



Managing a complaint referred by the Integrity Commission

A complaint has been made to the Integrity Commission that relates to your organisation. We have reviewed it and are now referring it to your organisation for action.

Referral

The Commission has reviewed the material supplied by the complainant. We have not assessed or investigated the complaint.

Why are we referring the complaint?

We have decided that your organisation is best placed to manage the complaint, and to:

- ▼ take action if misconduct may have occurred, and
- ▼ take the necessary steps if the complaint highlights misconduct risks or shortcomings in policies and procedures.

What are our expectations?

Please read the referral letter carefully. We sometimes make specific recommendations about managing the complaint.

We do not expect every complaint to be 'investigated', but we do expect you to make enough inquiries to decide on the appropriate action to take. We may have referred the complaint for you to consider issues that do not amount to misconduct.

Managing the complaint

Good practice usually does not involve going straight to the subject of the complaint (the 'respondent').

You should follow the preliminary assessment steps set out in the *Guide to managing misconduct in the Tasmanian public sector*.

You should:

- ▼ consider whether whistle-blower legislation applies, and
- ▼ contact the complainant as soon as possible, and advise them of any action you plan to take.

If you investigate the complaint, make sure that you:

- ▼ collect enough evidence to make logical and defensible findings of fact
- ▼ test the evidence – including evidence from the respondent (don't just take their word for it), and
- ▼ consider all available evidence in making the decision.

You can contact us for help if you need to.

What if the complaint is anonymous?

You should handle anonymous complaints like any other complaint. Sometimes a complainant requests anonymity with the organisation but has made their identity known to us. If you need more information, we may be able to assist you by contacting the complainant.

What happens next?

You should comply with any requirements set out in our referral letter about reporting, monitoring, or auditing your action.

When you have finished dealing with the complaint, you should advise the complainant of the outcome. If requested in our referral letter, you should also advise us how you dealt with the complaint and the outcome.

We may decide to audit the action taken by you in relation to this complaint. The primary purpose of this oversight is to make sure that public sector organisations manage misconduct matters appropriately. We will be looking to see what action you took, and that there was clear and sufficient information to support that action.



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 or 1300 720 289.

For more resources, go to www.integrity.tas.gov.au