Case Managers in Driver Licensing are required to make decisions which may significantly impact on a number of Tasmanians in relation to their eligibility to hold a drivers licence. Our clients and the community expects decisions makers to act with integrity when making administrative decisions, including driver licensing decisions.

Integrity in administrative decision making is crucial to good governance and sustaining our clients trust. Our clients and the Tasmania community needs to have confidence in the decisions made by Case Managers in Driver Licensing.

Integrity in Administrative Decision Making outline:

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**Power:**

***Key Question:*** Do I have the power to make the decision?

Before making the administrative decision think about:

* Do I have the delegated authority to make this decision? (Check your delegations document)
* Do you know what decisions you have the power and authority to make?
* Are you using the power for the purpose for which it was intended?
* Are there any limitations to your power?
* Are you independent and free from bias?
* Should you be making this decision, taking into account any real or perceived conflicts of interest?
* Do you have the discretion to exercise judgement?
* Do you know what factors to take into account when exercising judgement?
	+ Are you making an informed and independent judgement about the matter to be decided?
	+ Have you determined and weighed up the relevant considerations and after consideration dismissed the irrelevant ones?
	+ Do you need to seek advice, further evidence and have you considered relevant decision making guidelines?
	+ Are you deciding each case on its merits?
* Do you know who to talk to if you are unclear about the extent of your powers?

**Principles:**

***Key Question:*** What ethical, accountability and proportional principles apply?

Case Managers should make decisions that serve the public interest by ensuring decisions are consistent with legislation, are made in line with current policy and guidelines, and which are ethical and equitable.

To make ethical administrative decisions ensure:

* You are acting in the public interest
* Your decisions are impartial, honest and fair
* You make decisions diligently, consistently and in a timely manner
* Your decisions take respect the interests, rights and safety of clients and others

To make accountable administrative decisions ensure:

* You are adhering to relevant legislative/regulatory requirements
* You are acting in line with the Tasmanian State Service Principles
* You are considering confidentiality and a person’s privacy
* You are applying procedural fairness (natural justice)
* You are documenting the rationale for decisions

Proportionate administrative decisions relate to making reasonable decisions in consideration of the circumstances of the case. This may include:

* Considering the nature and importance of the decision to be made
* Identifying all relevant information
* Evaluating the costs, benefits and potential consequences (including unintended consequences) of the decision
* Ensuring decisions are reasonable given the circumstances of the case
* Giving due regard for the practical implementation of the decision.

Proper Process:

***Key Question***: What is the appropriate process for making this decision?

When making an administrative decision, Case Managers should follow a proper process which is consistent with the legislative requirements, policies and guidelines. The decision making processes should:

* Be appropriate taking into account, the nature and impact of the decision and the circumstances of the case.
* The decision making processes should enable the collecting and consideration of the evidence, including the weighing what is fair and reasonable based on the evidence and individual circumstances of the case (ensuring relevant information is considered and irrelevant information is not) and have consideration of the consequences of the decision.
* Provide procedural fairness (natural justice) enabling people who are adversely affected by a decision with a right of reply and ensuring decisions are made without bias and conflicts of interest are managed and the evidence supports the decision being made.
* Ensure decisions are recorded, outcomes communicated clearly and reasons for the decisions are provided to the person affected by the decision. All documents and communications should be clear, concise, sensitive and in a timely manner.
* All processes are reviewed regularly and open for continuous improvement.

The Driver Licensing Decision Making Guidelines are designed to support proper administrative decisions are made for driver licensing administrative decisions.

Proportionate Outcomes:

All administrative decisions need to be fair, reasonable, evidence-based and proportionate to the matter being decided upon and the circumstances of the case.

As there will always be at least one alternative outcome arising from a decision, there should always be appropriate evidence; to support the particular decision made. To achieve this Case Managers should ensure:

* There is an appropriate quality and quantity of evidence to support the decision.
* They are able to explain the decision with confidence, not concern
* They balance use of precedents that provide a body of knowledge and learning from past experience, with an assessment of each case on its own merits.

Some decisions are complex and have wide ranging implications. Others may be relative simple, day-to-day decisions about operational activities. The outcomes of each decision need to be proportionate, taking into consideration:

* An assessment of the benefits and impact of the preferred outcome for those affected including individuals, the public and the Office of the Registrar of Motor Vehicles.
* The relative benefit impact of any alternative outcome
* The need to balance a range of needs including
	+ Community expectations
	+ Policy and Agency priorities
	+ Public interest as well as the needs of the affected individuals
	+ The need for innovation and change and any associated risks.

Case Managers should engage in reflective review of the outcomes of decisions to ensure they are balanced, evidence-based and proportionate.

While Case Managers intend to make good decisions with good outcomes, sometimes unintended consequences can result. As much as possible, all potential consequences of a decision should be explored to avoid unintended, undesirable outcomes.

Reviews of decisions (internal or external) should be viewed as part of the administrative decision making process of continuous improvement. Overturned decisions should generally not be taken negatively or personally by the decision maker. Feedback should be taken on-board and seen as an opportunity for learning and improving outcomes for similar decisions in the future.

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