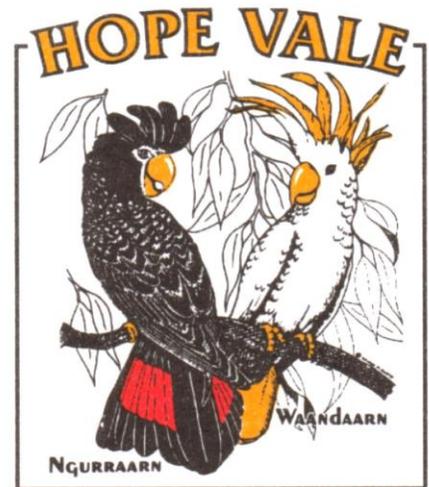


**HOPE VALE ABORIGINAL SHIRE COUNCIL**



**Administrative Complaints Management Process**

**Document Control**

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**Scheduled Review Date:** Annual

**Version History**

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1	28 June 2011		Council Resolution
2	20 March 2013		Council Resolution
3	25 February 2014		Council Resolution
4	18 January 2017		Council Resolution
5	21 February 2018		Council Resolution
6	27 February 2019		Council Resolution
7	16 December 2019		Council Resolution
8	17 March 2021		Council Resolution

## ADMINISTRATIVE COMPLAINTS MANAGEMENT PROCESS

### ORIGIN/AUTHORITY

*Local Government Act 2009*

*Section 268*

*Local Government Regulation 2012*

*Section 306*

*Human Rights Act 2019*

*Section 58 and 65*

*Crime and Corruption Act 2001*

*Section 40A*

### PURPOSE

Hope Vale Aboriginal Shire Council must operate in an open, transparent and accountable manner. This is a policy documents Councils complaints management process to deal effectively and efficiently with complaints regarding its administrative actions.

This policy excludes actions and decisions made under other legislation which provide for avenues of appeals, such as the *Sustainable Planning Act 2009*.

Under *Local Government Act 2009 Section 268*, Council must adopt a process for resolving complaints about administrative actions of the local government made by an affected person. An affected person is someone who is directly affected by the administrative action.

The *Local Government Regulation 2012 Section 306 (Process for resolving administrative action complaints)* requires Council to adopt by resolution:

- (a) A complaints management process that effectively manages complaints from their receipt to their resolution; and
- (b) Written policies and procedures supporting the complaints management process.

The *Human Rights Act 2019 Section 58*, places procedural obligations on Council to:

- (a) act and make decisions in a way that is compatible with human rights; and
- (b) to consider relevant human rights when making decisions.

The *Human Rights Act 2019 Section 65* sets out the requirements for making complaints to the Human Rights Commissioner and implies an obligation for Hope Vale Aboriginal Shire Council to receive and manage human rights complaints.

Under *Crime and Corruption Act 2001 Section 40A*, requires the Council to prepare and keep complete and accurate records of any decision by a decision-maker not to notify the CCC of a complaint about alleged corrupt conduct. This record must include:

- (a) the details of the alleged corrupt conduct
- (b) the evidence on which the decision-maker relied in making the decision
- (c) any other reasons for making the decision.

Under the *Crime and Corruption Act 2001*, the Crime and Corruption Commission (CCC) may ask to see any records Council have made about decisions not to notify it of a complaint.

## **PRINCIPLE**

Hope Vale Aboriginal Shire Council acknowledges the right of customers to provide feedback, both positive and negative, on services it provides and the decisions it makes. It also understands that there are occasions when people may wish to lodge a complaint. Our council will deal with complaints fairly, promptly and professionally and is committed to building the capacity of staff to effectively manage complaints in an environment of continuous improvement.

For Hope Vale Aboriginal Council to meet the obligations of the *Human Rights Act 2019*, the Council must understand and consider human rights when managing these complaints in accordance with the *Council's Human Rights Policy*.

## **APPLICATION**

This policy applies to all administrative action complaints made to the local government.

