Code of Conduct

For the Queensland Public Service

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Application

This Code applies to employees of Queensland public service agencies.

Public service agencies are defined under the *Public Sector Ethics Act 1994* as:

- a department
- a TAFE institute or statutory TAFE institute
- the administrative office of a court or tribunal, and
- an entity prescribed by regulation.

For the purposes of this document only, employees (other than judicial officials), are defined as:

- any Queensland public service agency employee whether permanent, temporary, full-time, part-time or casual, and
- any volunteer, student, contractor, consultant or anyone who works in any other capacity for a Queensland public service agency.

The Code applies at all times when we are performing official duties including when we are representing the Queensland Government at conferences, training events, on business trips and attending work-related social events.

How this Code works

The Code contains the ethics principles and their associated set of values prescribed in the *Public Sector Ethics Act 1994*. It also contains standards of conduct for each ethics principle. The ethics principles are:

1 Integrity and impartiality

2 Promoting the public good

3 Commitment to the system of government

4 Accountability and transparency

These are the fundamental principles of ethical behaviour essential to robust public sector integrity and accountability and which public sector entities[1] must promote in their internal and external relationships.

Each principle is strengthened by the set of values describing the behaviour that will demonstrate that principle. The principles and associated values are equally important.

The standards of conduct, contained in the Code under each set of principles and values, help us as individuals to understand how we put these principles and values into practice. The standards are not intended to cover every possible scenario, therefore in adhering to the Code, we are committed to upholding the intention and spirit of the principles and values.

Agency-specific Standards of Practice, as approved by the Public Service Commission Chief Executive can supplement this Code. An approved Standard of Practice will apply to that agency's employees in the same way as this Code.

As well as upholding the principles, values and complying with standards of conduct set out in this Code, we will also comply with all relevant legislation, awards, certified agreements, subsidiary agreements, directives, whole-of-government policies and standards. We will also adhere to the policies, organisational values and organisational documents of our employing agency.

Principles

- Contained in Section 4 of the Public Sector Ethics Act 1994.
- Basis of good administration.

Values

- Contained in Part 3, Division 2 of the Public Sector Ethics Act 1994.
- Provides a detailed explanation of the principles.

Standards of Conduct

- Statements that reflect and support the values and principles.

[1] The *Public Sector Ethics Act 1994* applies to public sector entities, including public service departments, agencies and offices, local government organisations and other public sector organisations such as universities.

Using this Code

The Code describes how we will conduct ourselves in delivering services to the Queensland community. An ethical culture in public service agencies starts with our Chief Executive Officers and is demonstrated through our senior leaders and all employees.

All employees

We take personal responsibility to uphold this Code and demonstrate the principles and values of the *Public Sector Ethics Act 1994* by the way we perform our duties.

This Code recognises that we can all demonstrate ethical leadership in how we perform our role, and is a statement of our commitment to the people of Queensland, their elected representatives and our colleagues.

Chief Executive and Senior Executive Service Officers

As our senior leaders, Chief Executive and Senior Executive Service (SES) Officers have a responsibility to visibly demonstrate and uphold the principles and values of the *Public Sector Ethics Act 1994*. Chief Executive and SES officers' roles are to promote an organisational culture that values high ethical standards and behaviour.

Chief Executive and SES officers openly demonstrate their conscious commitment to ethics by communicating the importance of ethical decision-making in the workplace, and promoting ethical behaviour in day-to-day actions.

Chief Executive and SES officers also ensure employees have access to training in the operation of this Code and in ethical decision-making more broadly, making the Code meaningful for all employees.

Managers and supervisors

Managerial behaviour sets the tone for the conduct of all employees. Managers and supervisors have a responsibility to model and promote this Code.

Managers have the ability to influence others by fostering an ethical environment and demonstrate this awareness in performing their duties and in making decisions.

Managers ensure public service employees understand the Code, and any other relevant legislation, delegations, policies or other information required to satisfactorily perform our duties. Managers also ensure that appropriate development and training is provided allow us to perform our duties.

