



The Integrity Coordinating Group  
Promoting and Strengthening Integrity in WA Public Bodies

# **Taking action on integrity issues – a guide for public officers**

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# Taking action on integrity issues – a guide for public officers

Strong ethical leadership, positive organisational cultures and robust integrity systems support consistent ethical conduct by public officers. Public authorities can build integrity in their organisations by:

- modelling and leading ethical behaviour;
- establishing and communicating organisational values and expectations of ethical conduct;
- developing robust and transparent workplace policies and practices;
- monitoring ethical conduct through audits, surveys and analysis of grievances and complaints, and
- providing effective avenues for issues to be raised and for taking appropriate action.

Public officers and members of the public should raise integrity issues promptly to increase the likelihood of early resolution, without the need to escalate matters to independent external agencies. Where possible, public authorities should address and resolve issues in-house as they are often in the best position to provide a remedy if required.

When dealing with integrity issues public authorities should:

- Respond promptly.
- Understand what is raised and what can and cannot be dealt with by the public authority.
- Identify which process will be used to resolve the issue.
- Act within the authority's legislative powers and regulatory requirements.
- Act in accordance with the authority's ethical codes and policies.
- Deal with the issue in an independent manner, free from bias, and declaring and managing conflicts of interest.
- Act fairly, reasonably and in good faith.
- Recognise confidentiality and privacy requirements.
- Provide procedural fairness, including providing people who are adversely affected by a decision with the right to a hearing appropriate to the circumstances. Ensure the evidence supports the decision being made.
- Provide reasons for decisions.
- Ensure documentation is clear, transparent and capable of review.
- Be aware of their authority's responsibility to notify any suspected serious misconduct or minor misconduct of public officers.

If you require assistance in dealing with integrity issues, consult your public authority's policies and procedures or a relevant external agency.

## Where to refer concerns raised by employees

Concern	Internal contact	Other internal contact
General principles of official conduct Improper conduct Minor or serious misconduct Criminal matters	Line manager Director	Grievance officer Internal auditor Conduct and Standards Unit In the event the above is inappropriate, contact authority's Public Interest Disclosure (PID) officer
Workplace conflicts, grievances, bullying or harassment	Line manager Director	Grievance officer Occupational safety and health officer HR manager
HR matters, employment conditions, industrial issues.	Line manager Director	HR manager and staff Grievance officer Industrial relations manager
Discrimination or harassment	Line manager Director	Grievance officer HR manager
Occupational safety and health concerns	Line manager Director	Occupational safety and health officer
Fair and reasonable decision making Process and procedural concerns	Line manager Director	Grievance officer Internal auditor PID officer
Victimisation as a result of making an allegation	Line manager Director	Grievance officer or Conduct and Standards Unit PID officer

Workplace mechanism	External options
Mechanisms under the authority's code of conduct or other conduct-related policies PID procedures	Public Sector Commissioner (Minor misconduct) Corruption and Crime Commission (Serious misconduct and corruption) WA Police (Criminal matters) Office of the Auditor General (Serious and substantial misuse of public resources) Department for Local Government and Communities (conduct of local government councillors)
Grievance policy and procedures Occupational safety and health policy and procedures	Department of Commerce, WorkSafe
HR policies and procedures Grievance policy and procedures Processes under awards and agreements	Public Sector Commission (HR matters) Industrial Relations Commission (industrial issues)
Equal opportunity and/or harassment policy and procedures Grievance policy and procedures	Equal Opportunity Commission Australian Human Rights Commission
Occupational safety and health policy and procedures	Department of Commerce, WorkSafe
Grievance policy and procedures Appeal mechanisms in the policy or other instrument under which the decision was made PID procedures	Western Australian Ombudsman
Grievance policy and procedures PID procedures	External mechanisms for victimisation are generally available under the process for the original allegation Equal Opportunity Commission for victimisation relating to a PID

## Where to refer concerns raised by customers or members of the public

Concern	Initial internal contact	Other internal contact
Matters of official conduct Improper conduct Minor or serious misconduct Criminal matters	Service delivery area or authority contact	Complaints officer Conduct and Standards Unit PID officer
Quality of, or access to, goods or services	Service delivery area or authority contact	Complaints officer
Discrimination or harassment	Service delivery area or authority contact	Complaints officer
Fair and reasonable decision making	Service delivery area or authority contact	Complaints officer
Access to personal information (note: there is no privacy legislation which applies to WA state and local government)	Service delivery area or authority contact	Freedom of information (FOI) officer
Victimisation as a result of making an allegation	Service delivery area or authority contact	Complaints officer Conduct and Standards Unit

Authority mechanism	External options
Complaints management process PID procedures	Public Sector Commissioner (Minor misconduct) Corruption and Crime Commission (Serious misconduct and corruption) WA Police (Criminal matters) Office of the Auditor General (Serious and substantial misuse of public resources) Department for Local Government and Communities (Conduct of local government councillors)
Complaints management process	Ombudsman Western Australia Department of Commerce, Consumer Protection Office of the Auditor General (where it relates to system issues, rather than an individual)
Complaints management process	Equal Opportunity Commission Australian Human Rights Commission
Complaints management process	Ombudsman Western Australia Office of the Auditor General (where it relates to system issues, rather than an individual)
FOI policy and procedures	Office of the Information Commissioner
Complaints management process PID procedures	External mechanisms for victimisation are generally available under the process for the original allegation. Equal Opportunity Commission for victimisation relating to a PID

