



TRIENNIAL REPORT

No. 2 of 2023–24
(Nov 2023 – Feb 2024)



INTEGRITY
COMMISSION
TASMANIA



The objectives of the Integrity Commission are to:

- improve the standard of conduct, propriety and ethics in public authorities in Tasmania;
- enhance public confidence that misconduct by public officers will be appropriately investigated and dealt with; and
- enhance the quality of, and commitment to, ethical conduct by adopting a strong, educative, preventative and advisory role.

We acknowledge and pay our respects to Tasmanian Aboriginal people as the traditional owners of the Land upon which we work. We recognise and value Aboriginal histories, knowledge and lived experiences, and commit to being culturally inclusive and respectful in our working relationships with all Aboriginal people.

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This report and further information about the Commission can be found on the website www.integrity.tas.gov.au

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ABOUT THIS REPORT

This triannual report is an initiative of the Integrity Commission and is published every four months. The current report covers the period from 1 November 2023 to 29 February 2024 and provides an overview of the activities of the Operations Unit and Education and Engagement Unit. Data is reported for the reporting period and financial year to date.

OPERATIONS UNIT

1. Complaints

Anyone can make a complaint to the Integrity Commission about Tasmanian public sector misconduct. Reporting misconduct helps to ensure that:

- ▼ public sector organisations operate honestly, ethically and fairly
- ▼ public money and resources are not wasted, and
- ▼ misconduct risks are identified so they can be dealt with and prevented.

1.1. Complaints registered

Complaints about alleged public sector misconduct are registered by the Integrity Commission, including complaints about Tasmania Police officers. An individual complaint may contain allegations against multiple public officers working in multiple public authorities.

Complaints registered	Nov 2023 - Feb 2024	2023-24 YTD
Complaints (Total)	49	120
Complaints (Tasmania Police)	(17)	(31)

1.2. Complaint triage

When a complaint is received by the Commission, our Chief Executive Officer (CEO) decides what action should be taken. This process is called 'triage'. The most common outcomes are:

- ▼ refer to another organisation for action – we can then monitor the complaint
- ▼ dismiss the complaint
- ▼ accept the complaint for assessment by the Commission.

The CEO may also recommend to the Board that the Board recommend to the Premier that a commission of inquiry be established under the *Commissions of Inquiry Act 1995* (Tas).

From 1 November 2023 to 29 February 2024, the median time from complaint registration to the CEO's triage decision was 4 working days, and annually, from 1 July 2023 to 29 February 2024, the median time was 3* working days.

Complaints: triage outcomes	Nov 2023 - Feb 2024	2023-24 YTD
CEO decision pending [#]	5	5
Refer	15	35*
Dismiss	28	69
Assess	11	23
Total	59	132

[#] including complaints still in triage and assessments without an appointed assessor.

* Decisions made on pending matters has resulted in updating of some matters after completion of the triannual report. Some figures have changed since the last report.

1.3. Complaint dismissal

At triage, the CEO may decide to dismiss a complaint for a range of reasons. There may be more than one reason for dismissing a complaint.

Where a complaint is dismissed on the basis of 'public interest', the CEO may consider a number of factors including:

- ▼ the nature and seriousness of the alleged misconduct
- ▼ the time that has elapsed since the alleged misconduct occurred, and the availability of evidence and the recollection of any witnesses
- ▼ the likely degree of culpability of the person being complained about
- ▼ whether the alleged misconduct could be of significant public concern, or may be indicative of or expose entrenched or systemic behaviour
- ▼ whether the alleged misconduct has been previously investigated and appropriately dealt with, and
- ▼ the sanctions available to deal with the alleged misconduct.

Reasons for complaint dismissal	Nov 2023 - Feb 2024	2023-24 YTD
Not in the public interest to investigate	11	23*
Unjustifiable use of resources to investigate	7	27
Unrelated to Commission functions	4	4
Lacks substance or credibility	8	17
Unsatisfactory explanation for delay in complainant making complaint	-	-
Not made in good faith	-	-
Frivolous or vexatious	1	1

* Our quality assurance process sometimes leads to the updating of some matters after completion of the triannual report. Some figures have changed since the last report.

1.4. Complainant anonymity

When making a complaint to the Integrity Commission complainants may either:

- ▼ make a complaint anonymously
- ▼ provide their contact details, or
- ▼ provide their contact details and request this information is withheld in the event of the complaint being referred to another organisation.

The table below shows the percentage of closed complaints by anonymity preference of complainant. It includes complaints that are assessed, investigated and the subject of an integrity tribunal.

