



STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC EQUALITY
Ms Leanne Castley (Chair), Ms Suzanne Orr (Deputy Chair), Mr Johnathan Davis MLA

Inquiry into ACT Budget 2021–22
ANSWER TO QUESTION TAKEN ON NOTICE
27 October 2021

Asked by ELIZABETH LEE MLA on 27 OCTOBER 2021: MR MCPHEE took on notice the following question(s):

Ref: Hansard Transcript 27 October 2021, PAGE 151

In relation to: PSSC

MS LEE: Of the 98 misconduct complaints, do you have a breakdown of the outcome of those complaints? I imagine that goes anywhere from warnings to dismissal. Do you have a breakdown of the outcome of the complaints?

Mr McPhee: No. Just for clarity, the 98 was processes we have been informed about this year. Some of those will still be running. I do not have the statistics on that but I would be happy to take that on board to see if we can pull out some statistics to respond to your query.

MS LEE: So you would be happy to take that on notice?

Mr McPhee: Yes.

ANDREW BARR MLA: The answer to the Member's question is as follows:—

Of the 98 misconduct matters reported to the Public Sector Standards Commissioner as commenced during financial year 2020-21, the following outcomes have been reported:

- 32 matters remain in progress
- 5 matters were withdrawn by the referring delegate
- 15 employees resigned prior to finalisation of a pending misconduct process
- 15 matters found misconduct was not substantiated or no breach found
- 31 matters found misconduct was substantiated.

Where an employee resigns during a misconduct investigation the PSSC has the authority to determine whether the investigations should continue or stay the process and re-commence if the employee subsequently seeks to re-enter the service.

Of the 31 matters where misconduct was substantiated, the sanctions imposed— noting multiple sanctions can be imposed by a delegate relating to a single misconduct finding — are:

- Letter of reprimand only: 6
- Financial penalty in addition to letter of reprimand: 16
- Transfer to a position at level or below included in sanction: 3

- Counselling or training included in sanction: 4
- Termination of employment or contract not renewed: 8

Approved for circulation to the Standing Committee on Economy Gender and Economic Equality

Signature: 

Date: 10.11.2021

By the Chief Minister, Andrew Barr MLA