

3 Managing a referral from the CCC

As you will see in this chapter, investigation is not the only option available to you when dealing with complaints referred to you by the CCC. Subject to any directions received from the CCC, you can choose to:

- take no action
 - take appropriate management action
- or
- investigate.

Investigations can be expensive and time-consuming. Another course of action may be more appropriate, depending on the nature and scope of the complaint.

Referrals from the CCC

The CCC's referral will advise you of:

- the complainant (unless anonymity has been requested, or the CCC has identified a risk in disclosing this information)
- the subject officer (if known)
- the reasons for the assessment
- any directions for how the complaint should be dealt with
- the timeframes for reporting back to the CCC (if applicable)
- as much information as the CCC can disclose, to assist in the investigation of the complaint.

Based on the CCC's assessment of the complaint (see chapter 1), a referral from the CCC may stipulate that:

- you should deal with the complaint, subject to any recommendation or direction provided by the CCC, and either—
 - the CCC will not require any further report about it
 - the CCC will apply some level of monitoring (see “How the CCC ensures complaints are dealt with appropriately” in chapter 1)
- you should carry out further preliminary enquiries and report back to the CCC before a final assessment can be made
- you should investigate the complaint, either alone or in cooperation with the CCC (e.g. in cases where the CCC's coercive powers may be required).

How to deal with a referral

Under section 44(2) of the CC Act, you are responsible for dealing with a complaint referred to you in the way you consider most appropriate, subject to any directions given by the CCC.

Some of the complaints referred to you will have been made directly to the CCC, so you will not have heard of them before. Regardless of how the complaint comes to you, or how you ultimately choose to deal with it, you must be careful from the outset to maintain confidentiality and preserve evidence (see chapter 5).

Make preliminary enquiries

When deciding how to deal with a complaint, preliminary enquiries can help you to ascertain the nature and extent of any conduct that may have led to the complaint.

Just because a complaint has been referred to you to deal with, don't assume that there has actually been corrupt conduct on the part of the subject officer, or even that there is substance to the complaint. For example, an allegation of corrupt conduct in a tender process may have arisen simply because a contractor was unsuccessful in a tender and thereby suspected corrupt conduct, when in fact the process was strictly in compliance with policy and procedures and another contractor provided the best offer.

On the other hand, while there may be no corrupt conduct, there may still be workplace issues that need to be dealt with. For example, your policies may not have been adequately communicated to tenderers, which contributed to the allegation of corrupt conduct.

Once you are satisfied that you understand the nature and scope of the complaint, and any conduct that may have led to it, you can make a decision about how to deal with it.

Take no action

Section 44(3) of the CC Act allows you to take no action, or discontinue action, if you are satisfied that:

- the complaint—
 - is frivolous or vexatious
 - lacks substance or credibility
- dealing with the complaint would be an unjustifiable use of resources.

You need to consider the circumstances carefully before drawing any conclusions, especially given the fact that, if the CCC had sufficient information to reach any of these conclusions itself, it would not have referred the case to you in the first place.

You must also remember that section 44(4) requires you to advise any complainant of your reasons for deciding to take no action, so your decision needs to be defensible.

Determining if a complaint is frivolous, vexatious or not made in good faith

Indicators could include:

- The complainant has a history of making false or unsubstantiated complaints.
- There is no information to support the allegation in any way.
- The allegation is not serious or sensible, and is of such a nature that a reasonable person could not treat it as being bona fide.
- The allegation is without any foundation and appears to be designed to harass, annoy or embarrass the subject officer.
- The allegation is inherently improbable and there is no information that in any way supports it.

However, complaints should not be dismissed on the basis of these indicators alone. A complaint may, at first glance, appear emotive, malicious or quite incredible, as in the case study below, yet turn out to be true, so careful analysis of such complaints should be made to isolate the basic information sources, which should then be assessed on their merits.

