



Queensland Integrity Commissioner

Encouraging confidence in public office & public institutions

Half-year Update July - December 2019



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About this Report

This Half Year Update provides information about the Queensland Integrity Commissioner's performance for the period of 1 July 2019 to 31 December 2019

This Update has been prepared for the Economics and Governance Committee public briefing on Monday, 30 March 2020.

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Overview: Half Year Update

This Half Year Update covers the first half of the 2019-20 reporting year.

Over the past two and a half years, the Queensland Integrity Commissioner ('QIC') has experienced an unprecedented rise in demand for advice requests and other services.

Further, there has been a significant expansion of the QIC's jurisdiction to include mayors and councillors in accordance with recommendation 28(a) of the Belcarra Report, and amendments to the *Integrity Act 2009* under which:

- Senior Executive Service, Senior Officers, and Senior Officer Equivalents are now able to seek advice from the QIC without Chief Executive approval, and
- former designated persons are now able to seek will be able to seek advice from the QIC on post-employment obligations for a period of two years after separating from the public sector.

In the 2017-18 financial year, the QIC experienced a four-fold increase in the number of requests for advice. Requests for advice rose from an average of 60 requests per year since the inception of the QIC in to 216 requests in the 2017-18 financial year. The upward trajectory continued with request numbers again increasing in the 2018-19 financial year to 335 (formal advice requests).

Noting the increased and sustained demand, and the fact that the QIC is unable to delegate the advice functions, in the 2019-20 financial year, the QIC introduced a range of strategies to ensure efficiency and effectiveness, including the prioritisation of advice request according to the impact on public interest, and referral of advisees to other, relevant agencies. The new strategies, including their need, was widely communicated to key stakeholders, including the QIC's 'Commissioner's Corner' segment in the Local Government Association of Queensland's 'Council Leader' newsletter.

The effect of the strategies has meant that the QIC is now able to meet demand for genuine requests for ethics and integrity advice in a timely manner, whilst also assisting those who seek advice on matters that are not within the jurisdiction of the QIC, to get the assistance that they need. Such matters include advice requests about legal, policy, procedural, and administrative matters.

To this end, in the first half of the 2019-2020 financial year, the QIC received 161 formal advice requests, of which 111 were responded to with formal advice, and 33 were referred to more appropriate agencies and departments such as the Office of the Independent Assessor, the Electoral Commission, and the Department of Local Government. The remaining 17 requests were either responded to with an oral opinion or were recorded as being withdrawn by the advisee.

More information about the advice functions of the QIC are included on the following page.

The QIC's ongoing commitment to raising public awareness across the public sector more broadly resulted in the QIC delivering or attending 53 education and training session, meetings, or other forums.

The office of the QIC has also continued to update and enhance its website, including by providing research papers, guidelines and fact sheets.

The QIC remains encouraged by the number of designated persons seeking advice on complex ethical and integrity issues, and believes it indicates a commitment to maintaining public confidence in government decision-making.

Advice Requests

More than 5000 persons fall under the ethics and integrity advice jurisdiction of the QIC prescribed by Chapter 3 of the *Integrity Act 2009* (Qld).

As detailed above, in the financial year of 2017-18 the QIC experienced a four-fold increase in the number of requests for advice (212 for the full year). The QIC experienced a further large surge in requests for advice during the 2018-19 period (335 for the full year).

The first half of the 2019-20 financial year has still seen very high numbers of formal requests (161). However, the introduction of strategies to narrow the QIC's focus to responding only to ethics and integrity' advice, particularly where an advisee has alternative, and often more appropriate, avenues has meant that the need to respond with formal advice has been reduced back to the more sustainable 2017-18 numbers (111 for the first six months, and prediction of 200-210 for the full year).

Of the remaining 50 formal requests:

- 33 requests were out of scope and referred to other agencies
- 11 requests were dealt with by preliminary oral or written opinion only, and
- 6 requests were withdrawn.