Matters that do not fall within the scope and process include:

- Initial request for services or information; or
- Decisions made under a local law which are reviewable under a local law; or
- Any matter covered by a separate statutory prescribed review process, for example:  
The following matters, which have separate processes under the Local Government Act 2009:
  - ♣ Rates and charges disputes, or
  - ♣ Competitive neutrality complaints, or
  - ♣ Councillor conduct complaints
- A process under the Planning Act 2016
- A decision of the Court

## **DEFINITIONS**

In this policy the words below are defined as follows:

*“administrative action complaint”* as defined in the *Local Government Act 2009* S268 is a complaint that:

- (a) is about an administrative action of a local government, including the following for example –
  - (i) a decision, or a failure to make a decision, including a failure to provide a written statement of reasons for a decision;

- (ii) an act, or a failure to do an act;
  - (iii) the formulation of a proposal or intention;
  - (iv) the making of a recommendation; and
- (b) is made by an affected person.

A customer request is not an administrative complaint. However, a customer’s concern about inaction in respect to a customer request shall constitute an administrative complaint.

Under the *Crime and Corruption Act 2001*, **corrupt conduct (“Type A”)** means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—
  - (i) a unit of public administration; or
  - (ii) a person holding an appointment; and
- (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—
  - (i) is not honest or is not impartial; or
  - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or
  - (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and

**Corrupt conduct (“Type B”)** also means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) impairs, or could impair, public confidence in public administration; and
- (b) involves, or could involve, any of the following—
  - (i) collusive tendering;
  - (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)— (A) protecting health or safety of persons; (B) protecting the environment; (C) protecting or managing the use of the State’s natural, cultural, mining or energy resources;
  - (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
  - (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
  - (v) fraudulently obtaining or retaining an appointment; and

Both Type A and Type B corrupt conduct must be either a criminal offence or serious enough to warrant dismissal.

## 1. Handling of Administrative Complaints

### How are administrative complaints made?

Administrative complaints are usually directed to Council in writing or verbally (in person at Council offices or by phone).

### **Process for Dealing with Administrative Complaints**

#### *Written Administrative Complaints (includes web, facsimile or letter)*

1. Upon receipt, the records officer shall refer the complaint to the appropriate manager for investigation.
2. The manager to whom the complaint is referred for investigation shall forward a letter acknowledging the complaint (within 14 days) which:
  - Demonstrates that the subject of the complaint is understood
  - Indicates what will happen next
3. The manager who is investigating the complaint shall do so as expeditiously as possible.
4. The manager shall advise the complainant, in writing, (within 14 days) when action has been completed advising what remedial action (if any) has been taken in respect of the complaint.
5. Record complaint and action in the General Complaints Register.

#### *Verbal Administrative Complaints*

1. The officer who first receives the complaint (either by phone or over the counter) shall refer the matter to the appropriate manager for attention.
2. The manager shall:
  - Record the details of the complaint on the Complaint Form;
  - Confirm with the complainant the accuracy of what has been recorded;
  - Explain what will happen next;
  - Investigate the complaint as expeditiously as possible and recommend/take remedial action;
  - The manager shall advise the complainant, in writing, (within 14 days) when action has been completed advising what remedial action (if any) has been taken in respect of the complaint.
  - Record complaint and action in the General Complaints Register.

Note 1: In those cases where a complaint is received verbally which relates to a staff matter, the complainant is to be advised that the complaint must be lodged in writing.

#### *Anonymous Complaints*

Council acknowledges the inherent difficulty in investigating and resolving complaints made by unknown persons. Nevertheless, anonymous complaints, or complaints from people who wish their names to be held in confidence, will be accepted for investigation, provided that there is sufficient information to enable an investigation to be conducted.

People wishing to remain anonymous are to be advised that Council's ability to investigate the complaint may be limited by their anonymity.

Any anonymous complaints that allege fraud, corruption or misconduct by an officer will be referred directly to the CEO.

#### *Complaints about the Chief Executive Officer*

Only complaints involving a direct decision or action of the Chief Executive Officer (CEO) will be considered through this process. The complaint, which must be made in writing, is to be referred to the Mayor.

The Mayor will consider the information provided by the complainant and seek a response from the CEO. In the event that the Mayor considers that some form corrective action is required and the Mayor and CEO fail to agree on this action, the Mayor may refer the matter to the full Council.

In considering the matter, the full Council is to provide a reasonable opportunity to both the Mayor and the CEO to present supporting information in regard to the complaint, including providing reasonable notice to prepare to present such information.

#### **Appeal Process**

If a complainant is not satisfied with the manner in which a complaint was handled or the remedial action taken, an appeal may be lodged.

There is a two (2) stage process; internal and/or external.

#### *Internal Appeals*

Who will conduct internal appeals?