Allegations made	Further investigation revealed ...
The QPS reported an allegation that a serving police officer was “recruiting” adults and children as undercover police informants. The officer had allegedly been inducing them to provide him with samples of pubic hair and photographs of themselves naked, asserting that this was part of the recruitment process.	Despite this allegation appearing too preposterous to be true, especially in relation to educated adults, the former CMC investigated the allegations, assisted by officers from the QPS. The investigation yielded sufficient evidence to support a prosecution in relation to the allegations. The officer was convicted and sentenced to five years imprisonment.

You should therefore make some preliminary enquiries before determining that a complaint is frivolous, vexatious or lacking in substance.

Under sections 216 and 216A of the CC Act, it is an offence to make a complaint that is vexatious or not made in good faith. If you decide to take no further action on this basis, you should advise the CCC, which can decide whether or not to take any action against the complainant.

Do not write off a complaint simply because it is made anonymously, or because the complainant later withdraws the complaint. Although it may not be possible to rely on the complainant for evidence in either situation, the allegations should still be tested by other means if possible. Anonymity alone is not a sound basis for determining that a complaint is lacking credibility.

Unjustifiable use of resources

Action may be an unjustifiable use of resources if:

- the law or policy alleged to have been breached is no longer in force
- the lapse of time between the alleged corrupt conduct and the making of the complaint reduces the likelihood of productive investigation through inability to obtain relevant evidence
- the complaint is repetitious — repeating, without any additional grounds and with no fresh allegations or evidence, the substance of a previous complaint that has been dealt with
- the complaint cannot be substantiated because there could not be any evidence capable of proving the allegations.

The following scenario shows a case that would be impractical to pursue for a number of reasons.

Allegations made	Unjustifiable use of resources because ...
Your internal audit unit has found that, three years ago, before the implementation of asset control measures, it was common practice for staff to take stationery home for personal use.	It would no longer be productive to investigate these allegations — three years have elapsed, the monetary value is not high, and the new control measures prevent similar behaviour. However, this should not prevent you from considering what steps you can take to address any ongoing systemic or workplace issues, or any policy or procedural deficiencies.

Factors to consider when taking action

When the CCC refers a complaint to you with a direction to conduct an investigation, you must investigate. Otherwise, if the CCC indicates that it will simply review or audit the case, you can choose how best to deal with it.

The nature of any action you take — investigation or management action — will depend on a range of factors that you should consider systematically by asking questions such as:

- What was the outcome of any preliminary enquiries into the allegations? You may have identified deficiencies in your UPA’s procedures that directly or indirectly led to the conduct, rather than blatant corrupt conduct on behalf of any officer. Complaints often result from organisational communication problems or misunderstandings that can be readily resolved, although poor organisational or personal practices are no excuse for serious or systemic corrupt conduct.
- How serious is the complaint? As the seriousness of the allegation is an important determinant, you must find this out quickly. You should seek to ascertain the nature and scope of the alleged conduct, the circumstances surrounding the complaint, and the likely outcome if the alleged conduct is proven.
- What does the complainant want to see happen as a result of making the complaint? For example, they may want an explanation or an apology, or reassurance that the person they complained about will not do the same thing again to someone else. The complainant may have little knowledge of the various responses available, so explain them in a way that enables them to understand that there may be other options apart from formal investigation that can satisfy their concerns. Take care not to influence the complainant to accept a “soft option”.
- Will there be sufficient evidence to lead to a successful prosecution or disciplinary action?
- What is the history of complaints against the subject officer? Is there a pattern of complaints and, if so, what remedies have already been tried? It may also be useful to consider the complaints history of the unit in which the subject officer works, and that of other officers who have the same supervisor. For example, an allegation of a particular type may be referred to you that, at first glance, you could deal with appropriately by actions other than investigation. If, however, the allegation is not the first of its type concerning the same officer or the same work unit, it may be more appropriate to investigate it. Consider the following scenario.

