

AUDITS

*The Commission wants to audit a file
– what next?*

The Integrity Commission has decided to audit your management of a misconduct complaint.

Auditing misconduct complaints is part of the Commission's oversight function.

The Commission's oversight

The Commission needs to be satisfied that misconduct is handled appropriately by public sector organisations.

The Commission does not audit all misconduct matters.

The Commission usually does an audit when:

- it appears that your organisation has not managed the complaint appropriately and/or
- your organisation has not given the Commission enough information about the management of the complaint and/or
- the nature of the complaint means it needs independent review.

Audits should help public sector organisations to improve their processes.

The audit process

You will need to supply all information about the management of the complaint.

In particular, you should supply records of:

- any preliminary assessment process
- key decisions
- all formal correspondence
- the terms of reference for the investigation
- the respondent's response to the allegations
- evidence relied on to make findings
- findings
- the analysis and reasoning for each finding (the investigation report) and
- outcomes for the respondent.

The audit involves a Commission employee reading this information and answering a set of questions about it.

The auditor will be looking to see if – as far as your governance framework will allow – you have complied with good practice as set out in the [*Guide to managing misconduct in the Tasmanian public sector*](#).

Key issues we look for include:

- procedural fairness
- whether relevant policy and legislation has been applied, both in terms of the alleged conduct and in terms of complaint management
- contact with the complainant (where relevant) and the respondent/s
- conflicts of interest and whistle-blower legislation
- timeliness
- evidence collection and
- the investigation report, and the adequacy of the findings and outcomes.

Senior Commission staff review and approve the audit results.

We will send feedback to your organisation. This will usually be a letter addressed to your principal officer.

What if the Commission is not satisfied?

If we are not satisfied, there are a number of steps we may take. This may include, but is not limited to:

- providing feedback to your organisation
- undertaking an 'own-motion' investigation into the matter and/or
- reporting on the matter. For example, we may report to Parliament, the relevant Minister, or the Joint Standing Committee on Integrity. This step is reserved for the most serious matters.