



**ACT**  
Government

Professional Standards Unit

**ACT** INTEGRITY  
COMMISSION

## FACTSHEET

*An initiative for Corruption Awareness Week 2023*

# Upholding Integrity in the ACT Public Service: a collaborative effort

Did you know that upholding integrity in the ACT public service (ACTPS) is a joint undertaking? The ACT Integrity Commission (ACTIC) and the Professional Standards Unit (PSU), on behalf of the Public Sector Standards Commissioner (PSSC) both investigate matters within the ACTPS.

For Corruption Awareness Week 2023, the ACTIC is focusing on 'myth-busting' common misconceptions about the agency and its work. This resource has been jointly developed by the ACTIC and PSU to contribute to a stronger pro-integrity culture in the ACT Government.

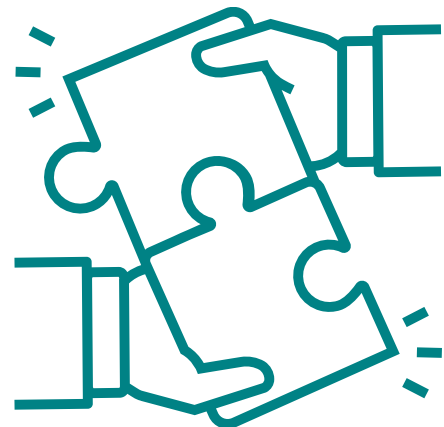
## What is the difference between the two organisations?

The ACTIC is an independent statutory authority established to build public confidence in the integrity of the public sector and Legislative Assembly by **investigating, exposing and preventing corruption in the ACTPS**. The ACTIC's guiding legislation is the *Integrity Commission Act 2018* (IC Act), and it also administers the *Public Interest Disclosure Act 2012*. The ACTIC is provided covert and coercive investigative powers to help it uncover the truth of matters.

The PSU undertakes work on behalf of the PSSC, including the **investigation and prevention of workplace misconduct in the ACTPS**. Like the ACTIC, the PSSC is independent of the ACTPS. The PSU also has additional administrative functions that the ACTIC does not - such as contributing to whole of government integrity-related policy.

**Together, the ACTIC and the PSU contribute to a build a strong-pro integrity culture across the ACTPS.**

The ACTIC and the PSU have strong working relationships and frequently collaborate.



## Misconduct and corruption - a reporting guide

It is important to understand where you should refer suspected wrongdoing to ensure it is actioned in a timely and appropriate manner.

The **PSU** investigates workplace misconduct which includes any alleged breach of the ACTPS values and behaviours (respect, integrity, collaboration, and innovation), and in particular section 9 of the *Public Sector Management Act 1994*.

The **ACTIC** investigates suspected 'corrupt conduct', which is defined in the IC Act as conduct by a public official that could constitute:

- *A criminal offence*
- *A serious disciplinary offence*
- *Reasonable grounds for dismissing or otherwise terminating a person's services.*
- *Exercising official functions in a way that is not honest or impartial,*
- *A breach of public trust,*
- *Misuse of official information*

This definition is broad and can encompass a range of different behaviours. **The ACTIC is required to prioritise corrupt conduct that could be serious or systemic.**

Often there will be situations where an alleged breach of the ACTPS values and behaviours could also be 'corrupt conduct', and there may be some confusion about who you should report the matter to. Consider the following questions when you are weighing up where you should make a report to:

- Is there reason to think the matter could be systemic across the ACTPS? (This could be a pattern or the same thing occurring multiple times across one or more directorates).
- Would you consider the matter to be a serious breach of standards?
- Would the matter damage or threaten public confidence in the integrity of the ACT Government?
- Could investigating the matter require the use of covert and coercive powers to uncover the truth?
- What was the intention of the conduct? Was there a benefit to be gained for the person involved?

If you answered yes to the above, there is a strong likelihood the matter should be referred to the ACTIC. If not, it may be more appropriately investigated as workplace misconduct by the PSU.

Don't worry that you may have reported the matter to the wrong place. The ACTIC and the PSU may refer matters to each other – so there is a safety net to direct matters to the most appropriate place.

A good place to start is to speak with your directorate's Senior Executive Responsible for Business Integrity Risk (SERBIR) or your human resources/people and capability team.

