



Applying the Code of Conduct in DEEDI

HOW TO USE THIS DOCUMENT

A single Code

The [Code of Conduct for the Queensland Public Service](#) (The Code), effective from 1 January 2011, replaces all the Codes of conduct applying to the departments in the Queensland Public Service. The Code aims to promote consistency in expectations across the public service. It reflects the ethics principles and their associated set of values prescribed in the [Public Sector Ethics Act 1994](#).

What this supplement does

A Guideline [Code of Conduct Standard of Practice](#) issued by the Public Service commission provides that agencies may develop supplementary documents to assist their employees to apply the Code. This is a supplementary document in accordance with that Guideline to assist you to apply the Code in DEEDI.

This supplement:

- sets out the principles and values as contained in the [Public Sector Ethics Act 1994](#) and the Code.
- provides standards of conduct for values where the Code does not, and
- provides information on how the standards of conduct in the Code are applied in DEEDI.

This supplement has the status of a policy of the department and a breach will have the same effect as a breach of the Code.

Standards of Conduct

The standards of conduct contained under each set of principles and values, help us 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, you are required to commit to upholding the intention and spirit of the principles and values.

What happens if you breach the Code or this supplement?

This depends on a number of factors including the seriousness of the breach, whether the breach was repeated, and the position of the person breaching the Code in the organisation (i.e. higher standards of conduct are expected of managers).

The main factor is the seriousness of the breach. Minor breaches are usually dealt with by managers discussing with the employee the conduct that is expected of them. Action may also involve a caution and/or retraining in the Code. More serious breaches may lead to disciplinary action under the [Public Service Act 2008](#), with dismissal as the most serious outcome. Some breaches may be required to be reported to the CMC and/or the police.

Where do I go for further help?

If you have any questions about your ethics obligations or the Code, you should speak with your manager/supervisor in the first instance. Should you need further information, you can contact Human Resources.

HOW THE CODE APPLIES

The Code applies to all employees of DEEDI. For the purposes of the application of the Code, employee means:

- any departmental employee, whether permanent, temporary, full-time part-time or casual
- any volunteer, student, contractor, consultant or anyone who works in any other capacity for the department.

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

The Code will apply to you on your off-duty conduct, only if the conduct is likely to adversely reflect upon the integrity of the public service.

USING THE CODE

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/supervisors

Managers/supervisors have a responsibility to model and promote the Code of Conduct. They have the ability to influence others by fostering an ethical environment and demonstrate this awareness in performing their duties and in making decisions.

Managers/supervisors 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 to allow employees to perform our duties.

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.

The 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.

Upholding the 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.

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Integrity and Impartiality

Integrity means soundness of moral principles and character, uprightness and honesty. To uphold integrity we must be truthful, fair and honest in all dealings with members of the public, with each other and with other government agencies.

Integrity in public administration provides coherent and consistent outcomes for the community.

To be **impartial** means we must be unbiased, fair and just, treating all parties equally. Being impartial is essential for us to professionally perform our duties so that the public can be confident that the public service operates appropriately.

1.1 Values

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.

1.2 Standards of conduct

1.2.1 Understanding the principles and values in the Code

You are required to read the Code so you are aware of and understand the principles and values to which we aspire and the standards of conduct expected of us. Your behaviour and attitude should reflect the principles and values and standards of conduct set out in the Code and you should work towards building a positive organisational culture.

In addition, all supervisors/managers have a further responsibility to:

- support you in achieving these objectives by leading by example.
- assist you to understand the Code through discussion and by providing development and training opportunities.

1.2.2 Making decisions that are ethical

Administration involves value-laden decision making. It goes beyond avoiding corruption. It requires being responsive to the government of the day, being efficient and providing a quality service. It entails pursuing wider moral principles in the public interest such as justice, fairness, individual rights (e.g. privacy or due process), equity, respect for human dignity and the pursuit of the common good.

Sometimes in making a decision you may face an ethical dilemma. Ethical dilemmas can be faced when resolving issues that have competing obligations or where the appropriate course of action is unclear. You may not know the right course of action or are having

difficulty in doing what you consider right. In such circumstances, it is helpful to have a process to follow that takes all the relevant factors into account and is more likely to lead to a responsible decision. To assist you in making an ethical decision, we have provided an Ethical Decision Making Model located in Appendix two.

1.2.3 Reporting breaches of the Code

As a public official, you should disclose fraud, corruption or maladministration and other breaches of the Code. You should raise ethical concerns, including suspected fraud, and report breaches of the Code to your supervisor/manager, senior management, Director, Human Resources (Governance) or Case Management, Human Resources.