Allegations made	Dealing with the original allegation	A history develops
An allegation is made that an IT officer involved in awarding contracts has been receiving gifts from a major IT contractor.	<p>Preliminary enquiries reveal that the officer has received several gifts from the supplier which have not been declared. Individually, each gift is only of token value, but collectively their value is close to \$400.</p> <p>An appropriate response might be to give the officer guidance and training to ensure that she is aware of your policies around the giving and receiving of gifts, and your code of conduct. The gifts should be registered in accordance with your policies in this regard.</p>	<p>Six months later, further allegations are made that the officer has received more significant gifts from several suppliers (e.g. electronic equipment, airfares, accommodation), again without declaring the gifts.</p> <p>On this occasion, a full investigation of the conduct of the officer may be warranted because of the nature of the allegation and the subject officer’s history. The fact that the officer had recently received training about your agency’s policies escalates the seriousness of the conduct.</p>

In situations such as the above scenario, you should weigh your decision about how to deal with the allegations, and how much effort to expend, against:

- the educative and deterrent value of a good investigation
- the likelihood of increased public confidence in the accountability and transparency of your UPA’s decision-making processes
- the restoration of the good reputation of the person being complained about, where allegations are publicly known
- the opportunity to identify and rectify any systemic problems, any policy or procedural deficiencies or any workplace issues.

Management action

Once you have decided that the case warrants management action rather than a full investigation, you must choose the appropriate management strategy to use to:

- resolve the complainant's concerns
- deal with the conduct of any individual
- address any systemic or workplace issues, and any policy or procedural deficiencies, to maintain standards of behaviour.

Strategies could include:

- undertaking enquiries
- performance improvement
 - guidance
 - counselling
 - training
- systems improvement, including amendments to policies and procedures
- preventive action
- dispute resolution or mediation.

In resolving a case, you should tailor the response to fit the offending behaviour and the circumstances in which it occurred. You may have some established ways of handling less serious complaints that have been successful in the past — the important thing is that your decision on the appropriate action to take can be justified. The scenarios at the end of this section can help you identify possible strategies.

Explanation to the complainant

In some cases it may be appropriate for the relevant manager to meet with the complainant to discuss their concerns and try to resolve them. Such a meeting might include the subject officer, if there is a need for the complainant and that officer to have continuing contact.

Performance improvement

An appropriate response might include increased supervision or performance improvement strategies, giving guidance or counselling, or providing specific training for the subject officer (or more broadly). This type of response suits less serious complaints that relate to the competence or performance of the subject officer, or minor breaches of policies, procedures or the code of conduct.

Systems improvement

The conduct may have occurred because of lack of awareness on the subject officer's part about certain policies or procedures. This might be remedied by a bulletin to all staff about the provisions of those policies and procedures, as well as a review of your UPA's induction processes to ensure all new staff are fully aware. This type of response suits less serious complaints that relate to minor breaches of policies, procedures or the code of conduct.

Mediation

Where you cannot resolve a complainant's concerns — for example, when the complainant is unwilling to accept the management action taken or proposed, and maintains they have serious concerns that must be addressed — mediation may be appropriate. This process may help a complainant explain why they feel that they have been inappropriately treated, and the consequences for them of the alleged conduct. One of the outcomes could be to make the subject officer more self-aware, and so improve their behaviour. It may also provide a better opportunity for your UPA to gain an insight into any procedural deficiencies or systemic issues.

Investigation

There will be some cases where a full investigation of the complaint is the only appropriate response. In other cases, an investigation may only be justified if there are good prospects of the allegation being substantiated, and no other method of dealing with the complaint can satisfy the needs of the stakeholders. Sometimes an investigation may be necessary to clear the subject officer and restore their reputation, or identify and address any systemic issues.

Because the consequences are so serious, you should take the utmost care to ensure that such complaints are investigated fairly and thoroughly. Chapters 6–10 provide guidance on how to investigate a complaint referred by the CCC.

It is not necessary to await the outcome of an investigation into the conduct of an individual before taking management action to deal with any systemic or workplace issues. For example, it may be apparent from preliminary enquiries that your UPA is at risk because of the absence of appropriate checks and balances in a particular process, and immediate steps can be taken to rectify this.

