



Complaints about the State Librarian and Chief Executive Officer

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1 Authority

This Policy is applied by the authority of the Library Board of Queensland.

2 Policy statement

The State Librarian and Chief Executive Officer (CEO) is the public official of the Library Board of Queensland (Library Board).

The objective of this policy is to set out how the Library Board will deal with a complaint (or information or matter) that involves or may involve corrupt conduct of the State Librarian and CEO as defined in the *Crime and Corruption Act 2001* (Qld) (CC Act).

3 Purpose

The policy is designed to assist the Library Board to:

1. comply with s48A of the CC Act
2. promote public confidence in the way suspected corrupt conduct of the State Librarian and CEO for the Library Board is dealt with (s34(c) CC Act)
3. promote accountability, integrity and transparency in the way the Library Board deals with a complaint that is suspected to involve, or may involve, corrupt conduct of the State Librarian and CEO.

4 Scope

This policy applies if there are grounds to suspect that a complaint may involve corrupt conduct of the State Librarian and CEO.

For the purpose of this policy a complaint includes information or matter (refer s48A (4) of the CC Act for definition).

5 Definitions

Word/Term	Definition
Crime and Corruption Commission (CCC)	the Commission continued in existence under the CC Act
CC Act	<i>Crime and Corruption Act 2001</i>
Complaint	includes information or matter. See definition provided by s48A(4) of the CC Act
Contact details (of nominated person)	Mrs Debbie Best Chairperson, Library Board of Queensland Telephone: 0406 654 426 Email: debra.lee.best@gmail.com Postal address: PO Box 3488 South Brisbane QLD 4101 Australia
Corruption	see Schedule 2 (Dictionary) of the CC Act
Corrupt conduct	see s15 of the CC Act
Deal with	see Schedule 2 (Dictionary) of the CC Act
Nominated person	see item 7 of this policy
Police misconduct	see Schedule 2 (Dictionary) of the CC Act
Public official/CEO	see Schedule 2 (Dictionary) and also s48A of the CC Act

6 Nominated person

Having regard to s48A(2) and (3) of the CC Act, this policy nominates the Chairperson of the Library Board as the nominated person to notify the Crime and Corruption Commission (CCC) of the complaint and to deal with the complaint under the CC Act.

Once the Library Board nominates a person, the CC Act applies as if a reference about notifying or dealing with the complaint to the State Librarian and CEO is a reference to the Chairperson.

7 Complaints about the State Librarian and CEO

If a complaint may involve an allegation of corrupt conduct of the State Librarian and CEO, the complaint may be reported to:

- the Chairperson, or
- a person to whom there is an obligation to report under an Act (this does not include an obligation imposed by ss37, 38 and 39(1) of the CC Act).

If there is uncertainty about whether a complaint should be reported, it is best to report it to the Chairperson.

If the Chairperson reasonably suspects the complaint may involve corrupt conduct of the State Librarian and CEO, they are to:

- a) notify the CCC of the complaint, and
- b) deal with the complaint, subject to the CCC's monitoring role, when pursuant to s46, the CCC refers the complaint to the Chairperson to deal with.

If the State Librarian and CEO reasonably suspects that the complaint may involve corrupt conduct on their part, the State Librarian and CEO must:

- (i) report the complaint to the Chairperson as soon as practicable and may also notify the CCC, and
- (ii) take no further action to deal with the complaint unless requested to do so by the Chairperson.

8 Recordkeeping requirements

Should the Chairperson decide that a complaint, or information or matter, about alleged corrupt conduct of the State Librarian and CEO is not required to be notified to the CCC under s38 of the CC Act, the Chairperson must make a record of the decision that complies with s40A of the CC Act.

9 Resourcing the nominated person

If pursuant to s46, the Chairperson has responsibility to deal with the complaint:

- (i) the Library Board will ensure that sufficient resources are available to the Chairperson to enable them to deal with the complaint appropriately, and
- (ii) the Chairperson is to ensure that consultations, if any, for the purpose of securing resources sufficient to deal with the complaint appropriately are confidential and are not disclosed, other than to the CCC, without authorisation under a law of the Commonwealth or the State
- (iii) the Chairperson must, at all times, use their best endeavours to act independently, impartially and fairly having regard to the:
 - purposes of the CC Act
 - the importance of promoting public confidence in the way suspected corrupt conduct is dealt with, and
 - the Library Board's statutory, policy and procedural framework.

If the Chairperson has responsibility to deal with the complaint, they:

- are delegated the same authority, functions and powers as the State Librarian and CEO to direct and control staff as if the nominated person is the State Librarian and CEO for the purpose of dealing with the complaint only
- are delegated the same authority, functions and powers as the State Librarian and CEO to enter into contracts on behalf of the Library Board for the purpose of dealing with the complaint

- do not have any authority, function or power that cannot — under the law of the Commonwealth or the State — be delegated from the State Librarian and CEO to the Chairperson.

10 Liaising with the Crime and Corruption Commission

The State Librarian and CEO is to keep the CCC and the Chairperson informed of:

- the contact details for the State Librarian and CEO and the Chairperson
- any proposed changes to this policy.

11 Consultation with the Crime and Corruption Commission

The State Librarian and CEO will consult with the CCC when preparing any policy about how State Library will deal with a complaint that involves or may involve corrupt conduct of the State Librarian and CEO.

12 Essential considerations

There are no human rights under the *Human Rights Act 2019* (Qld) that are impeded by this policy. In acting within the scope of this policy, the impact on the *Human Rights Act 2019* (Qld) will be considered.

13 References

Unless otherwise stated, all statutory references are to the CC Act.

14 Approval

Approved by resolution of the Library Board of Queensland on 13 December 2023 (**RES/2023/125**).

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