Complaints without any basis that are submitted just to cause trouble may result in disciplinary action. However, disciplinary action will not be taken against anyone who had formed an honest belief that there had been wrongdoing – even when this is proved to be incorrect. For more information, refer to the department's Complaints Management Policy.

1.2.4 Reporting official misconduct

Under the [Crime and Misconduct Act 2001](#), it is the duty of the Director-General to refer any suspected official misconduct to the CMC. The Director, Human Resources (Governance), has the delegation to act as the responsible officer for referring suspected official misconduct to the CMC on behalf of the Director-General.

You should, as a public official, notify the Director-General, your manager, the Director, Human Resources (Governance) or Case Management, HR, of any suspected instances of official misconduct. You can report official misconduct in the same manner as you report other breaches of the Code.

1.2.5 Respecting the rights of those who make a public interest disclosure

The [Public Interest Disclosure Act 2010](#) provides you with legislative protection from reprisal for making a public interest disclosure. This Act's aim is to ensure that government is open and accountable by providing protection for those who speak out about wrongdoing (i.e. make a public interest disclosure).

Public interest disclosures may cover issues such as:

- maladministration
- official misconduct
- danger to public health, safety or the environment
- reprisal
- danger to any person with a disability
- a substantial misuse of public resources.

If you make a public interest disclosure, the department is required to protect you from reprisal, including protecting your identity, where possible. Matters reported by disclosers are handled sensitively, and the discloser is supported.

The Manager, Case Management, has the role of ensuring that those making a public interest disclosure are provided with support, advice and guidance and to work with business units to prevent reprisals.

For more information on how to make a public interest disclosure please refer to the [Making a Public Interest Disclosure Policy](#).

1.2.6 Avoiding victimisation or reprisal (payback)

You are not to make threats or act in a way that a reasonable person would consider may: cause personal injury or prejudice, property damage or loss, intimidation or harassment, disadvantage or adverse treatment to any person because they have made a complaint about you or provided evidence in relation to allegations of misconduct made about you, or to discourage a person from complaining or giving evidence. To do so could constitute victimisation or reprisal (commonly termed payback), both of which are unacceptable behaviours and the latter a criminal offence under the [Public Interest Disclosure Act 2010](#).

1.2.7 Providing advice

When implementing government policy, your personal views must not take precedence over those explicit or implicit in government policy, and when providing advice it must:

- be made free from personal feelings or bias
- not be influenced by the opinions and action of others
- not be based on obligations to a particular political party
- not be prejudiced, unbiased, fair, just, and treating all parties equally.

This obligation does not detract from an appointed public official's duty to act independently of government if the official's independence is required by legislation or government policy, or is a customary feature of the official's work.

1.2.8 Contributing to public discussion in an appropriate manner

In providing advice or comment, you should be aware that commenting on government policy is a matter for Ministers, not employees. Unless prior authorisation has been given, you may not comment to the media on government policy.

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

You should discuss the following factors with your supervisor/manager when deciding whether public comment is acceptable in a particular case:

- the circumstances and content of the comment
- the extent and timing of media coverage
- the political or administrative sensitivity of the subject matter
- who is the most appropriate person to make comment
- any approval required from the department.

All requests for interviews or statements from the media must be referred through line management to the Director of Communications for appropriate action.

Proposed content of contributions to conferences, seminars and journals should be discussed with your supervisor/manager in advance of any commitment being made.

Like any other citizen, you have the right to contribute to public discussions on community and social issues in our private capacity. In doing so, you will:

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

1.2.9 Demonstrating a high standard of workplace behaviour and personal conduct

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

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

1.2.10 Respecting the whole person

The department values the diverse background of its employees and strongly believes in the right of individuals to a fair and safe workplace.

Managers/supervisors are required to ensure, to the best of their ability, that:

- employees are assigned and perform workloads that will not jeopardise their wellbeing
- employees' opinions and issues are acknowledged and appropriate action is taken in a timely manner
- employees are assisted to balance their work, family and other life commitments without jeopardising achievement of critical business outcomes
- employees work in a supportive work environment.

1.2.11 Respecting the dignity, rights and views of others

You must treat all others with dignity and respect, be tolerant of their views, be culturally sensitive and avoid favouritism.

Any performance reviews or employee counselling on behaviour must be conducted in private and you must be given the opportunity to respond according to the principles of procedural fairness.

You must also respect the dignity, rights and views of others by:

- actively managing workplace conflict involving yourself or employees under your supervision to create positive and constructive outcomes
- working cooperatively and collaboratively with others to achieve common goals and a harmonious work environment.

1.2.12 Showing concern for safety, health and welfare in the workplace

You must ensure that the safety, health and welfare in the workplace of yourself, colleagues, clients and other persons is maintained at all times. You must report any injury, illness, incident, hazard or other risk to the safety, health or welfare of employees or others in the workplace to your supervisor/manager or the Workplace Health and Safety Officer. Refer to departmental policies and procedures for reporting requirements.

