**Framework for oversight of senior public service employee complaints devolved by the Crime and Corruption Commission**



Attachment 1

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|  | **1**  **Framework for oversight of senior public service employee complaints** |  |



**Effective 1 March 2023, this framework supports complaints devolved by the Crime and Corruption Commission (CCC), including complaints about former employees, for all public service Senior Executive Service (SES) 3, or equivalent and higher.**

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| **Subject of complaint** | **Decision maker** | **Instrument required** | **Public Sector Commission (PSC)****role** |   | **Entity role** |
| Directors-General | Director-General, DPC | Requires instrument of delegation from the Premier to Chair of Public | • | Establish terms of reference, engage independent. | • | Limited to providing access to relevant evidence, documentation |
| (excluding Director- General, Department Premier and Cabinet |   | Sector Governance Council under s281 of the Public Sector Act 2022. |   | investigators as necessary, manage investigation, support any discipline process. | • | and potential witnesses.Meeting obligations under the PublicInterest Disclosure Act 2010. |
| (DPC),Commissioner of |   |   | • | Obtain independent legal advice if required. |   |   |
| Police and |   |   | • | Provide progress reports to the |   |   |
| Commissioner of Fire and Emergency Services) |   |   | • | CCC as required.Brief the Director-General, DPCas required. |   |   |

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| Director-General, DPC | **Investigation** – CCC responsible. Subject to CCC agreeing to this role.**Decision on discipline** – the Premier. Noting on advice from the Solicitor-  | Not applicable. Cannot be delegated. | •••• | Obtain independent legal advice if required.Provide progress reports to the CCC as required.Support any discipline process. Brief the Premier as required. | •• | For the investigation – as requested by CCC.Meeting obligations under the *Public Interest Disclosure Act 2010.* |
|   | General. |   |   |   |   |   |
| Commissioner of Fire | **Investigation** – CCC | Not applicable. Cannot be delegated. | • | Obtain independent legal | • | For the investigation – as requested |
| and Emergency | responsible. Subject to |   |   | advice if required. |   | by CCC. |
| Services | CCC agreeing to this role. |   | • | Provide progress reports to the | • | Meeting obligations under the *Public* |
|   |   |   |   | CCC as required. |   | *Interest Disclosure Act 2010.* |
|   | **Decision on discipline –** |   | • | Support any discipline process. |   |   |
|   | Governor in Council on recommendation of Minister for Fire and Emergency |   | • | Brief the Minister as required. |   |   |
|   | Services. |   |   |   |   |   |
| Commissioner of | **Investigation –** CCC | Any delegation required is in | • | Role, if any, to be determined | • | In accordance with CCC and legal |
| Police | responsible. | accordance with legal advice |   | considering CCC and legal advice. |   | advice. |
|   | **Decision on discipline** - in accordance with s4.5 *Police* |   |   |   |   |   |
|   | *Service Administration Act* |   |   |   |   |   |
|   | *1990.* |   |   |   |   |   |
| SES3 and above | Independent Director- | Requires an instrument of delegation | • | Approve that conflicts of | • | Identify conflicts of interest and |
| (excluding Directors- | General | from the Director-General or agency |   | interest in the entity can be |   | complete a conflicts of interest |
| General) |   | Chief Executive of the home entity |   | managed appropriately so that |   | management plan if required. |
|   |   | under s282 of the *Public Sector Act* |   | the entity can manage the | • | Establish terms of reference, engage |
| Queensland Health SES3 and above and |   | *2022*. |   | investigation process and support any discipline process. |   | independent investigators as necessary, and manage |
| Health Executive |   |   | • | Responsible for the |   | investigation. |
| Service (HES) employee |   |   |   | investigation and support of discipline process where | • | Support the independent Director- General for any discipline process. |
| equivalents with a |   |   |   | conflicts cannot be managed. | • | Obtain independent legal advice if |
| direct reporting |   |   | • | Provide oversight and supportthe independent Director- General by advising on key steps in the investigation and |   | required. |
| relationship to Director-General, Queensland Health |   |   |   | •• | Provide progress reports to the CCCand PSC as required.Meeting obligations under the *Public* |
|   |   |   |   |   |   | *Interest Disclosure Act 2010.* |

**2**  **Framework for oversight of senior public service employee complaints**

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|  |  |  | discipline processes where it is managed by the entity.* Coordinate progress reporting from entity.
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| Queensland Health SES3 and above and HES equivalents – no direct reporting relationship to Director-General, Queensland Health | To be managed in accordance with Queensland Health policies and procedures. |

**3  Framework for oversight of senior public service employee complaints**