Deciding whether to investigate

Ask yourself:

- Are the issues raised by the complainant serious? Are the monetary amounts or other benefits, or the detriment to another person, substantial (e.g. although the conduct would amount to a criminal offence — e.g. theft — if the value involved is low, a prosecution is unlikely)?
- How many staff are alleged to be involved?
- Does the complaint indicate a systemic problem or a serious abuse of power (e.g. a single complaint may not appear worth investigating, but a series of complaints relating to the same issue or against the same officer might suggest that an investigation is needed to determine whether there is a pattern of conduct or a broader systemic problem)?
- What significance does the complaint have for your UPA?
- How long is it since the events took place (e.g. if the events occurred a long time ago, it may be difficult to track witnesses and documents, recollections of events will be less reliable, and evidence may be unavailable)?
- Is there a better mechanism for dealing with the complaint?
- What course of action, if any, has the CCC recommended?
- Would the investigation be an unjustifiable use of resources?

Establishing an investigation

If you are conducting an investigation — either because the CCC has directed you to, or because you believe it is the best course of action under the circumstances — you first need to develop the scope and purpose of the investigation and choose an investigator.

Developing the scope and purpose

You need to be clear about what kind of investigation will be required so that you can impart this to the investigator.

The scope and purpose (sometimes called the terms of reference) will dictate:

- the powers that will be needed to investigate the complaint
- the resources that will be needed
- the authorisation necessary to undertake the investigation
- the outcomes that are required.

The scope and purpose should take account of the practicalities of an investigation, particularly the resources available to the investigator. Without a statement of scope and purpose, the investigator may be tempted to take the investigation into areas that are not necessarily material to the original allegations. The investigation may blow out or lose direction.

The scope and purpose will usually be developed by you, often in consultation with the investigator. However, sometimes you may delegate the entire responsibility to the investigator.

Check with your UPA's human resources and legal departments for details of disciplinary procedures, statutory functions, and employee awards, contracts or agreements.

The scope must set out the bounds of the investigation. It should:

- not just reiterate the allegations made by the source
- be framed in neutral terms that do not suggest that the issues have been prejudged
- set a timeframe in the scope of the investigation that will let the investigator gather the relevant information. A particular day may be specified when the conduct allegedly occurred, or you might go back six months or two years to establish ongoing or systemic issues.

You should also make it very clear whether the investigator is simply to gather information for you to consider, or is required to:

- make findings about the conduct of the subject officer
- make findings about your UPA's policies and systems
- make recommendations as to the appropriate action
- recommend redress for anyone who has suffered detriment because of the conduct.

Regardless of whether you ask the investigator to make findings and recommendations or just gather information, on receipt of the final report, you must analyse the contents, including supporting evidence, prior to making your final decision on the allegations. If you intend to assign responsibility for making the final decision to another officer (not the investigator), this should also be done as part of the scope and purpose of the investigation.

You should also work out the purpose of the investigation for your UPA. A useful question to ask is: "How does this affect the functions or role of my UPA?"

Try to frame your scope and purpose as broadly as possible around the central focus of the allegations. This may avoid the need to amend your document if more information comes to light, for example, more serious allegations, or systemic issues that need to be addressed.

Choosing an investigator

Legislation, guidelines or policies governing the disciplinary system applicable to your UPA will generally set out who may conduct disciplinary investigations. It is not uncommon for a specialist internal unit, external consultants (including retired former senior officials), or a senior member of staff to be made responsible for investigations.

Where possible, an investigation should not be conducted by anyone with direct involvement with the person or complaint being investigated. In particular, think carefully before deciding to appoint the subject officer's supervisor to investigate a complaint. In some instances, this may be appropriate, but not if the conduct complained of was directly or indirectly influenced by the supervisor's actions or inaction.

The investigator who is appointed should:

- have the necessary skills and experience to conduct the investigation, taking into account the likelihood of the investigation resulting in prosecution or termination
- be able to remain objective (see chapter 5)
- have sufficient seniority to conduct an interview with the subject officer.

