

# Contractors

## Factsheet for contractors to government agencies

As a supplier contracted to deliver goods or services on behalf of local or state government in South Australia, **you are considered a public officer** while performing that contracted work.

### What are my obligations as a public officer?

All South Australian public officers have obligations under the *Independent Commission Against Corruption Act* (ICAC Act). One of those obligations is to **report any conduct which you reasonably suspect to be corruption in public administration** to the Office for Public Integrity (OPI).

You are also expected to report maladministration and misconduct to the OPI.




As a public officer, you have the same ethical responsibilities as those who are employed directly by a government agency. You are expected to conduct yourself with integrity and abide by any relevant code of conduct.



As a public officer, a report can be made about you if you fail to act in an ethical way and you can be investigated for alleged corruption, misconduct and maladministration.

### More information:

 1300 782 489

 [www.publicintegrity.sa.gov.au](http://www.publicintegrity.sa.gov.au)

 [admin@opi.sa.gov.au](mailto:admin@opi.sa.gov.au)

## What is corruption?

The term corruption is defined in the ICAC Act. In general terms, corruption involves the abuse of entrusted power for private gain. Some common examples of corruption are:

- Bribery of public officers
- Threats made against public officers
- Abuse of public office
- Demanding or requiring a benefit on the basis of public office
- Offences relating to the appointment of any public office.

**You must report to the OPI any conduct which you reasonably suspect to be corruption in public administration.**

## What is misconduct and maladministration?

**Maladministration** is the mismanagement of public resources or functions which might have serious implications for an agency and / or the community. An example would be the misuse of public funds or mismanagement of a project. Maladministration does not have to be intentional but can arise from negligence or incompetence.

**Misconduct** is an intentional and serious contravention of a code of conduct by a public officer that constitutes a ground for disciplinary action. This could be a breach of the Code of Ethics for the South Australian Public Sector or another relevant code of conduct. The conduct must involve the public officer acting in their capacity as a public officer.

**There is an expectation that you report maladministration and misconduct to the OPI.**

## What is the OPI and what will it do with my report?

When you make a report to the OPI, we will assess whether issues of corruption, misconduct or maladministration are raised that require further action. Our assessment will determine the most appropriate agency to address those issues, or may determine to take no further action. Potential agencies we could refer your report to include:

- the Independent Commission Against Corruption (ICAC)
- an inquiry agency such as the Ombudsman
- another government department
- a law enforcement agency.

## What protections are available to you?

Appropriate disclosures of suspected corruption, misconduct or maladministration made by a public officer to the OPI are treated as a public interest disclosure. This means that the OPI must assess the disclosure and notify the informant what action the OPI took. This also provides public officers with protections from liability and victimisation and may also protect the identify of the informant.

The OPI cannot disclose your identity without first obtaining your consent. If you make a report to the OPI, we will ask you whether you agree to being identified as the informant.


## Confidentiality

Your report is confidential. It is against the law to disclose or publish (including on social media) certain information about your report. If you are not sure what you can say, or want to seek permission to disclose information, contact the OPI or seek independent legal advice.



OFFICE FOR  
PUBLIC INTEGRITY  
SOUTH AUSTRALIA

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# What support is available?

The following services can provide access to support and independent legal advice.

## 1800Respect

Free counselling, information and referrals for those experiencing family violence.

1800 737 732 1800

[respect.org.au](http://respect.org.au)

## Aboriginal Legal Rights Movement

Legal advice and assistance for Aboriginal people in South Australia.

1800 643 222

[alm.org.au](http://alm.org.au)

## Beyond Blue

Support for people experiencing anxiety or depression.

1300 224 636

[beyondblue.org.au](http://beyondblue.org.au)

## Employee Assistance Program (EAP)

SA Public Sector employees may have access to work-based wellbeing programs. Contact your employer.

## Homelessness Gateway

24/7 support and access to emergency accommodation for those at risk of homelessness.

1800 003 308

## JusticeNet SA

Coordinates free legal assistance for low-income earners.

[justicenet.org.au](http://justicenet.org.au)

## Legal Services Commission

Free legal assistance, advice, information and referrals.

1300 366 424

[lsc.sa.gov.au](http://lsc.sa.gov.au)

## Lifeline Crisis Support

Crisis support and suicide prevention.

13 11 14

[lifeline.org.au](http://lifeline.org.au)

## Mental Health Triage Service

24/7 service for support, triage and referrals for mental health emergencies.

13 14 65

## Suicide Call Back Service

24/7 phone and online counselling for people affected by suicide.

1300 659 467 [suicidecallbackservice.org.au](http://suicidecallbackservice.org.au)

## Victims of Crime South Australia

Assistance and support for victims of crime.

8204 9635

[victimsofcrime.sa.gov.au](http://victimsofcrime.sa.gov.au)

## Women's Legal Services SA

Free legal services for women in South Australia.

1800 816 349

[wlssa.org.au](http://wlssa.org.au)



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