## Processes used in taking action on integrity concerns

Auditing, reviews, examinations and inquiries	
Office of the Auditor General	The Auditor General conducts annual financial audits, including of financial statements, controls and key performance indicators, broad and narrow scope performance audits and information systems audits.
Public Sector Commission	The Public Sector Commissioner has power to conduct reviews and special inquiries about matters relating to the public sector, either at the direction of the Premier or of his own motion. The Commissioner monitors the way in which independent agencies and appropriate authorities take action in relation to minor misconduct.
Corruption and Crime Commission	The Corruption and Crime Commissioner monitors the way in which independent agencies and appropriate authorities take action in relation to serious misconduct.
Western Australian Ombudsman	The Ombudsman conducts own motion investigations into administrative decision making and practices of public authorities.
Office of the Information Commissioner	The Information Commissioner undertakes external reviews of agency decisions on freedom of information access requests.

### Notes:

The Auditor General's legislated mandate does not extend to auditing the activities of local governments. The Auditor General does have limited scope to audit local government activities when they are provided with moneys by state government agencies, or act as their agent.

All public authorities (except for State and local government elected members, Clerks of the houses of Parliament and Police) are covered by the Public Sector Commission for minor misconduct matters. The Public Sector Commission does not cover local governments, public universities and government trading enterprises for official conduct and human resource standards; however, these agencies are covered for public interest disclosures.

## Investigations

The Auditor General conducts public interest disclosures investigations into substantial mismanagement or waste of public resources.

The Public Sector Commissioner conduct conducts investigations about matters relating to the public sector and public interest disclosure investigations where the issue raised are within his sphere of responsibility

The Corruption and Crime Commissioner conducts investigations (or takes other action) in relation to serious misconduct.

The Ombudsman conducts investigations into complaints by members of the public about the decision making and practices of public authorities and conducts public interest disclosure investigations relating to matters of administration.

The Information Commissioner does not have express legislative power to undertake investigations but has a broad advice and awareness function.

## Involvement of external agencies

Independent external agencies may become involved in integrity issues if:

- **A person refers an issue directly**  
Issues referred may be systemic or in the public interest, such as a matter that meets the definition of a public interest disclosure or an individual complaint, such as a complaint to the Western Australian Ombudsman.
- **A legislative obligation requires referral**  
Legislation may require issues be referred directly to an external agency such as the Corruption and Crime Commission or the Public Sector Commission. For example, there is a legislative obligation to notify the Corruption and Crime Commission of any suspected serious misconduct and Public Sector Commission of any suspected minor misconduct, even if it is being dealt with by the public authority.
- **An external agency identifies a need for an audit, review, inquiry or investigation**
  - Audits, performance examinations or investigations may be carried out by the Auditor General.
  - An own motion investigation into matters of administration may be initiated and conducted by the Western Australian Ombudsman.
  - An inquiry, review or investigation may be conducted by the Public Sector Commissioner, either at the direction of the Premier or by his own motion.
  - When public authorities conduct certain investigations the Public Sector Commission or Corruption and Crime Commission have referred to them, monitoring activities may be initiated to oversee the public authority's handling of the investigation.

There are a number of additional external bodies with which complaints about individual or systemic concerns can be lodged. These include the:

- Health and Disability Services Complaints Office
- Parliamentary Inspector for the Corruption and Crime Commission
- Office of the Inspector of Custodial Services
- Equal Opportunity Commission, and
- WorkSafe Division of the Department of Commerce.

You can ask the public authority where you have raised your issue to advise you of the appropriate independent external body to refer your concerns to.

## Contact details

This guide has been developed by the Integrity Coordinating Group. Further details on the roles of ICG member bodies, the information in this guide and other resources are available on the ICG website ([www.icg.wa.gov.au](http://www.icg.wa.gov.au)) or on member bodies' websites.

Contact details for the members of the ICG can be found on their websites, listed below.

### **ICG**

[www.icg.wa.gov.au](http://www.icg.wa.gov.au)

### **Office of the Auditor General**

[www.audit.wa.gov.au](http://www.audit.wa.gov.au)

### **Public Sector Commission**

[www.publicsector.wa.gov.au](http://www.publicsector.wa.gov.au)

### **Corruption and Crime Commission**

[www.ccc.wa.gov.au](http://www.ccc.wa.gov.au)

### **Western Australian Ombudsman**

[www.ombudsman.wa.gov.au](http://www.ombudsman.wa.gov.au)

### **Office of the Information Commissioner**

[www.foi.wa.gov.au](http://www.foi.wa.gov.au)

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**CORRUPTION  
AND CRIME  
COMMISSION**



**Ombudsman  
Western Australia**

Serving Parliament - Serving Western Australians



**Office of the Auditor General**  
Serving the Public Interest



**Office of the  
Information Commissioner**

*Freedom of information for Western Australia*

**PSC** | Public Sector  
Commission