If criminal proceedings are likely, the investigation should be conducted by trained specialist investigators only.

Limited resources

You may encounter significant resource problems in undertaking an investigation, particularly if your UPA is small. You might also experience difficulties in:

- ensuring confidentiality
- gaining access to witnesses who may be reluctant to come forward
- maintaining organisational stability, such as when key staff are offline to conduct an investigation
- dealing with stakeholder pressure for a quick result
- dealing with any perceived lack of impartiality, particularly if the complaint involves a senior officer.

One of the factors that you will need to consider is whether or not the investigation is to be carried out by in-house staff or by a person or organisation external to the agency.

Whatever decision is made, the investigation will be more likely to succeed if you already have appropriate policies and procedures in place that reflect the advice contained in this guide.

Some possible ways to handle the need for investigations in an agency environment are:

- appointing a discrete investigator or investigation unit
- using the investigative functionality or duties of existing units, for example:
 - risk management units
 - internal audit units
 - complaints handling, internal monitoring and review units
 - organisational development, improvement, quality assurance or workplace health and safety investigation units
- outsourcing investigative functions, including:
 - regional resource-sharing with other agencies
 - partnering with the local offices of other agencies with expertise or resources in investigations
 - engaging external service providers as required.

Other factors to consider

What if circumstances change?

At any point during the course of dealing with the allegations made in a complaint, information about more complex or serious instances of the alleged corrupt conduct, or about different corrupt conduct, may be revealed. If you suspect possible corrupt conduct in relation to these new allegations, you must immediately notify the CCC so that it can assess the appropriate action to take. It may be that the CCC will need to assume responsibility for the investigation of these new allegations, investigate them jointly with you, or change the nature of its monitoring. If serious criminal offences are detected, the investigation may need to be referred to the QPS (see also “Criminal conduct” below).

Criminal conduct

Corrupt conduct will often also involve criminal conduct. This means that an incident can at the same time be within the jurisdiction of the CCC, your UPA and the QPS, and therefore the actions and decisions of one agency will have an impact on those of the other agencies.

For example:

- The QPS may advise the CCC of a criminal case under investigation that also involves possible corrupt conduct.
- The QPS may advise you of a criminal case involving one of your employees. You still need to report the allegations to the CCC.
- The CCC may refer a complaint to both the QPS and to you to deal with — the QPS to deal with the criminal aspects and you to deal with disciplinary aspects and systemic issues.
- The CCC may refer a complaint to the QPS only, deferring the decision about how to deal with the disciplinary aspects of the case until the outcome of the police investigation (e.g. the conduct involved is very serious and may warrant instituting disciplinary proceedings before QCAT if the criminal prosecution fails).
- The CCC may refer a complaint that is of a minor criminal nature to you to deal with, leaving it up to you to decide whether to report it to the QPS as well (e.g. minor theft).

Where a disciplinary investigation arises out of alleged criminal conduct, you will need to take into account any criminal proceedings. If the evidence is clear and admissions have been made, you may start disciplinary action immediately. You should consult the industrial relations section of your agency, and seek the view of police investigators on how your investigation may affect, or be affected by, the police investigation.

You can take disciplinary action before the criminal investigation or prosecution is completed, provided you liaise with the QPS. Whether disciplinary proceedings should await the outcome of criminal proceedings will need to be determined on a case-by-case basis. You may decide to hold off on disciplinary action until the outcome of the prosecution is known so that if it fails, you can still institute disciplinary proceedings (see “Rules of evidence and standards of proof” in chapter 7, and “Failure to identify unrelated criminal matters” in chapter 10).

Subject officer’s employment opportunities during investigation

You need to consider whether the subject officer should be precluded from relieving, promotion and development opportunities due to the nature of the allegations against them, the extent of the evidence gathered, and the possible impact on the workplace and on other officers.

Similarly, in maintaining ethical standards in the workplace, you should consider the existence of an investigation when making decisions in relation to leave arrangements and secondments.

