

*An initiative for Corruption Awareness Week 2023*

# Mandatory Reporting Obligations under the *Integrity Commission Act 2018*

For Corruption Awareness Week 2023, the ACT Integrity Commission is focusing on 'myth-busting' common misconceptions about the agency and its work. The Commission continues to see confusion about corruption reporting requirements and obligations.

## What is the ACT Integrity Commission?

The ACT Integrity Commission (ACTIC) is an independent statutory authority. Our role is to strengthen public confidence in the integrity of the ACT Government by investigating, exposing and preventing corruption.

The ACTIC's guiding legislation is the *Integrity Commission Act 2018*. It also administers the Public Interest Disclosure Act 2012.

## What is mandatory reporting?

'Mandatory reporting' is a colloquial term for a legal obligation to report something. You may have heard of teachers or doctors having mandatory reporting obligations to protect vulnerable people.

Under sections 62 and 63 of the *Integrity Commission Act 2018*, some public officials are required to make a 'mandatory corruption notification' to the ACTIC if they **reasonably suspect serious or systemic corruption has occurred.**



Mandatory reporting is an important process that assists the ACTIC to identify and expose potential corruption.

## Who is a mandatory reporter?

The following people must make a mandatory corruption notification to the ACTIC if they suspect on reasonable grounds that serious or systemic corrupt conduct has occurred:



- **The head of a public sector entity,**
- **Senior Executive Service (SES) officers,**
- **Some statutory officers,** if the conduct relates to an employee of their entity and arises in the course of the employee's official duties,
  - The Auditor-General
  - The ACT Ombudsman,
  - The Electoral Commissioner, and
  - The Clerk of the Legislative Assembly
- **A member of the Legislative Assembly (MLA),** if the conduct relates to another MLA or their staff members.
- **A chief of staff to a Government Minister or to the Leader of the Opposition,** if the conduct relates to an MLA or their staff members.

## What is serious or systemic corrupt conduct?

Serious and systemic corrupt conduct are specifically defined in sections 10 and 11 of the *Integrity Commission Act 2018*, respectively.

**Serious corrupt conduct** means corrupt conduct that is likely to threaten public confidence in the integrity of government or public administration.

**Systemic corrupt conduct** means instances of corrupt conduct that reveal a pattern of corrupt conduct in one or more public sector entity.

## Who else can report corruption to the ACTIC?

Although some public officials have mandatory reporting requirements, anyone can make a 'corruption complaint' to the ACTIC. This includes public servants at all levels, government contractors, and members of the ACT community.

If you suspect corruption has occurred, it is important to report it. ACTIC thoroughly assesses every report it receives before deciding whether to dismiss, refer or investigate an allegation.

The ACTIC prioritises the investigation of serious or systemic corrupt conduct.

## How to report

There are a number of ways to report suspected corruption to the ACTIC:



**Webform:** [report.integrity.act.gov.au](https://report.integrity.act.gov.au)



**Phone:** (02) 6205 9899



**Email:** [complaints@integrity.act.gov.au](mailto:complaints@integrity.act.gov.au)

The ACTIC does not accept reports in-person. If you are unsure, you can contact our Assessments team on the details above with any questions.