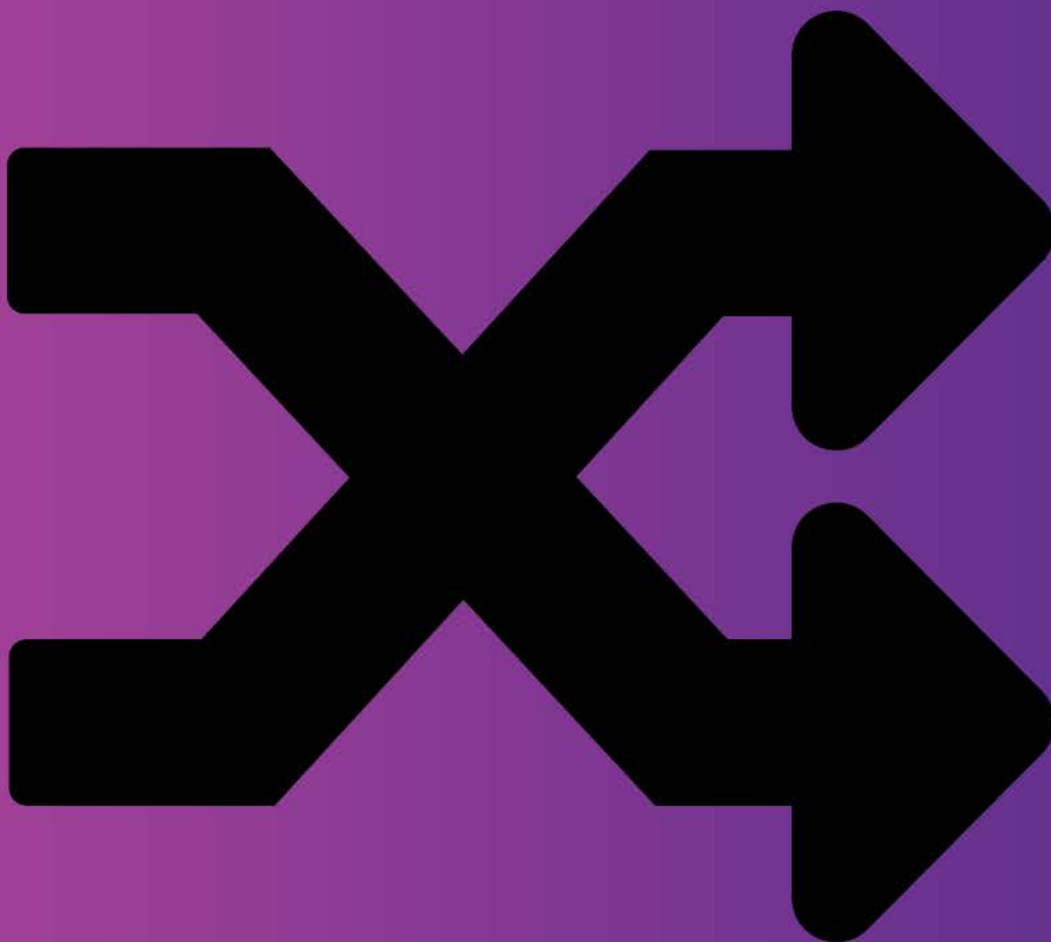


Access Canberra Policy

Part of Accountability Commitment series

DECISION MAKING GUIDELINES



June 2020



Chief Minister, Treasury and Economic Development Directorate - CMTEDD

Access Canberra

P: 13 22 81

W: <https://www.accesscanberra.act.gov.au/s/>

Published June 2020

IMPORTANT NOTE: This information is for guidance only

Forward

Purpose

The Access Canberra Accountability Commitment explains how Access Canberra will approach its role as both a service provider and a risk-based regulator, including what factors will be considered when dealing with regulatory non-compliance.

