



## Your complaint has been referred

The Integrity Commission has referred your complaint to another organisation to manage.

### Why we have referred your complaint

The Integrity Commission does not investigate all allegations of misconduct. Section 35(1)(c) of the *Integrity Commission Act 2009* (the Act) allows us to refer complaints to other organisations for various reasons.

We normally investigate allegations of serious misconduct or misconduct by designated public officers (DPOs). DPOs are usually senior executive officers, Members of Parliament, local government councillors or general managers/CEOs, commissioned police officers or statutory officeholders.

If your complaint contains allegations of misconduct that do not amount to serious or systemic misconduct, or do not relate to DPOs, we will likely refer it.

We may also refer for other reasons. For example, we may refer allegations of criminal conduct to the police. Or there may be policy issues that an organisation needs to address even if no misconduct has occurred.

### Referral process

We have referred information about your complaint to an appropriate person. This is usually the principal officer of the organisation that employs the person you have complained about. The appropriate person is usually named in our letter to you.

We expect that the organisation will take action in response to your complaint. We expect they will make enough inquiries to satisfy themselves whether any misconduct has occurred. If it has, the principal officer must ensure that they deal with the misconduct appropriately.

### Keeping you informed

- ▼ The organisation should contact you about your complaint (unless you have asked to remain anonymous) as soon as reasonably possible. They should explain to you how they will deal with your complaint.
- ▼ When the complaint is resolved, the organisation should also inform you of the outcome. If you have asked to be anonymous to the organisation, we will let you know the outcome of the complaint.
- ▼ Please be aware that this process can take a considerable amount of time. The Integrity Commission will generally not contact you again unless there are special circumstances or we need further information.

## This matter will be investigated properly

Sometimes people who complain to us are concerned that the organisation they are complaining about is the same organisation investigating their complaint.

Most public sector organisations can conduct internal investigations. For example, Tasmania Police has an internal investigations unit. Other organisations may have internal audit units, human resources or corporate governance areas. This means that the people conducting the investigation are not usually those who have regular contact with the person named in the complaint.

If an organisation believes there is potential for conflict, it can discuss the matter with us and find ways to deal with the conflict. It may mean they use an external investigator.

## Monitoring and auditing

We may choose to monitor the progress of a complaint that we have referred for several reasons, including if it involves allegations of serious misconduct. For example, we can require progress reports, monitor the investigation or audit it after completion. If we choose to monitor a matter, we will usually request an update from the organisation every **6 months**.

We do not monitor all complaints that we refer. For example, we are more likely to monitor a referred complaint if it is about serious misconduct or a senior public officer.

We also do not audit all complaints that we monitor or refer. However, if we do audit a complaint and are not satisfied with how the complaint has been managed, we will express our concerns and allow the organisation to respond.

If we are still concerned, we can take other actions, such as submitting a report to Parliament. We would only do this for the most serious matters.

## Whose investigation is it?

The investigation (and any report or other material about the investigation) is the property of the investigating organisation. Even if we obtain a copy of the organisation's investigation report, we do not generally release it to a complainant or to anyone else involved.



### 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](mailto:prevention@integrity.tas.gov.au) or 1300 720289.

For more Integrity Commission resources go to [www.integrity.tas.gov.au/resources](http://www.integrity.tas.gov.au/resources)