-blower legislation applies. You should also contact the complainant as soon as possible, and advise them of the process you will follow.

If you investigate the complaint, make sure that you:

- collect enough evidence to make logical and defensible findings of fact
- test the evidence – including evidence from the respondent (don't just take their word for it), and
- consider all available evidence in making the decision.

You may be able to use the material we have sent you. If you do, you will still need to:

- come to your own conclusions
- comply with any necessary internal processes, and
- adhere to procedural fairness principles.

You can contact the Commission for help if needed.

## What if the complaint is anonymous?

Handle anonymous complaints like any other complaint. Sometimes a complainant requests anonymity with the organisation, but has made their identity known to us. If you need more information, we may be able to assist you by contacting the complainant.

## What happens next?

When you have finished dealing with the complaint, you should advise the complainant and the Commission of the outcome.

You should comply with any requirements set out in our referral letter about reporting on, monitoring, or auditing your action.

The main purpose of this oversight is to make sure that public sector organisations manage misconduct matters appropriately. We will be looking to see what action you took, and that there was clear and sufficient information to support that action.

The material you produce is the property of your organisation. If you give us a copy of your investigation report, we will not send it to the complainant or anyone else involved.

