



Complaints about the Director-General

Purpose

This procedure outlines how the Department of Local Government, Racing and Multicultural Affairs (the department) will deal with a complaint that involves or may involve corrupt conduct by its public official, the Director-General as defined in the *Crime and Corruption Act 2001* (the Act).

Scope

This procedure applies to:

- If there are grounds to suspect that a complaint may involve corrupt conduct of the Director-General of the Department; and
- all employees of the department and non-employees including contractors, consultants, volunteers and any other person or entity who provides the department with services on a paid or voluntary basis.

For the purposes of this procedure, complaints include information or a matter that involves corrupt conduct, as defined under section 48A(4) of the Act.

Definitions

See **Appendix A** for definitions of key terms referred to in this procedure.

Responsibilities and accountabilities

Role	Responsibilities
All employees	<ul style="list-style-type: none"> • Comply with section 48A of the Act
Managers and supervisors	<ul style="list-style-type: none"> • Ensure that employees are aware of their obligations under the Act in relation to a complaint that is suspected to involve, or may involve, corrupt conduct of the Director-General
Ethics	<ul style="list-style-type: none"> • Promote accountability, integrity and transparency in the way it deals with a complaint that is suspected to involve, or may involve, corrupt conduct of the Director-General • Maintain an internal reporting system as part of the complaints management process
Director, Ethics	<ul style="list-style-type: none"> • Ensure appropriate consultation and communication occurs with Crime and Corruption Commission (CCC) by acting as the department's liaison officer



Role	Responsibilities
Deputy Director-General, Strategy, Governance and Engagement	<ul style="list-style-type: none"> Act as the nominated person for complaints about the Director-General for the department
Director-General	<ul style="list-style-type: none"> Advise the CCC and the nominated person of any changes to their contact details Consult with the CCC when preparing any policy about how the department will deal with a complaint that involves or may involve corrupt conduct of the Director-General.

Procedure

Complaints reporting

If a complaint may involve an allegation of corrupt conduct of the public official of the department, the complaint may be reported to the:

- Nominated person - Deputy Director-General, Strategy, Governance and Engagement and/or
- department's CCC Liaison Officer - Jim.Meyers@dsdmip.qld.gov.au

If there is uncertainty about if a complaint should be reported, it is recommended to report it to the nominated person and/or the department's CCC Liaison Officer.

If the nominated person and/or the CCC Liaison Officer reasonably suspects the complaint may involve corrupt conduct of the public official, they are to:

- notify the CCC of the complaint
- the nominated person is to deal with the complaint, subject to the CCC's monitoring role when:
 - directions issued under section 40 apply to the complaint, if any, or
 - pursuant to section 46, the CCC refers the complaint to the nominated person to deal with.

If the public official reasonably suspect that the complaint may involve corrupt conduct on their part, the public official must:

- report the complaint to the nominated person and/or the CCC Liaison Officer as soon as practicable and may also notify the CCC
- take no further action to deal with the complaint unless requested to do so by the nominated person in consultation with the Minister.

If directions issued under section 40 apply to the complaint:

- the nominated person is to deal with the complaint
- the public official is to take no further action to deal with the complaint unless requested to do so by the nominated person in consultation with the Minister.

If pursuant to sections 40 or 46 of the Act, the nominated person has responsibility to deal with the complaint:



- the department will ensure that sufficient resources are available to the nominated person to enable them to deal with the complaint appropriately
- the nominated person is to ensure that consultations, if any, for securing resources sufficient to deal with the complaint appropriately are confidential and are not disclosed, other than to the CCC, without:
 - authorisation under a law of the Commonwealth or the State
 - the consent of the nominated person
- the nominated person must always use their best endeavours to act independently, impartially and fairly having regard to the:
 - purposes of the Act
 - the importance of promoting public confidence in the way suspected corrupt conduct in the department is dealt with
 - the department's statutory, policy and procedural framework

If the nominated person has responsibility to deal with the complaint, they:

- are delegated the same authority, functions and powers as the public official to direct and control staff of the department as if the nominated person is the public official of the department when dealing with the complaint
- are delegated the same authority, functions and powers as the public official to enter into contracts on behalf of the department for dealing with the complaint
- do not have any authority, function or power that cannot – under the law of the Commonwealth or the State – be delegated by either the Minister or the public official to the nominated person.

Reference documents

- [Crime and Corruption Act 2001](#)
- [Public Service Act 2008](#)
- [Public Interest Disclosure Act 2010](#)
- [Anti-Discrimination Act 1991](#)
- [Judicial Review Act 1991](#)
- [Information Privacy Act 2009](#)
- [Directive relating to managing employee complaints](#)

Related documents

- [Complaints management policy](#)
- [Public interest disclosure procedure](#)
- [Managing employee complaints procedure](#)
- [Human resources delegations](#)



Appendix A – Definitions

The key terms referred to in this policy are as follows:

Term	Definition
Complaint	Includes information or a matter involving corrupt conduct (Section 48A(4) of the Act).
Corrupt conduct	Refer to section 15 of the <u>Crime and Corruption Act 2001</u> for the definition of corrupt conduct.
Nominated person	Deputy Director-General Strategy, Governance and Engagement Rebecca.Atkinson@dlgrma.qld.gov.au
Public Interest Disclosure	An appropriate disclosure of public interest information (such as a report of corrupt conduct, reprisal, maladministration that affects a person's interests in a substantial and specific way, substantial misuse of public resources, substantial and specific danger to public health and safety to the environment) made to a proper authority.
Public Official	As referred to in section 48A and defined in Sch 2 of the Act and for the purposes of this procedure, a public official refers to the Director-General.