Information on responsibilities of managers, supervisors and employees is contained in the [Workplace Health and Safety Act 1995](#).

1.2.13 Selecting employees on merit

Unless otherwise exempted, selection of a person to fill a position must be made on merit. Selection on merit means taking into consideration a person's abilities, aptitude, skills, qualifications, knowledge, experience and personal qualities relevant to the carrying out of the duties in question. However, some short term selections may not need to be based on merit eg based on departmental convenience including the opportunity to multi-skill and develop employees. Consideration should be given to an applicant's previous employment or occupational duties, and the extent to which the person has potential for development (s. 28 of the [Public Service Act 2008](#)).

Employees must not use their position to obtain favour for, or improperly influence the, obtaining of a position by another employee, or a relative or friend, even for temporary or casual positions.

For further information please refer to the [DEEDI Recruitment and Selection Policy](#).

1.2.14 Preventing discrimination and harassment

You must adhere to the provisions of the [Anti-Discrimination Act 1991](#) and federal human rights legislation, and relevant directives and policies. You must not discriminate against any colleague, client or member of the public.

The department does not condone any form of harassment regardless of where it occurs, be it in the workplace during work hours, or at any work-related events. You must take reasonable actions to prevent harassment in the workplace. If you believe you are being subjected to, or witness, harassment you should report the matter in accordance with departmental policies.

It is extremely important to note that legitimate and reasonable management action, including disciplinary action, constructive feedback and critical comments on work performance-related issues, does not constitute workplace harassment.

Some examples of harassment, including sexual harassment and bullying are:

- offensive, abusive, belittling or threatening behaviour towards an individual or group
- request for sexual favours
- isolating or excluding a colleague from various work activities, withholding information or workload over-correction
- ridicule, taunts and repeated practical jokes.

For more information please refer to the [DEEDI Discrimination and Harassment Policy](#).

1.2.15 Exercising managerial responsibilities and showing expected behaviour

Managers/supervisors have a special responsibility to practise the following behaviours and to promote their adoption in their business area:

- Maintain open, honest and thorough communication with all employees.
- Treat employees consistently, in a reasonable, respectful, courteous and fair manner.
- Follow clearly defined and well-known criteria, processes and delegations for decisions based on merit and ethics.
- Provide a workplace that is free from bullying, harassment, discrimination, intimidation, hostility, and offensive or distressing behaviour.
- Monitor and set good examples for employees through their own behaviour.

- Ensure employees are aware of and familiar with departmental policies, procedures and the Code.
- Ensure any actions by an employee that have resulted in a breach of the Code is brought to the employee's attention where appropriate.
- Ensure poor performance issues that affect individuals and work groups are effectively addressed.
- Respect creative, innovative, divergent thinking, different ideas and modes of operation.
- Empower people to try to resolve issues of a less serious nature direct with the person involved.
- Ensure privacy and confidentiality is appropriately considered.
- Be supportive of employees during the investigation of complaints against, or by, them.

Managers/supervisors who fail in their management responsibilities may cause the department to be vicariously liable for their actions, e.g. failing to provide a safe workplace.

1.2.16 Reporting charges and convictions

The [Public Service Act 2008](#) empowers the department to carry out criminal history checks on employees where the duties of the role warrant such action. Where this is to occur, the role description will indicate that such a check will be made on the preferred applicant.

If you are charged with an indictable offence (i.e. where the person charged has the right to be tried by jury), you must notify the Director-General immediately in writing. The Director-General will consider whether any action, such as disciplinary action, is appropriate in the circumstances.

Disciplinary action may be considered if the conduct in question was:

- in an official capacity and it was inappropriate or improper
- in a private capacity and it was inappropriate or improper and it reflected seriously and adversely on the public service.

If you are required to hold a licence, registration or qualification to undertake your duties, you must inform the department of any loss of, or restriction of, your licence, registration or qualification.

1.2.17 Managing conflicts of interest

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

As public service employees you may also experience conflicts of interest between your public service ethics and your professional codes of ethics (for example as health care professionals or as lawyers), or with your 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 you are required to be committed to demonstrating your impartiality and integrity in fulfilling your responsibilities and as such you will:

- always disclose a personal interest that could, now or in the future, be seen as influencing the performance of your duties. This disclosure should be made to your manager.

- actively participate with the department in developing and implementing resolution strategies for any conflict of interest, and
- ensure that any conflict of interest is resolved in the public interest.

