

REPORTING WRONGDOING – OPTIONS AND PATHWAYS

The ACTPS ecosystem for reporting wrongdoing has multiple pathways and no wrong doors within the integrity framework

Disagreement or differences of opinion do not always result in inappropriate behaviour or misconduct.

In all cases it is important that you address workplace issues in a timely and mature manner to support the likelihood of a positive resolution.

Resources are available [here](#)

Ask yourself two questions:

- 1. What is the nature of my concern?**
- 2. Who should I be talking to?**

Most of the time, your first port of call will be:

- **Your supervisor**
- **Your area's Executive**
- **Your area's HR Team**



Other reporting avenues include:

- [PSU or PSSC](#)
- [ACTIC](#)
- [SERBIR](#)
- [PID disclosure officer](#)
- [RC contact officer](#)
- [REDCOs](#)
- [SafetyPortal](#)

Workplace Issues

WHAT

Workplace issues are incidents that are seen as inappropriate by the person experiencing or observing them.

Direct managers and HR are often both the first port of call for reports and the parties responsible for seeking resolution.

Workplace issues vary widely in terms of seriousness. They can range from inappropriate use of language to sexual harassment and discrimination.

HOW

A workplace issue is generally, in the first instance, managed through the conduct of a [Preliminary Assessment](#). This is intended as a review undertaken by the responsible manager or supervisor.

The Assessment could result in a wide range of outcomes, such as no further action, restorative actions, counselling, or a referral for further investigation into alleged misconduct.

[More >>](#)

Misconduct

WHAT

Workplace concerns may be referred to the Public Sector Standards Commissioner (PSSC) and Professional Standards Unit (PSU) for an investigation. A referral may be made with or without a [Preliminary Assessment](#) occurring.

The [Public Sector Management Act 1994](#) (PSM Act) requires public servants to report maladministration, corrupt or fraudulent conduct.

HOW

The purpose of an investigation is to examine and evaluate all relevant facts of a case to enable a determination of whether, on the balance of probabilities, the alleged conduct or behaviour occurred and whether it was consistent with the definition of misconduct.

Following an investigation, the PSU/PSSC will advise if the allegation(s) are substantiated; the delegate will then determine if misconduct is found to have occurred. If there is a determination of misconduct, the delegate will then determine what, if any, sanctions are appropriate.

[More >>](#)

Corruption

WHAT

The Integrity Commission identifies, investigates, exposes and prevents corruption in the ACT Public Sector.

The Commission receives and assesses allegations of corrupt conduct in the ACT public sector. Priority is given to investigating and exposing serious and systemic corrupt conduct.

The [Integrity Commission Act 2018](#) requires all SES members to report suspected serious or systemic corrupt conduct.

HOW

Anyone can [report](#) an allegation of corrupt conduct to the Commission.

Once an allegation is received, it is assessed. The Commission can either dismiss, refer or investigate the matter.

An investigation report may contain findings, opinions, or recommendations. A matter may also be referred (e.g. DPP).

Reports may not be public. However, the person who reported the matter will be told if the investigation is discontinued or completed.

[More >>](#)

Public Interest Disclosure

WHAT

The *Public Interest Disclosure Act 2012* (PID; PID Act) protects people who speak up about 'disclosable conduct'.

Disclosable conduct is defined as maladministration or conduct that results in a substantial and specific danger to public health or safety, or the environment.

Anyone can make a PID, however for the report to be considered a PID and covered by the PID Act protections, it must concern 'disclosable conduct'.

HOW

A PID report is made to a [disclosure officer](#) or other person/entity specified in the PID Act.

Disclosure officers must refer reports of disclosable conduct to the Commission, if satisfied the disclosure is about disclosable conduct and was made in good faith. The Commission must either investigate the disclosure or refer it to a nominated entity for investigation.

If disclosable conduct has occurred the public sector entity must take action to prevent the conduct continuing.

[More >>](#)

Reportable Conduct

WHAT

The Reportable Conduct Scheme covers allegations or convictions of child abuse or misconduct towards children.

All public sector employees are required to report reportable conduct, in both their professional and private lives

The Reportable Conduct Scheme does not replace other obligations for reporting allegations of misconduct, including mandatory reporting, such as mandatory reporting to Children, Youth and Families.

HOW

[Reportable Conduct contact officers](#) are appointed in each Directorate.

If you are made aware of an allegation of reportable conduct you should contact your Directorate's reportable conduct contact officer.

If a matter requires further clarification, the Reportable Conduct contact officer will approach the ACT Ombudsman.

[More >>](#)