The following positions are responsible for reviewing complaints as a result of an appeal:

- a. For complaints relating to an initial investigation by a manager, a review is to be carried out by the CEO.
- b. For complaints relating to an initial investigation by the CEO, a review is to be carried out by the Mayor.

How will an internal review be conducted?

1. The reviewing officer will investigate the manner in which the complaint was originally handled and the remedial action taken.
2. If, after investigation, the reviewing officer is satisfied with the process and the remedial action taken, he/she will inform the complainant accordingly.
3. If the reviewing officer is not satisfied with the manner in which the complaint was handled or the remedial action taken, he/she will:
  - Counsel the officer who initially handled the complaint;
  - Institute action to achieve the desired result;
  - Inform the complainant of the outcome of his/her review.

4. In circumstances where the Review Officer is the CEO, the CEO will inform the Mayor.

### *External Appeals*

If a person feels that the Council has not properly dealt with a complaint internally, that person may wish to refer the matter to any of the following Appeal Agencies:

The Office of the Ombudsman  
GPO Box 3314  
Brisbane Qld 4001  
Telephone: (07) 3005 7000  
Facsimile: (07) 3005 7067  
Email: [ombudsman@ombudsmad.qld.gov.au](mailto:ombudsman@ombudsmad.qld.gov.au)

Crime and Corruption Commission  
GPO Box 3123  
Brisbane Qld 4001  
Telephone: (07) 3360 6060  
Facsimile: (07) 3360 6333  
Email: [mailbox@ccc.qld.gov.au](mailto:mailbox@ccc.qld.gov.au)

Queensland Human Rights Commission  
City East Post Shop  
PO Box 15565  
City East QLD 4002  
Telephone: 1300 130 670  
Fax (07)3193 9979  
Email: [enquiries@qhrc.qld.gov.au](mailto:enquiries@qhrc.qld.gov.au)

## **2. Monitoring and Review**

*How are administrative complaints recorded?*

A register of all administrative complaints will be maintained by the Records Manager and occasionally a report will be provided to the Chief Executive Officer.

In accordance with the requirements of the Local Government Regulations 2012 a report will be included in Council's annual report relating to administrative complaints.

## **3. Corrupt Conduct Assessment and Recordkeeping**

Council shall adapt and implement the *Corrupt Conduct Assessment form* as shown in **Appendix E** in compliance with the *Crime and Corruption Act 2001* requirement. Council officers and others

(such as external investigators) involved in dealing with a complaint which may involve corrupt conduct must record the details identified in the **Appendix E** about each complaint.

Complaints assessed with reasonable suspicion of corrupt conduct shall be referred by the assessing officer and/ or decision maker to CCC.

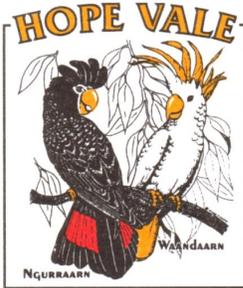
Recordkeeping in accordance with this Section 40A supports effective notification of complaints to the CCC and allows matters to be easily monitored and audited by the CCC.

**Adopted by Council on the 17 March 2021**

Shannon Gibbs  
Director of Finance

**APENDIX A**

**GENERAL COMPLAINTS FORM**



**Hope Vale Aboriginal Shire Council**

**Complaint Lodgement Form**

We want to make it easy for you to complain. Simply fill out this form and send it to Hope Vale Aboriginal Shire Council, by mail, email, or fax. If you prefer, you can ring our office or visit our website for advice on how to complain.

**Personal Details**

Full Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

Telephone (home): \_\_\_\_\_ mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Preferred way for Council to contact you:

\_\_\_\_\_

Are you the person affected for this complaint?

Yes  No

If not please state your relationship to the person affected by the complaint:

Parent

Friend

Other (please specify) \_\_\_\_\_

If you are acting on someone's behalf please provide their details:

Full Name:

\_\_\_\_\_

Address:

\_\_\_\_\_

Telephone (home): \_\_\_\_\_ mobile:

\_\_\_\_\_

Does the person affected by the complaint have a disability or other special need?  Yes  
 No

If yes, please specify:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Complaints Details

Have you raised your complaint to Council before?  Yes  No

If yes, who did you speak to and what were you told and why are you still dissatisfied? Attach any documentation from your previous complaint.

\_\_\_\_\_  
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For **NEW** complaints, tell us what happen. What was involved? When and where did it happen? For example, does you complaint involve a decision that impacts on you or the quality of services? Please make sure that you tell us the specific details of the problem. Attach a separate sheet/s if needed.