Complainant anonymity	Nov 2023 - Feb 2024	2023-24 YTD
Anonymous complainants	33%	23%
Complainants not consenting to be identified to other organisations*	20%	22%

*Does not include anonymous complainants

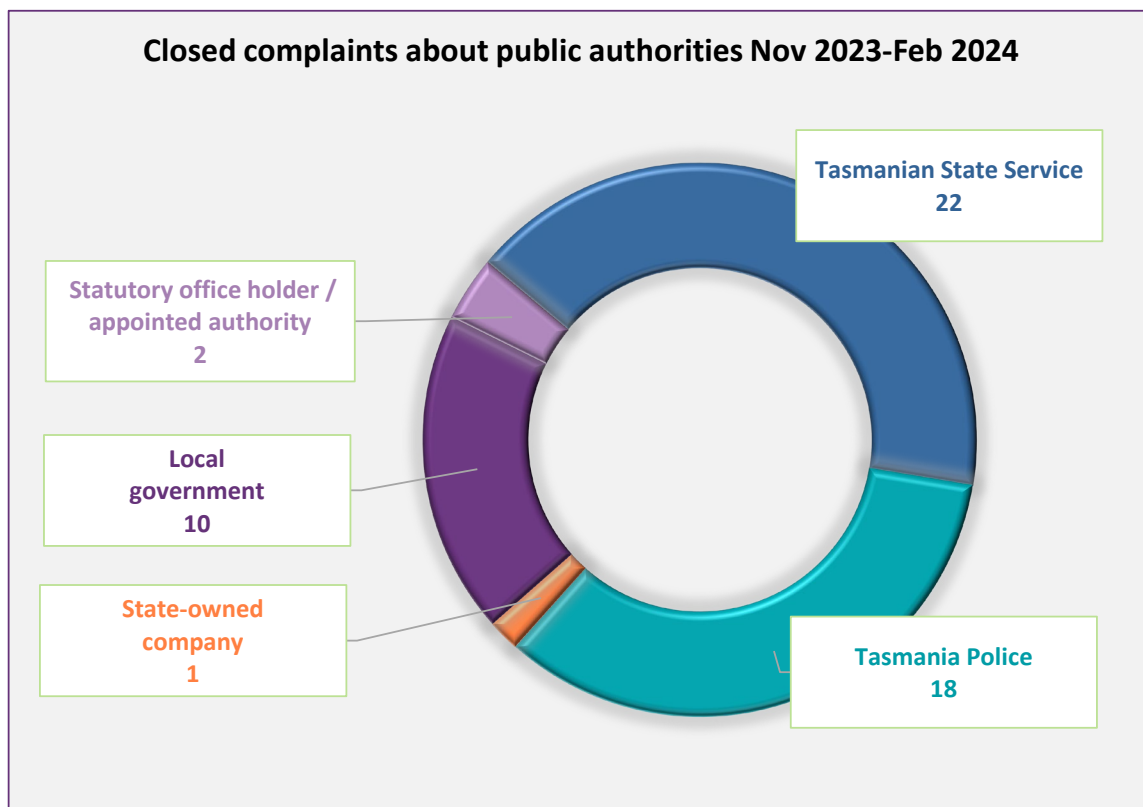
1.5. Public authorities (public sector organisations)

The table below shows public authorities (public sector organisations)* referenced in complaints that were closed during this period. It includes complaints that are assessed, investigated or the subject of an integrity tribunal. One complaint may refer to multiple public authorities.

Public authorities referenced in complaints	Nov 2023 - Feb 2024	2023-24 YTD
Tasmanian State Service	22	51 [#]
Tasmania Police	18	36
Local government	10	26
Government business enterprise	-	1
Statutory office holder/appointed authority	2	4
State-owned company	1	3
University of Tasmania	-	1
Parliament	-	5
Not in jurisdiction	1	1
Total	54	128

* Public authorities are defined in section 5 of the *Integrity Commission Act 2009 (IC Act)*. Some of the categories have been combined for this table.

[#] Decisions made on pending matters have resulted in updating of some matters after completion of the last triannual report. Some figures have changed since the last report.



1.6. Protected disclosures

Complaints made to the Commission must also be considered under the *Public Interest Disclosures Act 2002 (PID Act)*. Where a complaint is also a protected disclosure, the complainant will receive protection from retribution under the *PID Act* while the complaint remains with the Commission.

If a person makes a disclosure to the Ombudsman or a public body, they may refer the disclosure to the Integrity Commission under the *PID Act*.

Protected disclosures managed by the Commission	Nov 2023 - Feb 2024	2023-24 YTD
Complaints assessed as protected disclosures	2	3
Protected disclosure referrals received	-	-
Protected disclosures received that are not complaints	-	-

Notifications, information reports and projects

1.7. Notifications and information reports registered

A ‘notification’ is formal notice of a matter that may involve misconduct from a public authority.

‘Information reports’ are reports of potential misconduct made to the Commission that are not complaints or notifications.

Non-complaint matters registered	Nov 2023 - Feb 2024	2023-24 YTD
Notifications (not including police notifications)	47	79
Police notifications	12	25
Information reports	16	22

1.8. Completed projects

The Commission undertakes projects about misconduct risk areas to assist us in deciding whether to take further action. Further action may include good practice educational materials, a research report, and/or an own-motion investigation.

Projects completed	Nov 2023 - Feb 2024	2023-24 YTD
Projects completed	-	1

2. Assessments

An assessment is a preliminary inquiry to decide whether a complaint should be investigated and, if so, whether the Commission is the best organisation to undertake the investigation.