Upholding this Code

As part of demonstrating our commitment to uphold this Code, we need to identify and report conduct that is not consistent with this Code.

Managers have a responsibility to make fair, transparent and consistent decisions regarding any allegations of behaviour that does not uphold this Code.

We will support employees who report genuine concerns of wrongdoing and manage any reports of suspected wrongdoing in a fair, transparent and consistent manner.

Principle and values

1 Integrity and impartiality

The *Public Sector Ethics Act 1994* states:

In recognition that public office involves a public trust, public service agencies, public sector entities and public officials seek to promote public confidence in the integrity of the public sector and -

a. are committed to the highest ethical standards;
b. accept and value their duty to provide advice which is objective, independent, apolitical and impartial;
c. show respect towards all persons, including employees, clients and the general public;
d. acknowledge the primacy of the public interest and undertake that any conflict of interest issue will be resolved or appropriately managed in favour of the public interest; and
e. are committed to honest, fair and respectful engagement with the community.

Standards of conduct

1.1 Commit to the highest ethical standards

As public service employees we are required to ensure that our conduct meets the highest ethical standards when we are fulfilling our responsibilities.

We will:

a. ensure any advice that we provide is objective, independent, apolitical and impartial
b. ensure our decision making is ethical
c. engage with the community in a manner that is consultative, respectful and fair, and
d. meet our obligations to report suspected wrongdoing, including conduct not consistent with this Code.

1.2 Manage conflicts of interest

A conflict of interest involves a conflict between our duty, as public service employees, to serve the public interest and our personal interests. The conflict may arise from a range of factors including our personal relationships, our employment outside the public service, our membership of special interest groups, or our ownership of shares, companies, or property.

As public service employees we may also experience conflicts of interest between our public service ethics and our professional codes of ethics (for example as health care professionals or as lawyers), or with our personal beliefs or opinions.

Having a conflict of interest is not unusual and it is not wrongdoing in itself. However failing to disclose and manage the conflict appropriately is likely to be wrongdoing.

As public service employees we are committed to demonstrating our impartiality and integrity in fulfilling our responsibilities and as such we will:

a. always disclose a personal interest that could, now or in the future, be seen as influencing the performance of our duties. This will be done in accordance with our agency policies and procedures
b. actively participate with our agency in developing and implementing resolution strategies for any conflict of interest, and
c. ensure that any conflict of interest is resolved in the public interest.

1.3 Contribute to public discussion in an appropriate manner

Commenting on government policy is a matter for Ministers, not employees. Unless prior authorisation has been given, we will not comment to the media on government policy.

Where providing factual information to the public on government policy is a part of our official duties and responsibilities, we will ensure that information is appropriately authorised, and that we properly represent government policy and administration in its intended manner and spirit.

Like any other citizen, we have the right to contribute to public discussions on community and social issues in our private capacity.

In doing so, we will:

a. take reasonable steps to ensure that any comment we make will be understood as representing our personal views, not those of government
b. maintain the confidentiality of information we have access to due to our roles, that is not publicly available, and
c. be aware that personal comments about a public issue may compromise our capacity to perform the duties of our role in an independent, unbiased manner.

1.4 Manage participation in external organisations

Our work as a public service employee does not remove our right to be active privately in a political party, professional organisation or trade union.

As a member of a political party, however, we are aware that participating in activities in the public arena, where we may be identified as a public service employee, can give rise to a perception of conflict of interest (see section 1.2). Where this situation arises, we will declare and manage our activities in accordance with our agency's policies.

If we are elected as workplace representatives or officials of a trade union or professional association, we are not required to seek permission from our workplace before speaking publicly in that capacity, and we will make it clear that our comments are made only on behalf of that organisation.

In all instances, we will comply with the appropriate laws of privacy, confidentiality and information management.

1.5 Demonstrate a high standard of workplace behaviour and personal conduct

We have a responsibility to always conduct and present ourselves in a professional manner, and demonstrate respect for all persons, whether fellow employees, clients or members of the public.

