

## Attachment 1

# Framework for oversight of senior public service employee complaints devolved by the Crime and Corruption Commission

Effective 1 March 2023, this framework supports complaints devolved by the Crime and Corruption Commission (CCC), including complaints about former employees, for all public service Senior Executive Service (SES) 3, or equivalent and higher.

Subject of complaint	Decision maker	Instrument required	Public Sector Commission (PSC) role	Entity role
Directors-General  (excluding Director-General, Department Premier and Cabinet (DPC), Commissioner of Police and Commissioner of Fire and Emergency Services)	Director-General, DPC	Requires instrument of delegation from the Premier to Chair of Public Sector Governance Council under s281 of the <i>Public Sector Act 2022</i> .	<ul style="list-style-type: none"> <li>Establish terms of reference, engage independent investigators as necessary, manage investigation, support any discipline process.</li> <li>Obtain independent legal advice if required.</li> <li>Provide progress reports to the CCC as required.</li> <li>Brief the Director-General, DPC as required.</li> </ul>	<ul style="list-style-type: none"> <li>Limited to providing access to relevant evidence, documentation and potential witnesses.</li> <li>Meeting obligations under the <i>Public Interest Disclosure Act 2010</i>.</li> </ul>

<p>Director-General, DPC</p>	<p><b>Investigation</b> – CCC responsible. Subject to CCC agreeing to this role.</p> <p><b>Decision on discipline</b> – the Premier. Noting on advice from the Solicitor-General.</p>	<p>Not applicable. Cannot be delegated.</p>	<ul style="list-style-type: none"> <li>• Obtain independent legal advice if required.</li> <li>• Provide progress reports to the CCC as required.</li> <li>• Support any discipline process.</li> <li>• Brief the Premier as required.</li> </ul>	<ul style="list-style-type: none"> <li>• For the investigation – as requested by CCC.</li> <li>• Meeting obligations under the <i>Public Interest Disclosure Act 2010</i>.</li> </ul>
<p>Commissioner of Fire and Emergency Services</p>	<p><b>Investigation</b> – CCC responsible. Subject to CCC agreeing to this role.</p> <p><b>Decision on discipline</b> – Governor in Council on recommendation of Minister for Fire and Emergency Services.</p>	<p>Not applicable. Cannot be delegated.</p>	<ul style="list-style-type: none"> <li>• Obtain independent legal advice if required.</li> <li>• Provide progress reports to the CCC as required.</li> <li>• Support any discipline process.</li> <li>• Brief the Minister as required.</li> </ul>	<ul style="list-style-type: none"> <li>• For the investigation – as requested by CCC.</li> <li>• Meeting obligations under the <i>Public Interest Disclosure Act 2010</i>.</li> </ul>
<p>Commissioner of Police</p>	<p><b>Investigation</b> – CCC responsible.</p> <p><b>Decision on discipline</b> - in accordance with s4.5 <i>Police Service Administration Act 1990</i>.</p>	<p>Any delegation required is in accordance with legal advice</p>	<ul style="list-style-type: none"> <li>• Role, if any, to be determined considering CCC and legal advice.</li> </ul>	<ul style="list-style-type: none"> <li>• In accordance with CCC and legal advice.</li> </ul>
<p>SES3 and above (excluding Directors-General)</p> <p>Queensland Health SES3 and above and Health Executive Service (HES) employee equivalents with a direct reporting relationship to Director-General, Queensland Health</p>	<p>Independent Director-General</p>	<p>Requires an instrument of delegation from the Director-General or agency Chief Executive of the home entity under s282 of the <i>Public Sector Act 2022</i>.</p>	<ul style="list-style-type: none"> <li>• Approve that conflicts of interest in the entity can be managed appropriately so that the entity can manage the investigation process and support any discipline process.</li> <li>• Responsible for the investigation and support of discipline process where conflicts cannot be managed.</li> <li>• Provide oversight and support the independent Director-General by advising on key steps in the investigation and</li> </ul>	<ul style="list-style-type: none"> <li>• Identify conflicts of interest and complete a conflicts of interest management plan if required.</li> <li>• Establish terms of reference, engage independent investigators as necessary, and manage investigation.</li> <li>• Support the independent Director-General for any discipline process.</li> <li>• Obtain independent legal advice if required.</li> <li>• Provide progress reports to the CCC and PSC as required.</li> <li>• Meeting obligations under the <i>Public Interest Disclosure Act 2010</i>.</li> </ul>

			<p>discipline processes where it is managed by the entity.</p> <ul style="list-style-type: none"> <li>• Coordinate progress reporting from entity.</li> </ul>	
<p>Queensland Health SES3 and above and HES equivalents – no direct reporting relationship to Director-General, Queensland Health</p>	<p>To be managed in accordance with Queensland Health policies and procedures.</p>			