We aim to complete assessments within 40 working days. From 1 November 2023 to 29 February 2024, the median duration of completed assessments was 32 working days.

12 assessments were completed. Of these, 7 were dismissed and 2 had decisions pending.

Assessments	Nov 2023 - Feb 2024	2023-24 YTD
Commenced	11	23
Completed	12	21

3. Investigations

Investigations are conducted for the most serious misconduct allegations received by the Commission, and/or allegations about senior public officers. The median duration of completed investigations was 397 working days.

Complaint investigations	Nov 2023 - Feb 2024	2023-24 YTD
Commenced	2 ¹	3 ²
Completed	1	1

The Commission undertakes investigations into misconduct without receiving a complaint or notification. These are known as 'own-motion' investigations (OMI).

OMI	Nov 2023 - Feb 2024	2023-24 YTD
Commenced	3	3
Completed	-	-

Investigation outcomes (both complaint and OMI)	Nov 2023 - Feb 2024	2023-24 YTD
Dismiss	-	-
Refer	1	2 ³
Inquiry by Integrity Tribunal	-	-
Commission of Inquiry	-	-
No determination	-	-
Board decision pending	-	-
Includes Board recommendation	1	2 ³

¹ Two complaints/assessments led to one investigation.

² Three complaints/assessments led to one investigation.

³ Decision for investigation completed in 2022-23.

4. Research and compliance

4.1. Audits

The Commission audits matters that are referred for action, or matters notified to us by public authorities.

Audits: completed	Nov 2023 - Feb 2024	2023-24 YTD
Ad hoc audits (does not include ad hoc police audits)	7	7
Ad hoc police audits	2	4
Audit of a class of complaints against police under section 88(1)(c) of the <i>IC Act</i>	-	-
Total	9	11

4.2. Public reports

One public report was published on our website in the reporting period, and is accessible via this link:

▼ [Report 3 of 2023 - Project Vulcan - gifts and benefits; An audit of State Service agencies' public registers](#)

Public reports and recommendations	Nov 2023 - Feb 2024	2023-24 YTD
Reports published on website	1	2*
<i>Compliance</i>	-	-
<i>Research</i>	1 [#]	1 [#]
<i>Operational</i>	0	0
Reports tabled in Parliament	1 [#]	1 [#]
Reports provided to Joint Standing Committee on Integrity	-	-
Reports with public recommendations	1 [#]	1 [#]

* One report does not align with the categories in the table as it relates to a program.

[#] The figure in the Nov 2023 - Feb 2024 and YTD columns above relate to one report only, and not 3 reports in total.

EDUCATION AND ENGAGEMENT UNIT

1. Training delivery

Our education and engagement unit focuses on building integrity capability for individuals and organisations. We provide tailored training for different sectors, organisations and roles. Our training equips public officers with the skills, knowledge and practical tools to promote integrity and manage misconduct risks in their organisation. Demand for training fluctuates throughout the year, with lower demand typically in December and January.

Training delivery	Nov 2023 - Feb 2024	2023-24 YTD
Number of sessions	18	38
Number of public authorities	7	10
Total participants	199	629

Training sessions by region	Nov 2023 - Feb 2024	2023-24 YTD
North	1	3
North-West	-	2
South	16	28
Live and online	1	5
Total	18	38

Training participants by sector	Nov 2023 - Feb 2024	2023-24 YTD
Tasmanian State Service	89	425
Tasmania Police	-	81
Local government	33	33
Government business enterprise	25	25
Statutory office holder/appointed authority	-	-
State-owned company	16	16
University of Tasmania	-	-
Parliament	-	-
Whole jurisdiction	36	49
Total	199	629

2. *Integrity in Public Service* – online module

Our self-paced online training module *Integrity in Public Service* covers core topics such as: pride in public service; the role of the Commission; good decision-making; and misconduct risks. Following completion of the module, we can work with organisations to build further integrity capability through tailored training.

Online module participants by sector	Nov 2023 - Feb 2024	2023-24 YTD
Tasmanian State Service	16	41*
Tasmania Police	-	-
Local government	21	40
Government business enterprise	15	27
State-owned company	20	31
University of Tasmania		-
Parliament	-	-
Total	72	139

* Our quality assurance process sometimes leads to updating totals after publication of the triannual report. Some figures have changed since the last report.

3. *Integrity Matters* – newsletter

Our research and evaluation team prepares a newsletter, *Integrity Matters*, for distribution to our mailing list, covering special topics and news from the Commission.

Newsletter subscribers	As at 29 February 2024
Total subscribers	710

4. Ethics and integrity advice

One of our legislative functions is to provide ethics and integrity advice. This advice can be provided to public officers, on a confidential basis, when dealing with an ethical or misconduct issue (under section 8(1)(d)). Additionally, the Commission provides advice to public sector entities on codes of conduct and other policies aimed at minimising the risk of misconduct (under section 31).

Advice provided	Nov 2023 - Feb 2024	2023-24 YTD
To public sector entities under section 31 of the <i>IC Act</i>	-	-
To public officers under section 8(1)(d) of the <i>IC Act</i>	1	8