Subject officer’s resignation

There may also be cases where a complaint referred to your UPA clearly requires an investigation, but the subject officer has already resigned. You might think that is the end of the matter, but not necessarily. System failures may have contributed to the complaint being made, and this would be an opportunity for you to review your systems and make improvements to reduce the likelihood of a similar complaint occurring in the future.

You should also consider whether a disciplinary declaration is appropriate under section 219IA of the CC Act or section 188A of the *Public Service Act 2008*, or whether you should make a criminal complaint.

The case study below shows how positive results can still be obtained even if the subject officer has already resigned.

Allegations made	The investigation	Resignation of subject officer
<p>An allegation was made that a substantial amount of sexually explicit material was stored on a computer, and numerous CDs containing similar explicit material, downloaded from the internet, had been found at a workstation within the IT section. The workstation concerned was used principally by an IT support services officer who at various times acted as the IT section manager. The officer was also responsible for liaison with external suppliers and for minor software and hardware purchases. The alleged internet misuse was uncovered while the officer was on leave.</p>	<p>In addition to the original allegations, the investigation also disclosed discrepancies between purchasing records, asset registers and the results of a physical stocktake of minor hardware items within the IT section. A small number of computer hardware items appeared to be missing, but these items could not be identified due to inconclusive purchasing records and an absence of accurate asset register details. The investigation also disclosed email records containing dialogue with an external party concerning passwords to sexually explicit websites and covering other potentially unlawful actions.</p>	<p>The officer resigned before the investigation was completed. Regardless of whether a post-separation disciplinary declaration or criminal complaint is made, the investigation can highlight a number of areas that are subject to risk and would benefit from a corruption risk management strategy. A strategy was designed and implemented by the agency and included:</p> <ul style="list-style-type: none"> • a comprehensive review of the agency’s exposure to corruption and security risk, particularly in relation to IT systems • implementation of risk management procedures • a review of human resource programs (e.g. staff induction and development programs) • regular refresher training in the practical application of the agency’s code of conduct and acceptable standards of ethical behaviour • a review of work practices • a review of procurement activities • an examination of inventory and asset management practices • publication of the outcomes of the investigation to promote greater awareness of the requirements for appropriate use of the internet and email, and of government resources generally.

CCC audits

One of the key ways the CCC ensures that complaints about, or information or matter involving, corruption are dealt with appropriately is to audit complaints referred to UPAs (see “How the CCC ensures complaints are dealt with appropriately” in chapter 1).

The CCC’s audit program will review the systems and practices in place for dealing with corrupt conduct within UPAs, as well as looking more specifically at:

- classes of complaints at an agency or sector-wide level that warrant examination
- complaints that you dealt with under a section 40 direction without notifying the CCC, or which were referred with an RNFA option
- public interest topics that might be relevant to a single UPA, a group of UPAs or a sector as a whole, and which have been identified by the CCC or via a research directive.

Classes of complaints that warrant audit may be within a particular agency or across the public sector, and may include complaints concerning:

- allegation types of increasing prevalence and concern (e.g. misuse of facilities, process corruption)
- particular types of complainants (e.g. people making a public interest disclosure)
- individual public sector officers or general public sector positions that have a significant complaints history (e.g. white collar positions, purchasing officers)
- workplaces, business units, areas, regions of an agency or an agency itself which have been the subject of a considerable number of significant complaints and/or type of allegation.

In most cases, the CCC will advise you of its intention to conduct an audit in advance, but be aware that at any time, the CCC can seek to review an individual file, even if you have not been given prior notice.

CCC auditors will require access to complaint files. Depending on the size of your UPA, these audits can be done on site or off site. Section 40 directions issued to you will stipulate what records you must keep to facilitate CCC audits.

Reporting back to the CCC

When the CCC refers a complaint to you to deal with, you will be advised of what, when and how to report back to the CCC. The CCC will also provide you with a checklist of the information you will be required to address for each allegation.

In all cases, this guide should be used to plan and prepare your report (see chapter 9).