We will:

a. treat co-workers, clients and members of the public with courtesy and respect, be appropriate in our relationships with them, and recognise that others have the right to hold views which may differ from our own
b. ensure our conduct reflects our commitment to a workplace that is inclusive and free from harassment
c. ensure our fitness for duty, and the safety, health and welfare of ourselves and others in the workplace, whether co-workers or clients
d. ensure our private conduct maintains the integrity of the public service and our ability to perform our duties, and
e. comply with legislative and/or policy obligations to report employee criminal charges and convictions.

Principle and values

2 Promoting the public good

The *Public Sector Ethics Act 1994* states:

In recognition that the public sector is the mechanism through which the elected representatives deliver programs and services for the benefit of the people of Queensland, public service agencies, public sector entities and public officials -

a. accept and value their duty to be responsive to both the requirements of government and to the public interest;
b. accept and value their duty to engage the community in developing and effecting official public sector priorities, policies and decisions;
c. accept and value their duty to manage public resources effectively, efficiently and economically;
d. value and seek to achieve excellence in service delivery; and
e. value and seek to achieve enhanced integration of services to better service clients.

Standards of conduct

2.1 Commit to excellence in service delivery

Public service agencies are entrusted with public funds to develop and deliver services to the community on behalf of government.

We have a responsibility to:

a. deliver services fairly, courteously, effectively, and ensure we use resources efficiently and economically
b. assist all members of the community, particularly people with disabilities, those who speak languages other than English, and those who may find it difficult to access government services, and
c. treat complaints from clients and the community seriously and respond to constructive feedback as an opportunity for improvement.

2.2 Ensure appropriate community engagement

Community participation is crucial to the development of quality government planning and decision-making processes.

We have a responsibility, where appropriate and in accordance with our official duties, to:

a. listen and respond to issues and concerns raised by individuals or communities
b. consult with the public to assist in the development of public policy, and
c. assist in raising community awareness about public issues and policies.

2.3 Work as an integrated service

In order to deliver excellence in customer service, we will work together to address complex issues and provide integrated services to the community.

We have a responsibility, where appropriate and in accordance with our official duties, to:

a. share information across Queensland public service agencies, where permitted by law, to enhance the seamless delivery of services
b. share common-use assets, accommodation, and infrastructure within Queensland public service agencies to generate economies and efficiencies
c. collectively plan and deliver related programs and services within Queensland public service agencies, and
d. work cohesively at the local, regional, state and national levels to provide integrated services.

Principle and values

3 Commitment to the system of government

The *Public Sector Ethics Act 1994* states:

In recognition that the public sector has a duty to uphold the system of government and the laws of the State, Commonwealth and local government, public service agencies, public sector entities and public officials -

a. accept and value their duty to uphold the system of government and the laws of the State, the Commonwealth and local government;
b. are committed to effecting official public sector priorities, policies and decisions professionally and impartially; and
c. accept and value their duty to operate within the framework of Ministerial responsibility to government, the Parliament and the community.

(This) does not limit the responsibility of a public service agency, public sector entity or public sector official to act independently of government if the independence of the agency, entity or official is required by legislation or government policy, or is a customary feature of the work of the agency, entity or official.

Standards of conduct

3.1 Commit to our roles in public service

Our role is to undertake our duties, and to give effect to the policies of the elected government, regardless of its political complexion.

We will:

a. accept that the elected government has the right to determine policy and priorities
b. be responsive to the government of the day and implement decisions and policies professionally and impartially
c. comply with the laws of State, Australian and local governments
d. comply with all relevant awards, certified agreements, subsidiary agreements, directives, whole-of-government policies and standards, and
e. adhere to the policies, organisational values and organisational documents of our employing agency.

3.2 Maintain appropriate relationships with Ministerial staff

Ministerial advisors and the public service share a common commitment to serving the government of the day. Central to good government, and the ability to carry out the designated role of the public service, are positive and productive interactions between the administrative and political arms of government.