Aim

The Accountability Commitment ensures that Access Canberra is approaching its role as a service provider and risk-based regulator in a consistent and transparent way. There are four policies that make up the Accountability Commitment series:

- Customer Service Charter;
- Decision Making Guidelines;
- Regulatory Complaint and Investigation Policy; and
- Compliance and Enforcement Policy.

This Accountability Commitment policy together with frameworks (tailored for different sectors the organisation oversees), outlines Access Canberra's approach to compliance and enforcement. Access Canberra will focus its resources where the risks of harm, unsafe practices or misconduct are greatest in the community.

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INTRODUCTION

Access Canberra is an agency within Chief Minister, Treasury and Economic Development Directorate (CMTEDD).

Within Access Canberra there are a number of statutory office holders, who are independent decision makers.

The statutory office holders appointed within Access Canberra are:

- Registrar-General;
- Commissioner for Fair Trading;
- Construction Occupations Registrar;
- Environment Protection Authority;
- Controlled Sports Registrar;

When a decision maker makes a decision under an enactment there are certain requirements that need to be considered, which are addressed in this guideline.

Good decision-making

Government officers regularly make administrative decisions as part of delivering services to the public. Good decision-making is the basis of good government administration.

Administrative decisions often include the exercise of discretion. Discretion exists when there is a power for the decision maker to act or not act, approve or not approve, or approve with conditions. In other circumstances the legislation compels a decision maker to act in a particular way.

Giving reasons for a decision should enable people affected by the decision to understand why the decision was made.

This Guideline explains why the giving of reasons is important as well as the type of information that should be included in the document containing the statement of reasons.

Stages and Decision-Making Steps: Quick Overview

Stage 1: Preparing for the decision



1. Identify and record the key issues
2. Start and maintain a document trail
3. Read and understand the legislation
4. Identify and understand agency's policies and practices
5. Identify and understand procedure to follow
6. Establish a decision-making timeframe

Stage 2: Developing the decision



7. Follow procedures
8. Gather and record all relevant information
9. Observe Natural Justice
10. Internal committee/s

Stage 3: Making the decision



11. Finding of facts
12. Apply the law to the facts
13. Reasonably exercise discretion

Stage 4: Communicating the decision



14. Decision
15. Give meaningful and accurate reasons



STAGE 1: PREPARING FOR THE DECISION

Stage 1: Preparing for the decision

1. Identify and record the key issues consider:

- > any relevant legislative provisions;
- > any relevant policies, standards and practice of agency;
- > what information is available that may be relevant to the applicant's compliance with the criteria;
- > what information needs to be gathered to determine whether the applicant complies with the criteria;
- > the possible decisions, and, if necessary, delegated authority to make the decision;
- > any potential conflict of interest (perceived or real) must be dealt with in accordance with the Agencies code of conduct or standard practice;
- > record assessment of the key issues.

Note: A decision maker should not be involved in a decision where a conflict of interest exists, even if the decision maker has the proper delegation or authority. A conflict of interest is a situation where personal or private interests could or may be seen to improperly influence a decision maker, which may be an actual or perceived conflict of interest.

2. Start and maintain a document trail

Accurate record keeping is an important component of good administrative practice. The obligation covers all (that are relevant to the decision to be made):

- > oral communications, including telephone calls
- > written communications, including emails
- > events and actions, including internal or external meetings.

Records should be made contemporaneously or as soon as practicable following communication, event or action to which they relate.

Good record keeping:

- ▷ improves decision-making by providing decision-makers with detailed information on which to base their decisions;
- ▷ assists decision-makers to prepare a comprehensive statement of reasons if required;
- ▷ enables an agency to establish how a decision was made, in the event that the decision is challenged or is the subject of external or internal review;
- ▷ protects you and your agency from criticism by providing you with the means to explain why a certain decision was made;
- ▷ enhances transparency in government by enabling agencies to respond meaningfully and efficiently to requests under the *Freedom of Information Act 1992*.

3. Read and understand the legislation

It is important that the legislation relevant to a decision is correctly interpreted and applied.

If the meaning or application of the legislation is unclear, consider obtaining specific legal advice.