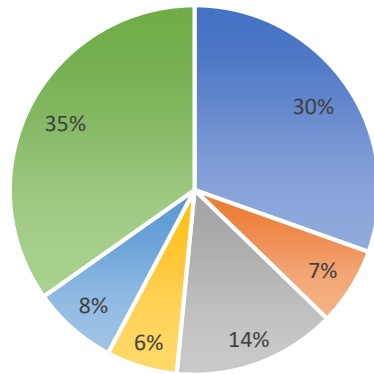
In addition to requests from designated persons, the QIC also received 27 were out of jurisdiction requests, including requests from members of the public. All public enquiries were responded to in a timely manner.

Whilst the QIC uses real time tracking of data to anticipate workflow, and to track and monitor trends, predictability in terms of anticipating the number of advice requests received from month to month remains an issue.

Requests by Designation

The following pie chart indicates, in general terms, the source of each request for advice received in the first half of this financial year.

Source of Advice Requests



- Members of the Legislative Assembly
- Statutory Office Holders
- Chief Executives or Director-Generals
- Senior Executives or Senior Officers
- Ministerial Staff
- Mayors and Councillors

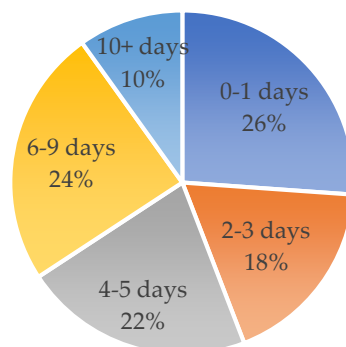
Response Times

Response times this half year are slightly longer than the previous four quarters.¹

Analysis of the data reveal that 29% of advice requests were responded to on the same day or on the next working day. A further 20% were responded to within two to three working days; 24% in four to five working days; and 27% in six to nine working days, and 11% taking 10 days or longer.

The longer response times are indicative of the high demand for formal advice, the complexities of the issues being addressed, the thoroughness under which the Commissioner undertakes this function, and the fact that advice function is unable to be delegated.

Response Times



- 0-1 days
- 2-3 days
- 4-5 days
- 6-9 days
- 10+ days

¹ Note: This paragraph and pie chart do not include special project timeframes.

Lobbying Functions

The QIC is also responsible for administering the regulation of lobbying activities in Queensland under Chapter 4 of the *Integrity Act 2009*. This includes maintaining the lobbyists register.

The QIC regularly responds to administrative requests from lobbyists, including general queries about the register and individual lobbyist accounts.

There has been an increase in requests for advice about lobbying activities and various lobbying obligations under the *Integrity Act 2009*. In the first half of this financial year, there have been 16 formal requests.

While it is not the QIC's role to provide legal or ethics and integrity advice to lobbyists, consistent with its functions in relation to the registration of lobbyists, it is considered to be in the public interest for the QIC to inform as to its views on various obligations under the Act.

In the interests of consistency and compliance, the office of the QIC has also recently published on its website, its views as to the application of the *Integrity Act 2009* in relation to various fact scenarios. This content will be updated to reflect ongoing queries. Particular issues raised will also likely be considered in the next strategic review under the *Integrity Act 2009*.

The QIC is also finalising an audit in conjunction with public sector agencies on the entry of lobbying contacts on the Lobbyist Registry. The audit's focus is on compliance by registered lobbyists in relation to their obligations to enter lobbying contact. It is anticipated that the audit will be completed by 30 June 2020.

Public Awareness Functions

The QIC has a statutory obligation to raise public awareness of ethics and integrity issues by contributing to public discussion about the QIC's functions, and integrity in public office. Consistent with the functions, the QIC has a strong and ongoing commitment to raising public awareness across the public sector as demonstrated by the various activities in that regard.

Education & Training

The QIC regularly runs education sessions and is also engaged in research and education to prevent corruption and misconduct. This includes developing resources and aids.

The Commissioner delivered or presented at 19 education sessions during the first half of this financial year. Other QIC staff have also been involved in the delivery of training and education around the State.

Highlights for the first half of this financial year included:

- as part of the QIC's contribution to fostering the next generation of leaders, together with the Police Commissioner, the Fire and Emergency Services Commissioner, the Chair of the Crime and Corruption Commission, the Corrections Commissioner, among others, we recently formed an women's leadership network, the 'Public Safety and Integrity Agencies Women's Network' ('Leading Women'), to provide support and guidance to women who aspire to one day hold leadership positions. The inaugural event was held on 23 August 2019, and Police Commissioner, Katarina Carroll led with an inspiring keynote address, and
- attending and presenting to many Queensland Councils, often in collaboration with Ms Kathleen Florian, the Independent Assessor.