\_\_\_\_\_



**Office Use Only**

**Complaint received by:**

- Telephone       Email       Fax  
 Letter       In person       Web       Other (specify)

**Date received**

Staff member who received the complaint:

\_\_\_\_\_

Position: \_\_\_\_\_

Summary of advice provided to complainant on initial contact:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Complaint referred to**

Name: \_\_\_\_\_

Date referred: \_\_\_\_\_

Summary of any further advice provided to complainant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Nature of complaint**

- Customer Service       Administrative Action  
 Policy       Procedures       Other (specify)

**Location of problem**

- Administration & Finance       Community Services       Building  
 Planning       Water & Sewerage       Civil works  
 Waste       Parks & Gardens       Commercial Services  
 CEO & Managers       Other (specify) \_\_\_\_\_

Hope Vale Aboriginal Shire Council is collecting your personal information in order to process your application. This information will only be disclosed to any other third party with your written consent or as we are required by law.

## APENDIX B

### GUIDE TO FACE-TO-FACE COMPLAINT HANDLING

The first stage is the acceptance of the complaint by Council. It is important that the initial contact is handled well. The environment in which the complaint is taken – if it is made face-to-face – should be private (if possible) and the complainant encouraged to fully express their concerns.

- The Officer is to greet the person courteously, give his/her first name and inquire in a positive manner as to how he/she can help.
- Treat complainants respectfully, courteously and professionally. Maintain confidentiality where appropriate.
- Listen empathetically to what the complainant has to say – everyone appreciates being listened to, so give the complainant time to tell his/her story.
- If necessary, for people with speech or hearing impairment, arrange to use the National Relay Service (13 36 77).
- Use active and reflective listening skills, use positive body language (adopt an open body posture), maintaining eye contact and showing interest.
- Take notes of the conversation for later reference.
- Seek clarification of any points that are not clear in a non-judgmental way, using open-ended questions that start with how? when? where? who? why?
- Ask the complainant about possible remedies to resolve the matter by asking, “How do you believe your complaint can be resolved?”
- Make it clear to the complainant that the complaint has been understood by summarising the main points and seeking confirmation.
- Provide any relevant information that will assist complainants to better understand the decision or action that they are aggrieved about.
- Show empathy. Remember, whether the complaint is justified or not, the complainant’s sense of grievance is real and it is Council’s job to deal with that grievance effectively.
- Review and investigate the complaint in accordance with Council’s General Complaint Policy, first ensuring that the matter meets Council’s definition of a complaint
- Inform the complainant of the outcome of the investigation
- Handle complaints quickly, within established timeframes and in accordance with Council’s policies, keeping complainants informed of progress.
- Log the complaint and any action taken In the General Complaints Register.

All written responses to complaints are to be personal and specific. When resolving a complaint – whether verbally or in writing – the Officer is to:

**Give reasons:** explain any relevant policy of Council or the legislative provision that is the basis for the decision made. If possible, provide the complainant with a copy of the relevant provision of the policy or legislation.

**Where appropriate, apologise:** if an apology is warranted, the receiving officer is to offer an apology there and then. It may sometimes be necessary to express regret without accepting blame on behalf of Council.

**Be polite:** be positive and focus on solving the problem rather than apportioning blame or finding fault.

**Take action:** take action to rectify the problem presented if it is within the Officer's authority to do so. If the Officer does not have the authority to rectify the problem, advise the complainant to whom the matter will be referred.

**Let the complainant know:** about any improvements that have been made as a result of their complaint.

**Thank the complainant:** for their feedback.

## **APPENDIX C**

### **INTERNAL REVIEW PRINCIPLES – COMPLAINT OFFICER**

Council's Internal Review process ensures:

- The independence of the Complaints Officer from primary decision-makers;
- That the impartiality and independence of Complaints Officer is not compromised by other officers in Council;
- That the outcomes of the Internal Review are communicated to the primary decision-maker;
- That Council learns from the process of Internal Review by providing feedback;
- That primary decision-makers are not assigned the responsibility for reviewing their own decisions;
- That the review process is a free service.

The Complaint Officer has:

- Direct lines of communication to the appropriate part of Council for the purpose of resolving issues arising from the review;
- Access to relevant Council documents;
- Authority to recommend decisions in favour of the affected person or complainant; and
- Access to previous complaints to ensure consistent outcomes.

