



2020-21 Investigation Boomer

Sector	Tasmanian State Service
Respondent level	Public Officer
Misconduct risk(s)	Improper or dishonest performance of functions and powers in procurement and provision of public services

Description

Investigation Boomer considered conflicts of interest arising for two employees working across the public and private sectors. The focus of the investigation was the establishment by one of the employees of a private business that provided services to the public organisation.

The allegations included that the employees failed to disclose and take reasonable steps to avoid conflicts of interest, influenced decisions that had potential to impact other service providers and the organisation's procurement of services from the business, and were benefitting privately from their public sector duties.

Our investigation found that, once the private business was established, the employees had a potential conflict of interest. However, while the organisation had satisfactory conflict of interest protocols, these had not been provided to the employees nor brought to their attention. Neither employee had identified, disclosed or taken steps to manage their potential conflicts.

Much of the relevant decision-making by both employees was found to have been made in the public interest. However, the employee who established the business was aware that services provided by the organisation could be advantageous to their business.

We found that this employee had attempted to influence decision making about increasing the frequency of these services, and the procurement of related services from their business. Due to the lack of relevant data and records, we were unable to determine whether the employee gained a direct benefit as a result of their public duties.

We identified a number of systemic issues that amplified the misconduct risks and generated obstacles to our investigation, including:

- ▼ poor record keeping practices and rudimentary record keeping systems
- ▼ unclear and undocumented decision-making and recruitment and procurement processes, and
- ▼ unclear supervision and management arrangements.

Outcome

Referred to Principal Officer for action, with suggested improvements to processes – no report published



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: prevention@integrity.tas.gov.au or 1300 720 289.

For more Misconduct Prevention resources go to www.integrity.tas.gov.au/resources