



## Auditing misconduct management

The Integrity Commission has decided to audit your management of a misconduct matter. Auditing misconduct matters is part of our oversight function.

### The Commission's oversight

We need to be satisfied that misconduct is handled appropriately by public organisations. This is an important part of our functions under our legislation.

We do not audit all misconduct matters – we usually conduct an audit when:

- ▼ an organisation has not given us enough information about the management of the matter, or
- ▼ it appears that an organisation has not managed the matter appropriately, or
- ▼ the nature of the matter means it needs independent review.

Audits are there to help public sector organisations improve their processes.

### The audit process

You will need to supply us with all information about the management of the matter.

In particular, you should provide 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
- ▼ any evidence relied on to make findings
- ▼ findings
- ▼ the analysis and reasoning for each finding (the investigation report), and
- ▼ outcomes for the respondent.

The audit is conducted by a Commission employee, and involves 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 you have applied relevant policy and legislation to the alleged conduct and management of the complaint
- ▼ 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 usually meet with you after the audit to discuss our findings. This is an opportunity for you to explain why you managed the matter as you did. We will then send written feedback, usually in the form of a letter addressed to your principal officer.

## If the Commission is not satisfied

If we are not satisfied, there are several steps we may take, including:

- ▼ engaging further with your organisation to resolve our concerns
- ▼ undertaking an 'own-motion' investigation into the matter, or
- ▼ reporting on the matter. For example, we may report to the relevant Minister, Parliament or the Joint Standing Committee on Integrity. We would only do this for the most serious matters.



### The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: [contact@integrity.tas.gov.au](mailto:contact@integrity.tas.gov.au) or 1300 720 289.

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