#### **Internal Review Process**

The Complaints Officer will:

- Provide an opportunity for the complainant to provide the Complaint Officer with additional information about the complaint;
- Provide a rational/logical process of review;
- Be fair and accessible;
- Assist complainants to understand the findings of the internal review by providing clear, written reasons addressing their concerns. Complainants will be informed of their external rights of review at this stage;

#### **Internal Review Procedure**

In deciding how a matter should be dealt with, consideration is to be given by the Complaints Officer to whether the Complaint Officer was involved with the administrative action. If the Officer was involved in such a way, the complaint is to be referred to the CEO for direction.

In order to reach an outcome, the Complaints Officer must:

- Establish a list of people to be interviewed and files or locations to be inspected;
- Conduct interviews and inspect sites and documents;

- Gather and record information;
- Provide relevant information to people involved in the investigation;
- Give people an opportunity to comment on information adverse to them before deciding to act on it (natural justice);
- Observe any legal requirements involved in making decisions;
- Research and apply any relevant law;
- Evaluate the evidence and make findings;
- Identify factors that contributed to the complaint arising;
- Formulate recommendations;
- Prepare a report for the Chief Executive Officer, or an appointed delegate, summarising the matter and results of the investigation and setting out findings and recommendations, including any remedies.

## **APPENDIX D**

### **REMEDIES**

In the event that an Internal Review of a complaint finds that Council's initial action was incorrect – either in part or in full – it will attempt to remedy the situation. The remedy is to apply to the error only. The following will be given consideration in attempting to remedy the situation.

Any remedy offered by Council will be appropriate to the complaint and, should, as far as possible, put the affected person or complainant in the position he or she would have been in had the decision been made correctly in the first place. This may not be possible in all cases because of the passage of time or events that have occurred. In such cases, Council will need to consider other ways to resolve the complaint.

#### **General Principles**

- Fair and Reasonable — any remedy provided should be fair and reasonable to the complainant and Council. Fairness means that whilst there may be no legal obligation for Council to provide a complainant with a remedy, there may be a moral obligation to take steps to redress any disadvantage caused.
- Equal Treatment for Equal Circumstances — in seeking to provide fair outcomes, Council will endeavour to be consistent. Previous remedies or actions in similar past circumstances will be a guide to suitable outcomes for current situations. However, changes in policy position or specific fact of individual situations will also be taken into consideration.
- No Abuse of Power — Council must not take advantage of its position of authority (in particular its knowledge and resources) to avoid or reduce its obligation to provide a fair remedy to the complainant.
- Comprehensive Resolution of the Complaint — the remedy should cover all issues raised in the complaint. This avoids any subsequent complaints about the same issues.
- Explanation — an explanation of Council's decision regarding a remedy is to be provided to the complainant.
- Timeliness — Council is to provide the remedy in a timely fashion, in accordance with the Performance Standards established in this procedure.

#### **Mitigation**

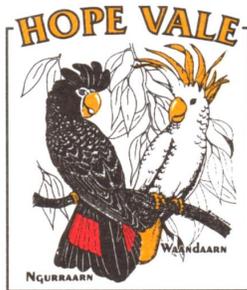
In some cases, it may not be possible to completely satisfy the complainant. In such cases, Council will attempt to take some action that may improve the situation for the complainant, i.e., mitigate the detriment suffered by the complainant.

Consideration will be given to any practical action which the complainant might suggest.

#### **Practices of Council**

In some cases, a complaint may identify some failure within Council's own practices, procedures or policies. An appropriate remedy would be to undertake a review of the practices to bring about change so that other people will not experience the problem. The complainant needs to be informed that Council is taking action to rectify a systemic issue.

## APPENDIX E



### Corrupt Conduct Assessment Form

Council file reference number	
Date of assessment	
Date of receipt of the complaint or matter	
Name of complainant(s) / discloser(s)	
Name and position of subject officer(s)	
Business area of subject officer(s)	
The details of the complaint or matter (this is also part of s40A(3)(a) of the CC Act)	
The details of the allegation types	

#### *Assessment details (step-by-step process)*

#### **Step 1. "Type A" corrupt conduct assessment (s15(1) of the CC Act)**

Corrupt conduct means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) **adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—**
- (i) a unit of public administration (UPA); or
  - (ii) a person holding an appointment; AND
- Yes     No