1.2.18 Exercising managerial responsibilities

Except in cases of other employment, which are dealt with separately, delegated managers/supervisors are responsible for deciding whether:

- there is, or may be, a conflict of interest
- you are required to register the conflict of interest
- there is to be a restriction on your involvement in the matter
- a disinterested third party is to be used to oversee part, or all, of the process that deals with the matter
- you are to be removed from the matter e.g. transferred to another project.

In the most serious cases of conflict of interest that can not be managed as above, you may be required to choose between relinquishing your private interest and resigning from your employment with the department.

In some instances your supervisor or manager may wish to refer the matter to a more senior manager for resolution. The Director-General or delegate has the final decision on what action is appropriate in situations involving a conflict of interest. In many circumstances, the perception that you have a conflict of interest may be avoided by declaring the apparent conflict of interest, and/or disqualifying yourself from the situation. The requirement to resolve a conflict of interest in favour of the public interest continues as long as you are an employee of the department.

There is nothing unusual or necessarily wrong in having a conflict of interest – how it is dealt with is the important thing.

1.2.19 Declaring personal interests

Chief executives are required to make a declaration of interest within one month of their appointment as set out in [Directive 02/10 Declaration of Interests - Chief Executives](#).

All other employees who have private interests that are relevant to the integrity of the department are to declare those interests in accordance with the [Public Service Act 2008](#) and [Directive 3/10 Declaration of Interests - Public Service Employees](#).

The requirement to declare an interest is particularly important for employees involved in decisions affecting contracting, tendering and regulatory functions. It is the responsibility of the employee to disclose any possible conflict of interest as soon as possible prior to performing regulatory, inspectorial, contract or personnel selection functions, or exercising discretionary powers when dealing with people with whom they have a personal relationship, including, but not limited to, relatives, close friends or business acquaintances.

Examples of conflict of interest:

- Holding shares in a company tendering to supply goods or services to the department where you may be involved in assessing the tender.
- Participating as a director or partner in a company over which you may exercise discretionary power in your role as an employee.
- Earning income in a private capacity for services you currently provide in your official capacity, or based on information you may be privy to in your role.
- Employing a close relative, even on a casual basis.

1.2.20 Requirements for engaging in other employment

[Directive 3/07 Public Servants engaging in other employment](#) enables public officials to engage in other employment provided the requirements set out in the directive are followed. Other employment includes additional paid employment (either on a full-time, part-time or casual basis) performed by a public service employee, including absences on approved paid or unpaid leave, including:

- in the Queensland public service, public sector or other government jurisdictions
- in the private sector as an employee for a private company or business or as an owner or director of a company, trading trust or partnership
- working as an independent contractor
- self-employment.

For more information please see the [DEEDI Public Service Employees Engaging in Other Employment Policy](#).

1.2.21 Managing participation in external organisations

Your work as a public service employee does not remove your right to be active privately in a political party, professional organisation or trade union. As a member of a political party, however, you should be aware that participating in activities in the public arena, where you may be identified as a public service employee, can give rise to a perception of conflict of interest. Where this situation arises, you will declare and manage your activities in accordance with the department's policies.

If you are elected as a workplace representative or official of a trade union or professional association, you are not required to seek permission from your workplace before speaking publicly in that capacity. You will make it clear that your comments are made only on behalf of that organisation.

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

1.2.22 Dealing with political activity

You have the same rights as other members of the community to nominate as a candidate for election to the Federal Parliament, State Parliament or a local council. However, you must follow the whole-of-government [Guidelines for Public Sector Employees Contesting Elections](#), issued by the Public Service Commission. Party-political activity does not necessarily give rise to a conflict of interest. If you are contesting an election, you are required to arrange campaign activities so as to avoid any appearance that your campaign is in any way supported through your public sector employment. If you choose to be involved in campaigning activities, you should make it clear to all concerned that you are not undertaking these activities in an official capacity. Use of departmental identifiers (e.g. departmental email addresses, letterheads), facilities or equipment for any political activity is not permitted.

1.2.23 Using departmental facilities properly when acting as a union official

It is expected that management and union delegates will take a reasonable approach to the responsible use of departmental facilities for information and communication purposes and ensure service delivery and work requirements are not unduly affected. Such facilities include telephones, computers, email, photocopiers, facsimile machines, storage facilities, meeting rooms and notice boards.

1.2.24 Managing involvement in community groups

You may participate in the activities of clubs, charity and community organisations provided that such participation does not place you in a conflict of interest situation. Should there be a possible conflict of interest, you should discuss the matter with your manager/supervisor.

When making public comment or participating in activities for community groups, make it clear that your views are your personal views. Use of departmental identifiers (e.g. department email addresses, letterheads), facilities or equipment for any community group activity is not permitted.