The QIC also publishes a regular quarterly segment, called the '*Commissioner's Corner*', in the Local Government Association of Queensland's '*Council Leader*' newsletter.

Resource Development

The QIC has developed plans, including a Strategic Plan and a Stakeholder Engagement Plan, to guide ongoing and effective outreach and engagement with designated persons, and other relevant stakeholders extending beyond the current financial year.

A longer-term goal of the QIC is to develop resources to build integrity and ethics capacity across public sector decision-makers, particularly multi-member decision-making bodies such as boards.

To that end, in the first half year of the 2019-20 financial year, the QIC added to existing resources and produced the following range of materials which are now available of the website:

- Identifying, Disclosing and Managing Personal Interests: Developing an Interests Management Framework to Guide Practice for Multi-Member Decision-Making Bodies
- Meeting Aid – Conflicts of Interest', Multi-Member Decision-Making Bodies
- Meeting Aid – Conflicts of Duties', Multi-Member Decision-Making Bodies
- Identifying, Disclosing, and Managing Personal Interests: A Guide for Multi-Member Decision-Making Bodies
- Flowchart – Navigating and Resolving Conflict of Interest Issues', Multi-Member Decision-Making Bodies
- Identifying, Disclosing, and Managing Potential Conflicts of Interests: A Guide for Ministers
- Assessment Aid – Conflicts of Interest': A Guide for Ministers

The Integrity Committee

In August 2001, the inaugural Integrity Commissioner, the Honourable Alan Demack AO (2000-2004) convened the first meeting of the Integrity Committee. Since then the Integrity Committee has met on a quarterly basis to discuss shared issues.

Meetings are convened and chaired by the Integrity Commissioner. Members include: the Chair of the Crime and Corruption Commission, the Auditor-General, the Queensland Ombudsman, the Information Commissioner, the Public Service Commissioner, the Queensland Racing Integrity Commissioner, the Queensland Electoral Commissioner, and the Independent Assessor.

Notes of Integrity Committee meetings kept by the QIC and are available on its website.

Members of the Integrity Committee also often undertake education sessions and workshops collaboratively due to their interest in shared issues and a commitment to raising public awareness about the integrity framework in place in Queensland.

Future Focus

This year is the current Commissioner's third year in the role, and she is very capably supported by a staff of four.

It has been and will continue to be a year of challenges and new opportunities for 'Team Integrity', and all of the staff are looking forward to continuing to deliver our services well and exploring new approaches to the way we do business and the way we raise public awareness.

As well, the next Strategic Review into the Functions of the QIC is due relatively soon, with the appointment of a Reviewer due before February 2021 under subsection 86(3) of the *Integrity Act 2009*.

The Strategic Review provides an opportunity for the functions of the QIC to be further considered given the significant changes to scope and activities of the QIC and support staff in recent years.

Financial statement: Half Year

In the current financial year, total funding of \$1.418 million was allocated to assist the Integrity Commissioner's expanded role in responding to government's commitment to integrity in public office and institutions.

The figures for this financial year to date, are set out in the following page.

Queensland Integrity Commissioner
Statement of Comprehensive Income - 6 Month Interim Report
1 July to 31 December 2019

	2020	2020		Note
	Actual	Original Budget	Budget Variances	
OPERATING RESULT	\$'000	\$'000	\$'000	
Income from Continuing Operations				
Appropriation revenue	629	603	26	1
Total Income from Continuing Operations	629	603	26	
Expenses from Continuing Operations				
Employee expenses	429	439	10	2
Supplies and services	167	162	(4)	
Depreciation and amortisation	1	1	0	
Total Expenses from Continuing Operations	596	603	7	
Operating Result at 31 December 2019			<u><u>7</u></u>	

The accompanying notes form part of these statements.

Explanation of major budget variances

1. Additional funding of \$26K in 2019-2020 was primarily due to funding received to assist the Integrity Commissioner's expanded role in responding to the Government's commitment to integrity in public office and institutions. This funding increase was provided internally by the PSC.

2. An underspend in Employee Related Expenditure is primarily due to short term staff vacancies.