- (b) **results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—**
- (i) is not honest or is not impartial; or
  - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or
  - (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment;
- AND
- Yes     No

- (c) **would, if proved, be—**
- (i) a criminal offence; or
  - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
- Yes     No

**Does the "Type A" conduct satisfy all three elements above?**     If yes, go to Step 3     If no, go to Step 2

## **Step 2. "Type B" corrupt conduct assessment (s15(2) of the CC Act)**

Corrupt conduct also means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) **impairs, or could impair, public confidence in public administration; AND**
- Yes     No

- (b) **involves, or could involve, any of the following—**
- (i) collusive tendering;
  - (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)—
    - (A) protecting health or safety of persons;
    - (B) protecting the environment;
    - (C) protecting or managing the use of the State's natural, cultural, mining or energy resources;
  - (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
  - (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
  - (v) fraudulently obtaining or retaining an appointment; AND
- Yes     No

- (c) **would, if proved, be—**
- (i) a criminal offence; or
  - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.
- Yes     No

Does the “Type B” conduct satisfy all three elements above?  If yes, go to Step 3  If no, go to Step 5

### Step 3. Reasonable suspicion

Having regard to all the initial information available to you, decide whether you do or do not hold a reasonable suspicion of corrupt conduct.

For a suspicion to be “reasonable”, there needs to be more than bare or idle speculation. In essence, there must be sufficient evidence for a reasonable person to suspect corrupt conduct.

You must objectively base your assessment on the information at hand. It is not sufficient for you to subjectively decide that someone is or is not capable of the alleged conduct.

You do not have to have sufficient evidence to prove the corrupt conduct allegation.

Do you hold a reasonable suspicion of corrupt conduct?  If yes, continue  If no, go to Step 5

List the information relied on to form the reasonable suspicion.

- a. statutory declaration
- b. statement from the complainant (e.g. telephone, email, and letter)
- c. audit report / grievance process
- d. accounting records / payroll records / other evidence
- e. other (please specify)

*Insert details below:*

### Step 4. Categorisation of corrupt conduct

#### a. Agencies with section 40 agreements

Level 1  Immediate referral to CCC

Level 2  Monthly schedule referral to CCC

Level 3  No referral to CCC – subject to audit.

(Also, complete s40A mandatory recording at Step 5.)

**Reasons: Document the reasons for your categorisation (refer to the table in your s40 agreement)**

*Insert details below:*

#### b. Other agencies (without section 40 agreements)

s38  Immediate referral to the CCC.

### Step 5. 40A record of alleged corrupt conduct not notified to the CCC

This section applies if a public official (or decision-maker) decides that a complaint of alleged corrupt conduct is not required to be notified to the CCC under s38/40 of the CC Act. A record of this decision must be captured. For further explanation refer to the explanatory notes.

#### List the information relied on in reaching the conclusion (i.e. no reasonable suspicion)

- a. statutory declaration
- b. statement from the complainant (e.g. telephone, email and letter)
- c. audit report / grievance process
- d. accounting records / payroll records / other evidence
- e. other (please specify, including if the matter is a Level 3 category).

*Insert details below:*

#### Document the reasons for the conclusion

(why the complaint did not meet the definition or threshold of a reasonable suspicion of corrupt conduct OR why the complaint is a Level 3, s40 matter that does not need to be referred to CCC i.e. agreement)

*Insert details below:*

### Step 6. Conflict of interest

#### Are there any conflict of interest issues?

Yes     No

#### If yes, do you (assessing officers and decision-makers) have conflicts of interest in assessing this matter?

*Insert details below:*

#### If yes, detail the steps taken to deal with any perceived or actual conflicts.

*Insert details below:*

### Step 7. Assessment endorsement details

Public official (or decision-maker's) name, position and endorsement of the assessment and categorisation of the complaint. Are there any conflict of interest issues?

If yes, record details under **Step 6**.

### **Step 8. Other information to consider**

Council may use this step to include any additional requirements they have internally (e.g. notify the executive manager of allegation) or any additional external requirements to notify other agencies (e.g. notify a regulatory body)

- Public interest disclosure (PID) assessment.
- Notification to the Queensland Police Service (an offence under the Criminal Code or another Act).
- Notification to other bodies (Queensland Audit Office).
- Recommendation for how to deal with the complaint.

Preliminary steps assessment that need to happen immediately (preserve evidence, alternative duties/ suspension, restrict access and monitoring activities).