

ESTIMATES COMMITTEE

Question Taken on Notice

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From: Mrs Lia Finocchiaro

To: Hon Michael Gunner

Portfolio: Chief Minister

Agency: Office of the Independent Commissioner Against Corruption

Subject: Section 25 referral separations and remedial training

QUESTION

How many employees were separated as a result of section 25 referrals and how many were provided with some form of remedial training and if the Chief Minister could direct us to whom holds that information?

ANSWER

Pursuant to section 25 of the *Independent Commissioner Against Corruption Act 2017*, the Office of the Independent Commissioner Against Corruption (OICAC) has the power to refer matters to agencies to take action in respect of a report of suspected improper conduct. Section 28 of the Act empowers the ICAC to give direction to some of the referral agencies regarding how to deal with the matter and the expected reporting requirements.

The OICAC is not able to direct an entity to take disciplinary action or terminate an employee. The decision and responsibility for disciplinary action remains with the agency Chief Executive Officer. Ideally, the OICAC would be notified of the conduct prior to action by the agency and the OICAC has spent significant time developing relationships with agency nominated recipients to improve timely reporting of conduct and action taken by the agencies.

The total number of staff separated as a result of ICAC referrals is unknown as the separation process can be lengthy and may not be reported to the OICAC. To assist in tracking outcomes and capturing fulsome data on matters the OICAC has investigated or referred, an end to end case management system has been commissioned, with functionality to record and track outcomes of action taken by referral entities. This system was operationalised in June 2020. In addition a dedicated Senior Review and Monitor Officer was engaged in October 2020 with the role of managing referrals and recommendations to entities and reporting on outcomes and action taken.

Of those matters where results can be correlated, it has been reported that in excess of 10 staff implicated in improper conduct have separated from their agency. This includes those who resigned and those who were dismissed. In addition it has been reported to the OICAC that 4 agencies have undertaken remedial training of staff as a result of improper conduct reported to the ICAC and referred back to the agency. This training includes procurement practices, management of conflicts of interest and understanding and applying delegations.

The office has a Prevention and Engagement function responsible for delivering education and training to public officers and the general public. 875 public sector and non-government employees

attended information sessions in 2019-20. The unit also issued whistleblower protection guidelines, developed fraud management guidance for government COVID stimulus programs, and engaged with key central policy units to look at policy reform to address systemic risks.