Note: Before making any administrative decision, you need to find the relevant section/s of legislation that gives you the power to make your decision. Some legislation may have preconditions before a decision can be made and the actual power to make a decision is contained within another section. For example, s.34 of the *Construction Occupations (Licencing) Act 2004* requires that an intention to make a rectification order be made before a rectification order is made under s.38.

Legislation establishes who is authorised to make a decision. To be valid and effective, a decision must be made by an officer who is authorised.

Delegations must be in writing and signed by the authorised body or person delegating the power.¹

¹ *The Legislation Act 2002* sets out the rules for exercising delegated authority.

Who has the authority to make a decision in Access Canberra?

To be valid and effective, a decision must be made by an officer who is authorised by legislation or delegation.

An authorised person or body must exercise the decision-making power personally. An exception is the express power of delegation, where someone authorised to make a decision passes on this power to another officer to act on their behalf.

Delegations must be in writing and signed by the authorised body or person delegating the power. Where a decision-maker believes they may have a conflict of interest, they may be able to delegate the decision-making power to another appropriate staff member.

4. Identify and understand agency's policies and practices

The term **policy** refers to written guidelines prepared to assist decision-makers to make lawful, fair and consistent decisions. The term **practice** refers to unwritten guidelines based on the way particular types of decisions have been made previously.

Note: The rules of natural justice or procedural fairness generally apply to most administrative decision making. The terms have similar meaning and are commonly interchangeable.

Procedural fairness is concerned with procedures used by a decision maker, rather than the actual outcome reached. It requires a proper procedure be used when making a decision.

Procedural fairness applies where a person has a legitimate expectation, such as for a licence renewal or some sort of benefit, like a travel concession.

5. Identify and understand procedure to follow

The term procedure refers to the steps involved in achieving the specific legislative or policy purpose.

Note: Procedural fairness/natural justice - This concept requires a proper procedure to be used when making a decision, and mainly applies to decisions that could negatively affect the rights or interests of a person or corporation. For example, procedural fairness would apply to a decision:

- to cancel a licence, or decision to refuse the renewal of a licence;
- to issue a rectification order on a builder/certifier;
- to impose a sanction against a person or company;
- to undertake occupational discipline against a licensee.

In these cases, the decision-maker must provide the person or corporation procedural justice. The rules require that the decision-maker:

- provides a person a hearing appropriate to the circumstances;
- this may include sending a show cause notice allowing the person to make submissions before a decision is made that negatively affects a right, an existing interest or legitimate expectation which is held.
- makes reasonable inquiries or investigations before making a decision;
- approaches the decision with an open mind;
- takes into account relevant factors;
- conducts the investigation without unnecessary delay;
- keeps a full record of investigations made.

What does procedural fairness require?

The rules of procedural fairness require that:

- a person is given a hearing appropriate to the circumstances, which may include sending a show cause notice and allowing the person to make submissions before a decision is made that negatively affects a right, an existing interest or legitimate expectation which is held.

The person has a right to receive all relevant information before preparing their reply, which includes:

- ▷ Description of the possible decision;
 - ▷ Criteria for making that decision;
 - ▷ Information on which any such decision would be based;
 - ▷ Any negative information held about the person is disclosed to that person;
 - ▷ Summary of the issues being considered by the decision maker.
 - ▷ Hearing the other side of the story is critical to good decision making.
- you make reasonable inquiries or investigations before making a decision;
 - you approach the decision with an open mind;
 - you take into account relevant factors;
 - you conduct investigation without unnecessary delay;
 - you keep full record of investigations made.

6. Establish a decision-making timeframe

If the relevant legislation states that a decision or an action must be decided or completed within a particular time (statutory timeframe), then you must comply with that time limit. Also, the agency's written policy or procedure may specify a time within which to make the decision.

