

INTEGRITY MATTERS



Message from the CEO

Today the Board of the Commission tabled the [summary report](#) of its own motion investigation into misconduct risks in the Tasmanian Health Service (THS) north-west. The investigation found that the former Director, Corporate Services in Facilities and Engineering had not managed conflicts of interest, had victimised employees, and had used work resources for his own benefit.

This edition of Integrity Matters explores some of the key integrity issues identified in this investigation and possible prevention strategies that public authorities may adopt. The issues include the value of policies and procedures in good decision-making, managing conflicts of interest in recruitment, the use of public resources, and how organisations can support employees who raise misconduct concern.

Michael Easton

CEO

In this edition

- [Policies and procedures support good decision-making](#)
- [Managing conflict of interest in recruitment](#)
- [Ensuring that public resources are used for the public](#)
- [Supporting those who report misconduct](#)
- [More information](#)

Policies and procedures support good decision-making

Every day, public sector employees are responsible for making decisions in the interest of the community. Sometimes these decisions are simple; sometimes they are complex.

The Commission's [fact sheet on making decisions in the public interest](#) may support your understanding of this important concept that is central to working in the public sector.

An organisation's policies and procedures provide useful guidance and provide a framework for making good decision-making that:

- ensures compliance with the relevant laws and regulations, and
- supports consistency, equity and alignment of decisions with organisational values.

The responsibility for good decision-making rests with the individual employee, but adherence to policies and procedures will provide them with the structure and support to get it right.

The Commission has developed an easy reference tool, [3 questions for good decision-making](#), to support public sector employees in their everyday decision-making.

Managing conflict of interest in recruitment

Conflict of interest is a significant misconduct risk across the Tasmanian public sector and has been a key feature of a number of investigations undertaken by the Commission.

A [2014 Commission investigation](#) into senior health managers in the north-west found significant conflict of interest issues in recruitment and non-compliance with public sector procurement and recruitment policies, which cost the Tasmanian health budget more than \$500 000 over a four year period.

A [2017 Commission investigation](#) found that two senior TasTAFE executives were involved in serious misconduct that resulted in improper financial and career advantages. The investigation found that both executives had failed to manage their conflicts of interest arising from their personal relationships, and provided preferential

treatment in recruitment processes for friends and former colleagues and on one occasion in the procurement of consultancy services.

The current investigation into allegations of misconduct in the THS north-west found that the former Director failed to declare personal interests and relationships in recruitment and procurement processes.

THS had a Conflict of Interest policy in place, and had held conflict of interest training for employees. In addition, Human Resources had advised the former Director not to be involved in the process. However, not only was he involved, but he did not complete the required Conflict of Interest Management Plan afterwards.

It is evident that having the right policies and procedures in place is essential, but equally essential is ensuring staff adhere to them and holding them to account when they don't.

In any recruitment and procurement processes, a conflict of interest (whether actual, potential or perceived) should be declared and action taken to manage it.

The Commission has recently released resources on [Conflict of interest](#) and [Conflict of interest in recruitment](#).

Ensuring that public resources are used for the public

Work resources are available to public officers to assist them to do their jobs. Many public sector organisations have a large number of resources. Over time, confusion about what is acceptable use can arise, potentially resulting in a culture of entitlement. This can lead to misuse and a cost to the Tasmanian public.

The recent investigation found, for example, that the former Director had acted against policy both in his use of a work vehicle, and in taking non-essential items from the workplace, and had used three office spaces at different locations. The former Director also submitted on-call claims for which he was not entitled.

Employee work time is another valuable resource that can be misused. This includes inaccurate recording of time, false claims for overtime, allowances and employee entitlements, and failing to submit leave forms.

It is up to organisations to set the expectations for employees. Some questions to consider are:

- Do we have clear policy on the purchase, use and disposal of equipment and property?

Do we have a register of 'Portable and Attractive Assets' to help track and replace items?

- Do we have a culture where employees can check if they are unsure about the use of resources? How can employees report misuse?
- Where flexible work arrangements have been agreed, how are they documented and monitored?
- Do we have procedures for managing on-call, call-back and overtime claims?

The key is to have and communicate processes that are clear, consistent, easy to understand and easy to follow.

Supporting those who report misconduct

The courage of public officers in providing information to the Integrity Commission played a key role in the investigation of the alleged misconduct in the THS north-west.

We rely on information and complaints to identify misconduct. In a similar way, public sector organisations rely on employees raising issues in order to address them and build a culture of integrity. This investigation found that, as in many workplaces, it was challenging for employees to raise their concerns.

It is vital that employees feel safe to raise concerns in their organisation. It is possible that the outcomes of this investigation would not have been so negative for all those involved had the organisation successfully addressed the issues earlier.

Raising concerns is not easy but public sector organisations can help their employees by:

Communicating expectations

Employees need to understand the expected behaviour, for themselves and their colleagues. The organisation should set standards of behaviour and communicate expectations to all employees.

Encouraging discussion

Once expectations are set, a culture of discussing concerns within a team or with management can lead to problem solving and dealing with issues early and quickly.

Providing options for raising issues

There are many reasons employees may not be comfortable talking to their own managers about an issue. Organisations can support employees by identifying other ways for employees to seek advice or raise issues of concern, including; internal audit or human resources, an alternate manager or senior leader, the Ombudsman, Tasmanian Audit Office, Equal Opportunity Tasmania or the Integrity Commission.

Setting expectations for what will happen next

An employee may feel nervous about how speaking up will affect them or others in the workplace. Letting employees know early what the organisation's approach to dealing with the issue will be and how they will be supported is key to managing employee expectations.

Making safety the priority

Organisations should be aware of the consequences of actions they take in managing alleged misconduct allegations and the varying impact these actions may have on all of the employees involved in terms of both their work, productivity and mental health.

How your organisation manages complaints has a huge impact on employees and their experience in the organisation in both the short and long-term.

More information

For details on Investigation Moriah and other Integrity Commission investigations, go to www.integrity.tas.gov.au.

For advice and support, contact the Prevention team at prevention@integrity.tas.gov.au or call 1300 720 289.



Integrity Matters is produced by the Integrity Commission, Tasmania. To edit your subscription, please select from the options below.

[Edit your subscription](#) | [Unsubscribe](#) | [Contact](#)

Integrity Commission
1300 720 289
www.integrity.tas.gov.au