1.2.25 Showing respect in engaging with the community

Clients and members of the public must be treated with respect and dignity at all times. Patronage, bias and favouritism must be avoided, including the perception of these in dealing with clients, members of the public or other organisations with which employees have a working relationship (e.g. special interest groups).

You must ensure that relationships with clients are professional, and you must respect their rights, dignity and views and behave in a professional manner. Personal views or feelings towards a client should not influence your dealings with them. Clients and members of the public must be provided with timely advice and assistance, and the avenues to contest or appeal decisions.

You may at times encounter irate customers who may be abusive and threatening. Remain professional in your dealings with them. Ask them to refrain from speaking to you in such a manner. If they do not adjust their behaviour and you feel you cannot continue the conversation, either refer them to your supervisor or manager or terminate the conversation. Keep a record of the conversation for future reference.

1.2.26 Appointment to government boards

Public servants appointed to government boards as a government or departmental representative have an ethical obligation to formally resign from such appointments if they cease employment in the public service or with the department or agency relevant to the board position. Enabling legislation will usually specify to whom the resignation should be tendered.

For boards not constituted under legislation, and where the Minister is the appointing authority, a written resignation should be tendered to the responsible Minister. If there is any doubt to whom the resignation should be tendered, advice should be sought from the department responsible for the administration of the board.

1.2.27 Plagiarism and falsifying results

Plagiarism is intentionally appropriating another person's ideas or composition, in whole or in part, verbatim or otherwise, and passing them off as your own work. Plagiarism is a breach of the Code, as is falsifying results and not giving appropriate credit to others' work. If you wish to use someone else's work, approval must first be sought from the author or the business area, and then appropriate credit or acknowledgement must be given.

1.2.28 Referee reports

You must be honest when providing information via a referee report. The omission of relevant information or the provision of untruthful information by a referee to the department or another department is a breach of Public Service Commission Directive 01/10 [Recruitment and Selection](#). If you feel the information you are to provide may reflect

negatively on an employee's chance of gaining a position, discuss this with the employee beforehand. Where adverse comments made by a referee have the potential to affect the selection outcome, the applicant must be given an opportunity to respond. Any such response must be documented and taken into account by the panel when evaluating the merits of the applicant. Employees can not provide personal testimonials on behalf of the department.

Promoting the public good

Promoting the public good goes to the heart of serving the public; it distinguishes the role of the public service from many other roles in the community. To promote the public good:

- we do not serve sectional interests within the community
- rather we serve the whole community and seek to advance the common good.

2.1 Values

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.

2.2 Standards of conduct

2.2.1 Implementing government policies and priorities

You are required to be responsive to the requirements of government by performing your duties and conducting yourself professionally to implement government policies and priorities. You are responsive to the public interest by:

- taking account of the public good (the general well-being of the community as a whole and all of the groups and individuals who make up the community)
- providing objective, independent, apolitical and impartial advice to the government
- providing efficient, effective, accountable and transparent public administration.

2.2.2 Ensuring appropriate community engagement

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

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

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

2.2.3 Engaging with the community in developing and effecting official public sector priorities, policies and decisions

You take part in fair and respectful engagement with the community by:

- being inclusive - using processes and practices that increase citizen access to government information and broaden involvement in government policy development, planning and decision making
- reaching out – using new and more effective ways to involve members of the community in planning and decision making processes that allow government to move beyond established networks to tap into the significant knowledge and expertise residing within communities
- adding value – work productively with members of the community to add value in policy development and program and service planning.

Public sector priorities are:

- set by the government
- established at a strategic level, for example in [Towards Q2: Queensland Government Priorities](#) and
- in legislation at an operational level.

2.2.4 Managing resources properly

Resources used by the public service are funded by the public through taxes, levies and fees for services. Public confidence in the public service is affected by how we manage those public resources. Inefficient use of resources includes under-use of our relevant personal skills, as well as over use of government resources.

2.2.5 Ensuring appropriate use of official resources, public property and facilities

You are accountable for all resources that you use in the course of your duties. You will:

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

2.2.6 Using government property and facilities only for official purposes

The property, equipment and facilities of the department are to be used only for official purposes and activities, except where otherwise outlined in departmental policies. Using equipment without approval could expose you to insurance claims and allegations of misconduct. With prior permission from the head of the relevant Management Unit, you may occasionally use departmental property for activities that are not strictly official, but which deserve support (e.g. social club activities or meetings of professional associations relevant to the department).

Conditions for use are set out below:

- Public resources such as departmental equipment are not to be used in connection with any private work unrelated to the department's work, or for income-producing

activity, for example, production of computer software, graphic design work, lecturing and tutoring, and sale of real estate.