***Note: Time frames in Decision-Making** - The power to make a decision may be limited by specified factors including time; a **time limitation** is often found in the relevant legislation and must be adhered to. Even if legislation or policies do not specify a timeframe, the decision maker must take action as soon as practicable and within a reasonable period of time. If a decision is not made within the specified timeframe, the lack of a decision will become a deemed refusal decision, for example refusal of an application of a licence.*

Maintaining a document trail:

Comprehensive and timely record keeping is central to good decision making.

The *Territory Records Act 2002* requires ACT Government agencies to make and keep full and accurate records of their activities. Good notes and records will assist in preparing a statement even if prepared sometime after the decision.



STAGE 2: DEVELOPING THE DECISION

Stage 2: Developing the decision

7. Follow procedures

Consider statutory procedures, reflect on written agency (administrative) procedures as they can provide valuable guidance on the decision-making process in order to achieve consistency and fairness.

In developing the decision, the decision-maker should follow lawful and fair procedures, gather information relevant to the decision and give procedural fairness to people whose interests may be adversely affected by the proposed decision.

***Note:** A fundamental aspect of due process is that the rules of procedural fairness can be seen as ensuring that justice is not only done but seen to be done.*

8. Gather and record all relevant information

Ensure that you have gathered all relevant evidence that is reasonably available as this will provide the basis for your findings of fact/statement of reasons.

It is important that all information relevant to the decision to be made is fully and accurately recorded and maintained.

***Note:** Relevant information can be obtained from a variety of sources, such as agency's records, and other documents, other staff in the agency, discussions/interviews with other people and on-site inspections.*

9. Observe Natural Justice

Natural justice is required when legislation expressly provides that a decision-maker must observe natural justice or when the common law supplements any statutory procedures.

In cases where the decision may adversely affect any person, give the applicant a reasonable opportunity to comment on the critical issues, and information or material that may be unfavourable to them, before (you make your) the decision. Also ensure you do not have a conflict of interest in the outcome and that you do not act in a way that suggests you are biased in favour of or against any person who will be affected by your decision.

Three aspects of natural justice:

1. **The notice requirement** - Notice to the affected person must identify the critical issues and contain sufficient information for the person to be able to participate meaningfully in the decision-making process.
2. **The fair hearing rule** - A fair hearing means that the affected person is given a reasonable opportunity to 'speak or respond' and also that the decision-maker genuinely considers the affected person's submission in making the decision.
3. **The lack of bias rule** - The person making the decision must act impartially in considering the matter. Bias is a lack of impartiality for any reason and may be in favour of or against the affected person. It may arise from the decision maker having some financial or other personal interest in the outcome of the decision (conflict of interest), or giving the impression that they have prejudged the issue to be decided (pre-judgement).

Note: Public Interest - In making decisions, every public servant has an overarching obligation² to act in the **public interest**, which includes exercising discretionary powers in ways that promote the public interest. In addition to this overarching obligation, some acts, such as in security licensing, will require Access Canberra to specifically consider the public interest. The components of public interest include:

- Complying with applicable law;
- Carrying out functions fairly and impartially, with integrity and professionalism;
- Complying with the principles of procedural fairness/natural justice;
- Acting reasonably;
- Ensuring proper accountability and transparency;
- Exposing corrupt conduct or serious maladministration;
- Avoiding or properly managing situations where private interests conflict or might reasonably be perceived to conflict with the impartiality of fulfilling official duties;
- Acting apolitically in the performance of official functions.

Security Industry – Public Interest

In addition to the overarching obligation, there are some pieces of legislation administered by Access Canberra that require the decision maker to consider the 'public interest' in their decision making. For example, s.23 of the **Security Industry Act 2003**, requires the Commissioner for Fair Trading (Commissioner) to consider in deciding whether it is in the public interest to issue or vary a security licence to an applicant.

In that specific legislation, in determining whether it is in the public interest to licence an applicant, some of the considerations are whether the applicant has committed a 'relevant offence'. The Commissioner may also consider any other relevant matter to decide whether it is in the public interest to licence an applicant.

² *Public Sector Management Act 1994*, most relevant - s.9: public sector conduct.

