

Allegations of serious misconduct referred to an appropriate authority for action

September 2020

This fact sheet provides practical information about the Commission's monitoring role of appropriate authorities, pursuant to the *Corruption, Crime and Misconduct Act 2003* (CCM Act) s 40.

Allegation Assessment - CCM Act s 33(1)(c)

The Assessment and Strategy Directorate is responsible for assessing all allegations of serious misconduct received by the Commission.

If a reasonable suspicion of serious misconduct is formed, the Commission may decide to refer the allegation(s) to an appropriate authority for action¹. It remains the responsibility of the appropriate authority to determine what reasonable action(s) should be taken to deal with the allegation(s) and address and mitigate any serious misconduct risk(s).

The actions of the appropriate authority are not limited to the allegation(s) referred. Should the appropriate authority identify any additional allegations of serious misconduct in the course of dealing with the referred allegation(s), the appropriate authority is required to report this information to the Commission.²

The Commission recommends that the appropriate authority take action into the allegation(s) of serious misconduct within six months of its referral.³

Monitor for outcome - CCM Act s 40

When the Commission refers allegation(s) to an appropriate authority for action, the appropriate authority is required to prepare and provide the Commission with a detailed report of the action taken in response to the allegation(s) of serious misconduct, as soon as practicable after the action is taken.⁴

The Commission's Oversight team will monitor all referred allegations for an outcome.

The report should detail the actions taken by the appropriate authority in response to the allegation(s) of serious misconduct, including any investigative and/or disciplinary action taken.

¹ CCM Act s 33(1)(c).

² CCM Act s 28.

³ CCM Act s 37(3).

⁴ CCM Act s 40.

The report should outline the steps taken and not just the outcome(s) or conclusions reached. The report should include the commencement and finalisation date for the action taken.

Upon receipt of the report, the Commission will conduct an appraisal of the outcome report and action(s) taken. The Commission may ask the appropriate authority for further information.

Once the Commission has concluded its appraisal and is satisfied that the agency has taken appropriate steps to address the referred allegation(s), an email will be sent to the agency confirming that no further action is required.

Contact the Corruption and Crime Commission

 Level 5, 45 Francis Street
Northbridge WA 6003
  General Enquiries (08) 9215 4888
Report Corruption 1800 809 000
  www.ccc.wa.gov.au
 info@ccc.wa.gov.au
 @CCCWestAus