- Occasional and minor use of some equipment for private purposes is permitted. Supervisors/managers are responsible for deciding the appropriate balance between economy and efficiency, and the obligation to treat people with consideration and respect.
- Some equipment such as laptop computers may be used away from work premises on a short-term basis to undertake official work at home. In such circumstances, employees must use the equipment only for officially approved purposes in accordance with appropriate departmental standards, policies and procedures and ensure that it and any official information contained in the equipment is secure.
- Software can only be copied if authorised and only used for official purposes so as not to breach copyright laws. Private software cannot be used on departmental systems.
- Other consumables such as office stationery, fuel and materials are to be used only for official purposes.

2.2.7 Using information technology systems and services in accordance with policies

You are required to comply with Information Standard 38 [Use of ICT Facilities and Devices](#), which covers the use of information technology systems and services owned, leased or utilised by the department. It includes the Policy and Principles Statement [Use of the Internet and Electronic Mail Policy](#) issued by the Public Service Commission and endorsed by Cabinet (the Policy and Principles Statement). You must also comply with department's [Use of Internet, Email and other Facilities and Devices Policies](#) and [Procedures](#).

The department permits limited personal use of these systems and services in accordance with the Queensland Government's commitment to the development of a responsive and flexible public sector that encourages employees and other authorised persons to adopt a healthy balance of work, personal, family and community responsibilities.

Limited personal use of information systems and services must:

- not interfere with the work performance of the user or any other employee, or the conduct of the department's official business
- not contravene any policy or procedure of the department or government
- not be used to conduct a private business for personal gain or profit
- involve only minimal additional expense to the government.

You should be aware that it is government policy that you may be subject to disciplinary proceedings that may include dismissal if you are found to be intentionally accessing, downloading, storing or distributing pornography using government-owned information and communication technology (ICT) facilities and devices. You may also be disciplined (including dismissal) for the misuse of the internet or electronic mail in respect of material that is offensive or unlawful, although not pornographic, or that is another inappropriate or unacceptable use under the Policy and Principles Statement or the department's [Use of Internet, Email and other Facilities and Devices Policies](#) and [Procedures](#).

If you regularly receive unauthorised or inappropriate emails from a particular source known to you, it is no defence to say that the emails were unsolicited if you do not take action to prevent this from continuing.

2.2.8 Examples of inappropriate use of public property and facilities

- Ordering non-essential equipment to maintain budget allocations.
- Using a government vehicle without authority for private purposes.
- Ordering an item on the basis that you will reimburse the department when the item arrives.
- At the end of the financial year, paying for goods in advance of delivery.
- Using departmental property and facilities to establish or maintain private consultancies or other businesses.
- Purchasing goods and services from a relative without complying with the provisions of the [State Government Procurement Policy](#).

2.2.9 Using telephones appropriately

Reasonable use of departmental land lines and mobile telephones for personal local calls is permitted, however you should try to make personal calls during breaks, keep calls brief, and not disturb the work of others around you. For more information, refer to any departmental policies and/or guidelines. Supervisors are responsible for deciding on the reasonable personal use of telephones for their employees.

2.2.10 Examples of authorised limited personal use of IT systems and equipment and telephones

- Accessing Telstra White and Yellow Pages.
- Telephoning the babysitter to confirm babysitting arrangements.
- Telephoning medical providers and making appointments.
- Checking public transport timetables.
- Making financial transactions, including bill paying or internet banking in a proper and appropriate manner.

2.2.11 Using mail appropriately

You must not post any unauthorised or offensive items using departmental facilities. You may not send private envelopes in the internal mail even if stamped, as it will incur a cost to the department. Government envelopes are to be used for government business only. Sending private correspondence in a departmental envelope is a breach of this policy.

2.2.12 Using resources for approved study in a reasonable manner

The department supports the continuing education of employees through the Study and Research Assistance Scheme (SARAS). Reasonable use of resources such as computers, photocopiers, fax machines and library material is permitted for department-approved courses related to your work as a departmental employee. Study should occur in your own time and should not hinder official work. You should also ensure you do not breach the [Copyright Act 1968](#) when copying documents/information.

2.2.13 Using motor vehicles for official purposes only

Government vehicles are to be used for official purposes. Refer to the policy issued by the Public Service Commission [Use of Government Owned Motor Vehicles and Parking of Private Vehicles on Official Premises](#), departmental standards, policies and guidelines for details on responsibilities, procedures and other considerations in the use of government vehicles.

2.2.14 Avoiding time wasting

You should treat time as a resource and apply the principles of economy and efficiency. You should not waste other employees' time. Behaviours such as making long personal phone calls, web surfing and playing computer games in work time, or falsifying time sheets are breaches of the Code.