Note: Case law is quite clear about the principles of 'public interest' which regulatory bodies that grant licences must take into account.³

The courts take into consideration the object of the legislation being two-fold, firstly to control, regulate and supervise the conduct of those who engage in the sort of work falling within the ambit of the Act. Second, there is a requirement that those to whom licences are granted are persons of probity who have the capacity to carry out the duties and responsibilities with which licences invest them.⁴

The question of good standing is vital to issuing a security licence, as security officers in some instances step into the shoes of police officers, requiring the licencing regime to be a strict one.⁵

In considering the public interest, various considerations and factors are considered if the applicant has criminal convictions, such as:⁶

- The seriousness of the offences;
- The applicant's age at the time of committing the offences;
- The applicant's significant attempts to change his life;
- The current working situation and good work ethic;
- Passage in time since the last offence and the fact that the applicant has not committed any new offences.

Public interest considerations for security licence applications are addressed in the Access Canberra Security Licencing Practice Manual, at section 4.3.

Working with Vulnerable People Registration

Whilst the *Working with Vulnerable People (Background Checking) Act 2011* (WWVP Act) does not specifically provide for a 'public interest' test, it is a protective piece of legislation relating to vulnerable people.

Under s.28 of the WWVP Act, the Risk Assessment Guidelines require the Commissioner for Fair Trading, apart from criminal history, to look to other information that on reasonable grounds may be relevant to assessing the risk of harm. Other information is required to be tested by relevance and reliability.

10. Internal committee/s

Access Canberra operates several committees which oversee regulatory activity to ensure consistency of approach. **The Regulatory Complaint Assessment Committee (RCAC)** determines appropriate case prioritisation and treatment for regulatory complaints. The decisions of the committee are underpinned by our risk-based principles. **The Regulatory Advisory Committee (RAC)** seeks to support quality regulatory outcomes by ensuring that regulatory decisions are justified, proportionate, defensible and relevant processes followed prior to a regulatory decision being made. RAC will, as required, provide input at significant stages of an investigation or application process in line with relevant policies and procedures. This Committee will also consider complex applications for a licence or registration.

³ Commissioner for Consumer Affairs v Leonello [2005] SADC 134, p. 11 at [49]

⁴ Soby v Commercial Agents' Board (1979) 22 SASR 70 at 74

⁵ Commissioner for Fair Trading v Joshua Quinton (Occupational Discipline) [2011] ACAT 10, para 52

⁶ Commissioner for Fair Trading v Joshua Quinton (Occupational Discipline) [2011] ACAT 10, para 53.

RAC is not a decision-making body. It provides advice and/or recommendations to Executive Branch Managers/statutory office holders on compliance, licensing, and risk assessment matters. RAC considers all information available and provides support for a proposed course of action. RAC will consider:

- > Allegations of illegal conduct that has the potential to cause harm or pose significant risk to the community or environment;
- > Applications for a licence or registration which may be refused, or where there is a complex licence decision to be determined;
- > Working with Vulnerable People (WWVP) risk assessment recommendations.

Note: Gambling and Racing Commission (GRC) matters are progressed differently reflecting that the GRC is an independent statutory authority. GRC matters will be referred to RAC for information which may result in a suggestion being referred to the GRC Board for consideration.



Principles underpinning our regulatory activities and decisions



STAGE 3: MAKING THE DECISION

Stage 3: Making the decision

11. Finding of facts

All findings of fact must be supported by relevant evidence. If legislation requires that particular facts must exist before you can make a decision, then make sure that you have obtained sufficient evidence to establish those facts. After you have gathered the evidence, you must evaluate it to determine what is relevant to the findings of fact you are required to make. All relevant evidence must be considered, not just the evidence which supports the finding you may want to make.

Ensure you record all findings of fact and your reasoning for them as this will form the basis of your decision.