If providing advice to Ministers is a part of our role, we will ensure our interactions are positive and productive when engaging with ministerial staff.

Ministerial staff are not empowered to direct public service employees in their own right. If this occurs, we will bring this to the attention of our agency's senior management.

3.3 Ensure proper communication with Members of Parliament

We have the right to communicate directly with a Member of Parliament on any issue affecting us as a private citizen. In communicating with Members as private citizens, we will maintain the confidentiality of information that is not publicly available, and we have access to due to our roles.

Principle and values

4 Accountability and transparency

The *Public Sector Ethics Act 1994* states:

In recognition that public trust in public office requires high standards of public administration, public service agencies, public sector entities and public officials -

a. are committed to exercising proper diligence, care and attention;
b. are committed to using public resources in an effective and accountable way;
c. are committed to managing information as openly as practicable within the legal framework;
d. value and seek to achieve high standards of public administration;
e. value and seek to innovate and continuously improve performance; and
f. value and seek to operate within a framework of mutual obligation and shared responsibility between public service agencies, public sector entities and public officials.

Standards of conduct

4.1 Ensure diligence in public administration

We have an obligation to seek to achieve high standards of public administration and perform our duties to the best of our abilities.

We will:

a. apply due care in our work, and provide accurate and impartial advice to all clients whether members of the public, public service agencies, or any level of government
b. treat all people equitably and consistently, and demonstrate the principles of procedural fairness and natural justice when making decisions
c. exercise our lawful powers and authority with care and for the purpose for which these were granted, and
d. comply with all reasonable and lawful instructions, whether or not we personally agree with a given policy direction.

4.2 Ensure transparency in our business dealings

In order to ensure all government dealings with private industry are conducted with the highest level of integrity we will ensure:

a. our business meetings with persons who were formerly Ministers, Parliamentary Secretaries or senior government representatives are not on matters those persons had official dealings with in their recent previous employment in accordance with government policy
b. any engagement we have with lobbyists is properly recorded, and
c. we manage gifts, benefits or hospitality in accordance with our agency policies.

4.3 Ensure appropriate use of official resources, public property and facilities

We are accountable for all resources that we use in the course of our duties.

We will:

a. be economical, and avoid waste and extravagance in the use of public resources for proper purposes
b. use any public resource in accordance with official policies
c. purchase, manage and care for public resources in accordance with official policies, and
d. responsibly utilise human assets such as corporate knowledge and intellectual property, as public resources.

4.4 Ensure appropriate use and disclosure of official information

The public has a right to know the information that is created and used by the government on their behalf. This right is balanced by necessary protections for certain information, including personal information.

Information privacy legislation protects against the misuse of personal information and we have an obligation to ensure the lawful collection and handling of personal information.

In addition, we will :

a. treat official information with care and use it only for the purpose for which it was collected or authorised
b. store official information securely, and limit access to those persons requiring it for legitimate purposes, and
c. not use confidential or privileged information to further personal interests.

We will continue to respect the confidentiality of official information when we leave public service employment.

4.5 Commit to innovation and continuous performance improvement

The capacity of the public service to deliver services to the community depends on an innovative and creative workforce, and a commitment to continuously improve the performance of our agency and ourselves.
We each have a responsibility, having regard to our own roles, to:

a. maintain and develop our professional skills and knowledge
b. in consultation with our managers, take reasonable steps to identify and apply for development opportunities relevant to our current roles and responsibilities
c. actively participate in employee performance management processes, including induction, performance planning and development, and
d. actively contribute to developing and improving business planning and processes, including innovative ways of delivering services.

For more information

If you need assistance about how this Code relates to you, please contact your agency's Ethical Standards or Human Resources area.

For further advice about the operation of this Code, you may wish to contact the Public Service Commission (PSC) Advisory Service on 1300 038 472.

Copies of this Code of Conduct for the Queensland Public Service, plus additional supporting information can be accessed at www.ethics.qld.gov.au.

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