2.2.15 Using government-issued credit cards responsibly

Credit cards are issued on the basis that the card is both a necessary and convenient facility for meeting commitments incurred in the course of official business. Holders of credit cards have a responsibility to utilise the card in a proper and appropriate manner, in accordance with relevant financial delegations and to fully account for all transactions. Refer to [Corporate Card Policies and Procedures](#).

2.2.16 Obtaining authority to approve expenditure

Expenditure must be validated and authorised by an independent person with the appropriate financial delegation. With the exception of the Chief Executive Officer, delegated officers may not validate their own personal expenditure. In all instances, the expenditure must be publicly defensible with the maintenance and retention of adequate declarations and documentation.

2.2.17 Ensuring expenditure on hospitality and official functions is responsible

Expenditure on hospitality and official functions may be incurred where it is considered appropriate to facilitate the conduct of public business, subject to appropriate authorisation. However, such hospitality should not be a substitute for business meetings. Refer to [Financial Management Practice Manual clause 6.42](#).

2.2.18 Undertaking purchasing and tendering with probity

The [State Procurement Policy](#) requires that all Queensland Government agencies conduct their procurement activities with the utmost probity. Employees must comply with the policy and the following four interlinked principles of probity in procurement:

- fairness and impartiality
- accountability and transparency of process
- confidentiality and security of information and materials
- effective management of conflicts of interest.

2.2.19 Following laws and policies regarding intellectual property and copyright

The main types of intellectual property dealt within the department are copyright and designs, patents, plant breeders' rights, trade marks, confidential information and trade secrets.

Intellectual property generated in an official capacity (subject to limited exceptions) remains the property of the State of Queensland. You must comply with relevant government and departmental policies and procedures relating to the management of intellectual property. You have an obligation to respect the intellectual property rights of others, including their right to control reproduction or copying of their material. Intellectual property and copyright issues also apply when using public information service networks, such as the internet.

2.2.20 Respecting government ownership of intellectual property

Intellectual property produced in the public sector is the property of the State of Queensland. However, contractual arrangements should be developed to define the ownership of the intellectual property produced by a departmental employee (e.g. where a departmental employee is working at a university and produces intellectual property that is funded by a private sector organisation).

When preparing contractual arrangements for intellectual property you should consider the following:

- Copyright laws and restrictions on documents and publications, including audiovisual materials and computer software. While section 183 of the [Copyright Act 1968](#) generally allows use of copyright material when it is for the services of the Crown, as a courtesy, permission should be sought to reproduce material from the copyright holder or responsible authority. You should also be aware that payment may still be required to copyright collection agencies on behalf of the authors of the copyright.
- Ensure prior permission is received from the department before entering into any arrangement regarding the publication or disclosure of any articles, processes or materials produced as part of your official duties, e.g. cartoons, photographs, computer software and training manuals.
- Any intellectual property developed that may result in a positive revenue return for the department (refer to Directive [Rewards for Creating Commercially Valuable Intellectual Property](#)).

If you develop intellectual property that results in a positive revenue return for the department as defined within the Public Service Commission Directive 2/07, [Rewards for Creating Commercially Valuable Intellectual Property](#), and wish to claim reward, you should follow the approval process set out at Attachment 1 of the Directive.

Intellectual property produced in the course of studies undertaken with Study and Research Assistance Scheme (SARAS) support is owned fully or in part by the state, unless otherwise specified in contractual arrangements.

2.2.21 Examples of government ownership

- Do not use departmental photographs for private gain.
- Do not copy commercially supplied, copyright training videos.
- Do not copy software provided to you at work to give to friends or use for private purposes.

2.2.22 Respecting authorship

The [Copyright Act 1968](#) provides creators with certain non-economic rights known as moral property rights. They are the rights:

- to be named in connection with one's work
- against false attribution of authorship
- to object to treatment of one's work that has a detrimental effect on one's reputation.

When using someone else's work in a presentation or document, always ensure you have their permission and acknowledge them appropriately. Authorship of research is a matter that should be discussed at the earliest stages of research and re-assessed at any time there is a change in participation.

2.2.23 Committing 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. You have a responsibility to:

- deliver services fairly, courteously, effectively, and ensure you use resources efficiently and economically
- 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
- treat complaints from clients and the community seriously and respond to constructive feedback as an opportunity for improvement.

2.2.24 Use of risk management processes

You will use risk management processes and strategies to mitigate risks and maximise opportunities in the delivery of services, key functions and activities. For information on risk management in the department, refer to the [Operational Risk Management fact sheet](#).