***Note:** A properly drafted statement of reasons gives a better understanding of the facts considered and reasons for the decision.*

Giving written reasons for decisions:

- Facilitates review of the primary decision. In preparing the written statement of reasons, the decision maker should examine his/her decision-making processes while applying the relevant legislation;
- Provides fairness by enabling decisions to be properly explained and defended;
- Assists the person affected by a decision to decide whether to exercise rights of review or appeal;
- Ensures public confidence in decision making and decision makers by providing openness in the decision-making process and accountability;
- Provides guidance through established and documented processes and procedures for decision making;
- Improves the quality of decision making in attempting to ensure consistency in decision making and therefore certainty of outcomes both for the agency and its clients/customers.

12. Apply the law to the facts

It is necessary to understand the purpose (or objects) of the legislation, the way in which the legislation seeks to achieve the purpose and how the provision you (as decision maker) are applying fits into the overall scheme of the legislation (legislation should be read as a whole).

Previous court and tribunal decisions can provide legal authority or guidance on the meaning and/or application of the law to factual situations. If you are unclear about whether a previous decision binds you or is relevant, consider obtaining legal advice.

Structure of Statement of Reasons:

An acceptable way to set out the statement is to divide it into parts:

- ▷ Short summary
- ▷ Background
- ▷ Facts
- ▷ Evidence
- ▷ Reasons

13. Reasonably exercise discretion

The nature and scope of a decision-maker's discretion depends on the particular provision in the legislation and, in the case of a power being exercised under delegated authority, on the terms of the instrument of delegation.

In reaching your decision, you can consult with other officers and have regard to agency policy. However, you must act independently in exercising your discretion according to your own assessment of the particular case before you. That is, your decision must be made without any direction from another person.

You should also be able to clearly identify the critical issues in your decision (that is, the issues on which your decision turns). You can do this by considering what issues would need to change for you to make the opposite decision. It is important that sufficient evidence exists to establish each of these issues.

Checklist for Statement of Reasons:

A statement of reasons must detail all the steps in the reasoning process and should enable a reader to understand exactly how the decision was reached.

The following is a checklist of what the statement should contain:

- ✔ The day on which the decision was made;
- ✔ A description of the decision that was made;
- ✔ The legislation and section under which the decision was made;
- ✔ The decision-maker, and the source of that person's authority to make the decision, such as a delegation;
- ✔ The procedure, guidelines, policies that were followed in making the decision, such as inquiries and investigations conducted, evidence being relied upon, other parts of Access Canberra or other Directorates that may have been consulted;
- ✔ The material that was before the decision maker when the decision was made, such as papers, submissions received from the person the decision is being made against;
- ✔ Explain all the steps in the reasoning process that led to the decision, linking the facts to the decision and how the relevant legislative provisions apply to the facts in the specific case;
- ✔ Communicate the law and the reasons in plain English clearly and concisely;
- ✔ Discuss any conflicting evidence.
- ✔ Summarise your decision;
- ✔ Applicant's rights of review, whether it may be an internal review or external, including timeframes to exercise those rights and to whom they should direct any request for review;
- ✔ Provide a good, clear structure by using headings, sub-headings, numbered paragraphs, dot points, clear and unambiguous language, avoid jargon and unnecessary acronyms. Use of headings helps structure the document and manage the facts and evidence.

Note: Structure and Content of Statement of Reasons.

Short Summary

A short summary of the reviewable decision and the legislation under which that decision was made.

Background

In this section, briefly set out the “story” of the application. Use a chronological approach and refer to all documents exchanged, submitted and considered.

Identify:

- *The applicant/party,*
- *Type of application,*
- *refer to the legislation and legal context in which the decision was made,*
- *any relevant experts, committees. (Sometimes information included here is better suited to being included as material facts).*

Facts

This section has two components, the facts and the law, as you are required to make findings on material questions of fact, as follows:

- *Identify the source of authority of the decision maker.*
- *Detail the terms of the statutory power under which that authority was exercised.*
- *Identify parties/decision makers.*
- *Set out the criteria applied.*
- *Detail the assessments made on that criteria.*
- *Detail the information considered in making the decision.*
- *Determine the relevant law and set out the law in clear and unambiguous language. Quoting legislative provisions is inadequate.*
- *Set out material findings of fact and identify the ultimate facts.*



STAGE 4: COMMUNICATING THE DECISION

Stage 4: Communicating the decision

14. Decision

Access Canberra makes many regulatory decisions, such as the refusal of a licence or a taking regulatory action to address non-compliant conduct.