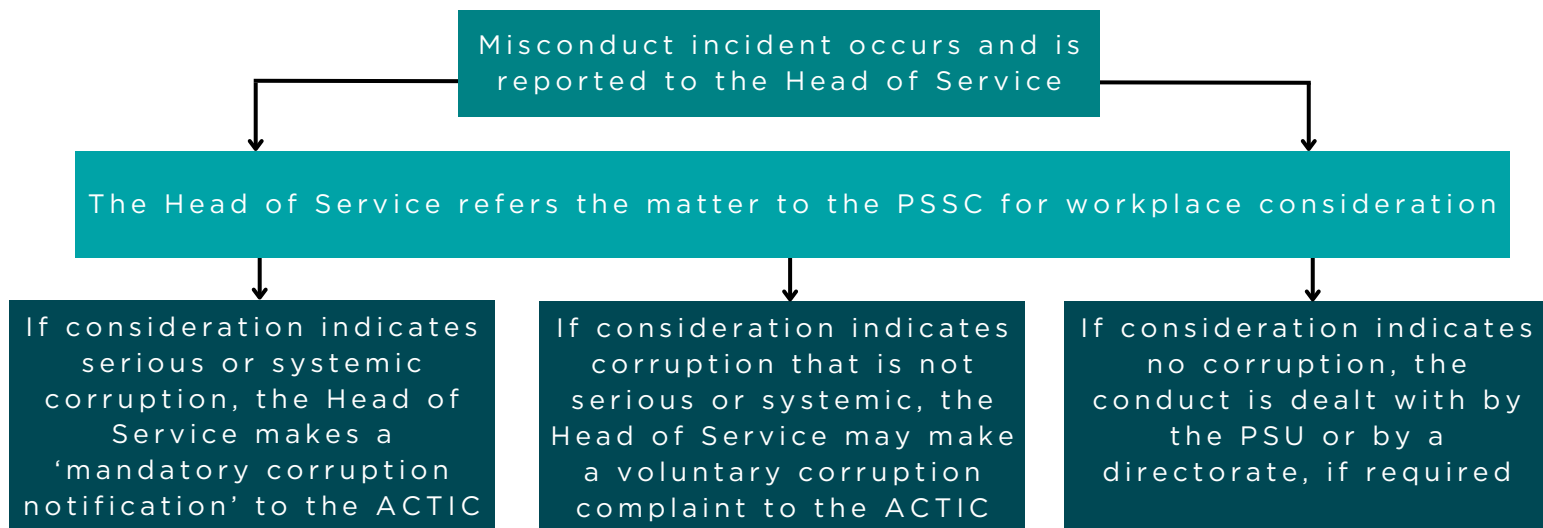
## Obligations under the *IC Act* and *PSM Act*

**Did you know that all ACTPS staff have a mandatory reporting obligation under the *Public Sector Management Act 1994*?**

Under this legislation, all public servants are required to notify the 'Head of Service' of suspected maladministration or corrupt or fraudulent conduct so that it can be appropriately referred and investigated. The definition in the PSM Act is broad and encompasses most types of inappropriate conduct - including corruption.

The IC Act also includes a requirement for certain senior public officials (including the Head of Service) to make a 'mandatory corruption notification' to the ACTIC about suspected serious or systemic corruption. These two requirements interact to ensure matters end up with the appropriate organisation for investigation.

What does this mean in practice? And how do ACTPS staff meet their obligations?



## How to report

If you suspect corrupt conduct is occurring within the ACT Government, it is important to report it. You can report suspected corrupt conduct in a number of ways:



- To your manager, or a senior leader in your directorate,
- To your directorate's integrity, security, or HR area
- To your Senior Executive Responsible for Business Integrity Risk (SERBIR),
- To the Head of Service,
- To the PSU and/or Public Sector Standards Commissioner
  - [ProfessionalStandardsUnit@act.gov.au](mailto:ProfessionalStandardsUnit@act.gov.au)
  - [ACTPublicSectorStandardsCommissioner@act.gov.au](mailto:ACTPublicSectorStandardsCommissioner@act.gov.au),  
or
- To the ACT Integrity Commission:
  - By online webform: [integrity.act.gov.au](https://integrity.act.gov.au)
  - By calling: 6205 9899
  - By emailing: [complaints@integrity.act.gov.au](mailto:complaints@integrity.act.gov.au)
  - *The ACTIC does not accept corruption reports in person.*