

How IBAC handles complaints

This fact sheet provides information about the Independent Broad-based Anti-corruption Commission’s (IBAC) process for handling complaints.



About IBAC

IBAC is Victoria’s independent anti-corruption and police oversight agency. IBAC works to identify, investigate, expose, and prevent public sector corruption and police misconduct in Victoria.

IBAC takes all complaints it receives seriously, and we value the time and effort it takes to submit a complaint.

IBAC can only receive and assess complaints about **Victorian public sector** corrupt conduct and **Victoria police personnel** misconduct.

IBAC’s jurisdiction covers the entire Victorian public sector, including:

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|  State and local government departments and agencies |  Victoria Police |
|  Schools |  Hospitals |
|  Victorian Parliament |  Judiciary |

IBAC cannot investigate:

- federal government parliamentarians, departments or agencies
- issues arising in other states and territories, or overseas
- the private sector, unless public officials or public authorities are involved or affected (noting, some private contractors and consultants can be considered public officers if they’re performing public functions).

What happens after IBAC receives a complaint?

When IBAC receives a complaint, our first step is to consider the complaint based on the information provided, and any further related information available to IBAC.

If IBAC has enough information we will begin assessing the complaint. For more information visit www.ibac.vic.gov.au/what-happens-your-complaint

An assessment is not an investigation. For more information about what IBAC can investigate, visit www.ibac.vic.gov.au/what-we-investigate

What decisions can IBAC make about a complaint?

Following assessment, the **three main actions** IBAC can take are to:



investigate the complaint



refer the complaint to another agency to investigate



dismiss your complaint.

IBAC may conduct a preliminary inquiry to help determine whether to refer, investigate or dismiss a complaint.

In deciding which matters to prioritise for investigation, IBAC considers issues such as:

- seriousness of the conduct
- systemic issues
- whether the conduct is still occurring
- our strategic focus areas
- whether the conduct involves someone who is at risk.

For more information about our complaint outcomes, visit www.ibac.vic.gov.au/complaintoutcomes

Why does IBAC refer some complaints?

As part of the assessment of a complaint, IBAC will consider whether the allegations raised should be investigated by IBAC, or whether another body would be more appropriate to investigate. Where we consider that another body is more appropriate to conduct the investigation, we are required to refer the complaint.

Why does IBAC dismiss some complaints?

Sometimes, IBAC will dismiss a complaint because:

- it does not reach IBAC's threshold to warrant further action by IBAC or another body
- the allegations might be about service delivery (e.g. rudeness)
- a complaint has already been made to another body
- IBAC is already aware of the issue and is taking steps to investigate or deal with it.

How long will it take for IBAC to assess a complaint?

IBAC understands the importance of assessing complaints as quickly as possible. We aim to assess the information we receive within 45 days, however, sometimes the volume of the information provided or the complexity of the issues in the complaint mean an assessment takes longer.

Delays can also occur if we need more information or if the complaint is being made on behalf of another person because we will need to establish an authority to act before we can progress the assessment.

How will I be protected after making a complaint?

IBAC will handle the information and personal details it receives carefully, and in accordance with relevant legislation.

Upon receiving a complaint, IBAC will assess it under the *Public Interest Disclosure Act 2012* (PID Act). If we decide your complaint is a 'public interest disclosure,' you will have certain confidentiality protections and obligations under the PID Act.

This is not an assessment of the seriousness of the information provided, or whether the information shared is important to the public or not. This assessment determines whether certain confidentiality requirements and protections should apply.

For more information about protections under the PID Act, please call IBAC on 1300 735 135 or visit the website at www.ibac.vic.gov.au/reporting-corruption/public-interest-disclosures

If you don't want IBAC to assess your matter as a public interest disclosure, you can tell us when you make your complaint (or within 28 days of making the complaint, in writing).

Where can you go for support?

Sometimes making a complaint can be stressful or difficult. If you feel you need support, please contact your healthcare provider.

Alternatively, you may wish to access one of the support services listed on our website at www.ibac.vic.gov.au/reporting-corruption/what-happens-to-your-complaint/mental-health-support

This written statement provides a summary of elements of the IBAC and PID Acts, provided for information and educational purposes. It is not a substitute for referring to the provisions of the Acts themselves or for obtaining legal advice.

You can find more information and make a complaint by:



Filling out the secure online form at www.ibac.vic.gov.au



If you have difficulty accessing the online form, call us on **1300 735 135** for further assistance.



If you need help with translation, call Translating and Interpreting Service on **13 14 50** or visit www.ibac.vic.gov.au/mylanguage