As highlighted in the Access Canberra [Regulatory Compliance and Enforcement Policy](#), Access Canberra encourages regulatory compliance through education and awareness but will apply escalating enforcement actions to those that demonstrate a disregard for the law and whose conduct has, or is likely, to cause harm to consumers, business, the community or the environment.

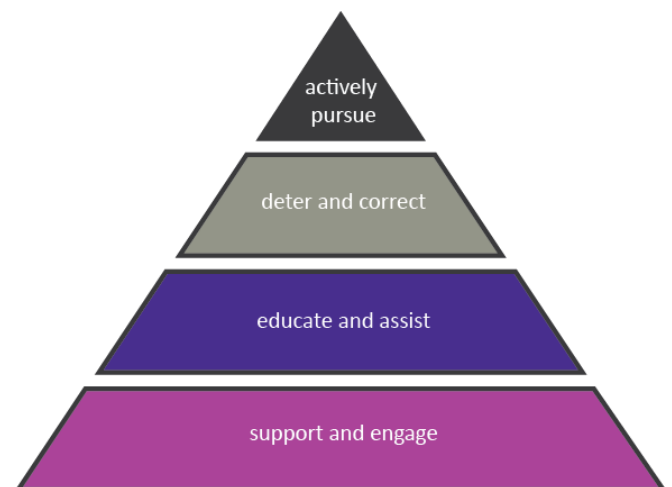


Figure 1: Regulatory Response

A diversity of regulatory strategies may be used for different situations. In some circumstances regulatory action may include;

- educating the industry
- issuing a warning notice
- taking occupational discipline
- issuing an infringement notice
- Prosecution

Note: Internal Review of Decisions - Internal review is the process by which a decision is reviewed by another officer within the same agency as the original decision maker. This process is often regulated by the legislation governing the original decision, but it is sometimes a more informal process is undertaken as a matter of good administrative practice.

It is necessary to consider whether the decision can be re-considered. An internal review is a merits review process.

The internal review officer will re-examine all of the evidence before the original decision maker, together with any additional evidence or submissions provided or made by the person affected by the original decision and decide the best decision that should be made.

Where the internal review is provided for by legislation, the legislation may set out procedural elements which must be followed. Such elements can include:

- Time limits for the making of an application for internal review;
- An obligation on the internal review officer to afford the person requesting the review with procedural fairness (including an express right for the person affected to make written or oral submissions to the internal review officer); and/or
- An obligation on the internal review officer to provide reasons for his/her decision.

What is the result of internal review?

The relevant legislation will usually set out the result of the internal review process, which may be:

- ▷ The original decision being affirmed; or
- ▷ The original decision being set aside, and a new decision being substituted in its place.

Internal review and subsequent review - An internal review may be a prerequisite to a review by the ACT Civil and Administrative Tribunal (ACAT).

The relevant legislation should be checked to determine which decision, i.e. the original decision or the internal decision should be the subject of any further review.

15. Give meaningful and accurate reasons

The purpose of giving reasons for a decision is to enable the person or business affected by the decision:

- > to understand why the decision was made;
- > to decide whether to seek a review of, or to appeal against, the decision and to identify the grounds for the review or appeal.

To meaningfully and accurately communicate your decision, it is critical that:

- > you have good records of the decision-making process;
- > you clearly understand the decision itself, the reasons for the decision and the consequences of the decision.

Legislation increasingly requires that reasons must be given in writing for particular decisions. If an Act requires that written reasons be given for a decision, the document giving the reasons must also:

- > set out the findings on material questions of fact;
- > refer to the evidence or other material on which those findings were based.