Responding to the complainant

Whatever action you take, section 44(5) of the CC Act obliges you to tell the complainant the reason the action taken was appropriate in the circumstances — including a decision to take no action or discontinue action — and any results of the action known at the time you contact the complainant.

This means that at the end of any investigation you should tell the complainant:

- if the complaint was not substantiated, why (e.g. there were no witnesses to corroborate the complainant's version)
- if the complaint was substantiated, what action you propose to take, without being specific, (e.g. if you intend to initiate management action, tell them so without going into details about the precise nature of the management action you intend to take).

The Queensland Ombudsman has guides available at <www.ombudsman.qld.gov.au> on how to communicate decisions to complainants, members of the public and disclosers.

Privacy principles

If you are unsure as to the level of detail that you can provide to a complainant, you should seek advice from your UPA's legal unit or Crown Law.

The *Information Privacy Act 2009* (IP Act) establishes a framework for the collection and management of personal information in the Queensland public sector. It is important to note that personal information can only be disclosed to the individual to whom that personal information belongs.

In the event of a request for information under the IP Act or the *Right to Information Act 2009*, you should contact your RTI unit for guidance, or the Office of the Information Commissioner will be able to provide clear advice.

Scenarios

These scenarios have been prepared to show you the different options available for dealing with a complaint.

Scenario	Action that could be taken
<p>An allegation of corruption made to the CCC against your UPA by an unsuccessful tenderer has been referred to you to deal with. The complainant has not provided any evidence to support the allegation. Preliminary enquiries, including an audit of your procurement procedures, reveal evidence that a departmental officer did not strictly follow departmental policies and procedures, and did not provide information that the tenderer should have received. If the information had been given to the tenderer, it is unlikely that the allegation would have been made. There is no evidence found to suggest that any decisions made were corrupt.</p>	<p>Performance improvement</p> <p>Rather than formally disciplining the officer, a performance improvement strategy may be more appropriate. Give the subject officer guidance about the lack of communication and the failure to follow policy and procedures, and perhaps get the officer to undergo further training and education. Give the complainant the information they should have received in the first place. Explain to them the policies and procedures that should have been followed, and tell them that you will be speaking with the officer involved and recommending that the officer be further trained.</p>
<p>A case has been referred to your UPA to deal with. Preliminary enquiries show that it is not corrupt conduct because there was no intent to be dishonest or gain a benefit, but there is evidence of poor decision-making by an officer, which has resulted in an undesirable outcome. It is not possible to undo the undesirable outcome.</p>	<p>Preventive action</p> <p>The best thing you can do now is to prevent a recurrence of the poor decision-making. The officer, with the assistance of senior staff with expertise in the area and any other relevant staff, could be asked to develop and present a workshop that uses the undesirable outcome as a “lesson learned” scenario to train current and future staff.</p>
<p>An allegation has been referred to you by the CCC that emergency services officers failed to adequately respond to a patient resulting in an adverse outcome for the patient. Preliminary enquiries reveal that the request for assistance was cancelled by a family member saying that the patient was no longer exhibiting symptoms and was fine. While the emergency services officers still responded, the urgency was downgraded because the information suggested the patient was no longer in need of emergency treatment.</p>	<p>Explanation</p> <p>This case could possibly be dealt with by speaking with the family and patient and explaining the circumstances and the reasons for particular decisions being made (assuming that all relevant protocols were followed). Apologies could be offered, if appropriate.</p>
<p>An allegation has been referred to your UPA that a senior manager has given an unfair advantage to his wife’s company by awarding that company a training contract. Preliminary enquiries reveal that the manager’s wife does own the company named in the complaint, and it was recently awarded a \$30 000 contract by your UPA for which the manager was the decision-maker.</p>	<p>Investigation</p> <p>Given the serious nature of the allegation — if proved, it could warrant the dismissal of the senior manager and raise systemic deficiencies that require remedy — this is an allegation that needs to be investigated. It could not be dealt with by managerial response or mediation.</p>