Written decision

Even if the law authorising you to make the decision does not require you to give written reasons with your decision, the affected person may be able to request a statement of reasons under the *Judicial Review Act 1991*. In this Act, the term 'reasons', in relation to an administrative decision, is defined as:

- ▷ findings on material questions of fact;
- ▷ a reference to the evidence or other material on which the findings are based, as well as the reasons for the decision.

Even where there is no legislative requirement on the decision-maker to give reasons, giving reasons is good administrative practice in that it promotes fairness, transparency and accountability in decision-making.

Giving reasons can be counterproductive if the reasons are not meaningful and accurate. Explain the issues you considered and why specific material was accepted or rejected. Take particular care to genuinely address the affected person's major arguments.

A person adversely affected by the decision should be notified of any statutory review or appeal process at the time they are notified of the decision, including:

- ▷ the time allowed to apply for the review/ appeal;
- ▷ how to apply for the review/appeal.

A person who expresses dissatisfaction with a decision should be provided with details of the agency's internal complaint management process.

Note: *Difference between merits review and judicial Review.*

A Tribunal engages in a merits review of the decision in question, whereas a court engages in judicial review.

Merits review is about looking at what decision was made and whether the decision is the right or best decision to make. The Tribunal "steps into the shoes of the original decision maker and makes the correct or preferable decision on the material before it".

The Tribunal will decide for itself taking into consideration all the circumstances.

When reviewing a decision, ACAT has all the powers of the original decision maker. It can:

- *can confirm the decision, meaning that the original decision made by the decision maker would stand;*
- *vary the decision;*
- *set the decision aside and substitute it with a different decision or give the case back to the original decision maker for reconsideration in accordance with any direction or recommendation of ACAT.*

Judicial reviews are conducted by the Supreme Court in relation to ACT Government decisions and look at how the relevant decision was made. For example, the review tests the legality of whether the decision was made in:

- > fair, proper and appropriate manner;
- > without error of law; or
- > failure to consider something relevant.

Ombudsman

The ACT Ombudsman performs an important administrative law function by resolving complaints and monitoring the actions of government agencies, which includes any legislative decisions made within Access Canberra.

The Ombudsman⁷, has strong investigatory powers and can investigate many types of complaints relating to matters of administration, either through a complaint or of own motion.

The Ombudsman also performs other specialist functions in relation to FOI, reportable conduct and the monitoring of police use of covert powers.



ACAT Contact

Website: <http://www.acat.act.gov.au/>

Phone: (02) 6207 1740

Post: GPO Box 370, CANBERRA ACT 2601

Email: tribunal@act.gov.au



ACT Ombudsman Contact

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Phone: 1300 362 072

Post: GPO Box 442, CANBERRA ACT 2601

Email: ombudsman@ombudsman.gov.au

⁷ Ombudsman Act 1989













COMPLIANCE AND ENFORCEMENT POLICY / FRAMEWORKS

In delivering our services, Access Canberra considers:

- [Customer Service Charter](#);
- [Decision Making Guide](#);
- [Regulatory Compliant and Investigation Policy](#); and
- [Regulatory Compliance and Enforcement Policy](#).

This document should be read in conjunction with compliance and enforcement specific sector frameworks, such as:

| | |
|---|---|
|  | Building and construction services compliance framework |
|  | Controlled sports compliance frameworks |
|  | Environment protection compliance framework |
|  | Fair trading compliance framework |
|  | COVID-19 Access Canberra Compliance Inspections |
|  | Gambling and racing compliance framework |
|  | Liquor licensing compliance framework |
|  | Parking operations compliance framework |
|  | Vehicle Safety Standards: Compliance Framework |
|  | Working with vulnerable people compliance framework |

...Accountability Commitment ensures that Access Canberra is approaching its role as a service provider and risk-based regulator in a consistent and transparent way...



Chief Minister, Treasury and Economic Development Directorate

Access Canberra

Accountability Commitment Policy

June 2020