2.2.25 Working as an integrated service

In order to deliver excellence in customer service, you work with others to address complex issues and provide integrated services to the community. You have a responsibility, where appropriate and in accordance with your official duties, to:

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

Commitment to the System of Government

Our community functions under a system of government in which laws:

- are made by the government
- administered by the public service and
- enforced through the courts

We are part of the system of government and apply laws that relate to our official duties. Therefore we have a high responsibility to demonstrate respect for and commitment to the institutions, laws and the system that creates them, so that we can professionally undertake our role.

3.1 Values

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.

3.2 Standards of conduct

3.2.1 Knowing and abiding by laws, directives and policies

You are required to have a good working knowledge of appropriate legislation, directives issued under the [Public Service Act 2008](#) and departmental policies that apply to your role.

Policies are found on the [DEEDI intranet](#). A breach of any of these policies is considered to be a breach of the Code. You should also become familiar with relevant industrial instruments (awards and certified agreements).

3.2.2 Committing to your roles in public service

Your role is to undertake your duties, and to give effect to the policies of the elected government, regardless of its political complexion. You will:

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

3.2.3 Giving and complying with lawful instructions

When giving an instruction:

- ensure the instruction is lawful and does not contravene any law
- ensure the direction does not create an unsafe situation or that the action itself is not unsafe
- ensure the instruction is reasonable (e.g. that the employee has the capacity to carry out the instruction)
- ensure that the instruction is consistent with departmental policy
- be open to positive and constructive questioning about instructions.

You are expected to follow all lawful and reasonable instructions relating to your role when they are given by properly authorised persons (e.g. managers/supervisors). You are entitled to refuse an instruction if it:

- is unlawful (e.g. compliance with the instruction would involve aspects of maladministration, would be unconscionable, or would breach a law) or
- involves actions that are unethical, would be considered unsafe, or would result in an unsafe situation/condition being created.

3.2.4 Examples of potential unlawful instructions

- Being instructed to inappropriately change or shred a document that would be subject to access under the [Right to Information Act 2009](#) or the [Information Privacy Act 2009](#).
- Being instructed to make confidential information available to an unauthorised person.
- Being instructed to purchase goods you believe are for personal use.

3.2.5 Examples of personal objection to a lawful instruction

While you are expected to carry out all lawful and reasonable instructions, you may object to complying with a lawful and safe instruction if you can demonstrate that you cannot comply as:

- a matter of conscience (e.g. personal, religious or cultural beliefs or practices) or
- the instruction is unreasonable because it goes beyond what is appropriate in all circumstances (e.g. you do not have the capacity to comply).

Your objection does not necessarily negate your obligation to follow the lawful instruction. If the matter cannot be resolved with the person giving you the instruction, you must either comply with the instruction or give consideration to resorting to the department's internal complaints/review mechanism. If you believe misconduct is involved, you should report it as set out in the Code.

3.2.6 Maintaining appropriate relationships with Ministerial employees

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 your role, you will ensure your interactions are positive and productive when engaging with ministerial employees. Ministerial employees are not empowered to direct public service employees in their own right. If this occurs, you will bring this to the attention of senior management.

All dealings with the Minister's office in your official capacity must be through line management.

3.2.7 Ensure proper communication with Members of Parliament

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

3.2.8 Departmental indemnity

So as not to restrict employees in their duties, the Government has issued a [Whole of Government guideline for the granting of indemnities and legal assistance to state employees](#). This means that the government will provide legal assistance and/or an indemnity in relation to a civil proceeding if it arises from, or is related to, your duties or functions and you have diligently and conscientiously endeavoured to carry out your duties.

3.2.9 Assisting Parliamentary committees, commissions of inquiry

If called to appear before a Parliamentary committee or commission of inquiry, you must notify the Director-General through line management immediately, comply with the request and provide all necessary information and assistance to all official inquiries. There are some types of questions that officials are not expected to answer, but may do so through the Minister. The [Queensland Parliamentary Procedures Handbook](#) provides more detail.

3.2.10 Providing statements and giving evidence in court

Specific guidelines apply if you are asked to provide a witness statement or expert opinion in relation to a matter that is, or may become, the subject of legal proceedings, or if you are asked to appear as a witness in a court or tribunal.

If you are requested to provide evidence in your official capacity (but not subpoenaed or summoned), you must immediately notify your line manager and the relevant Associate Director-General or Deputy Director-General, unless alternative arrangements have been approved by the Associate Director-General or Deputy Director-General.

They will consider whether there is any good reason for the department to refuse to provide the assistance requested. Different considerations apply depending upon whether you have been asked to give evidence of fact (what you saw, heard or did) and expert evidence (where you provide an expert opinion). If you have been subpoenaed or summoned to provide evidence you must comply with the requirements of the subpoena or summons. You should, however, immediately notify your manager/supervisor and the department's Legal unit.

If attending court in an official capacity, you must remit all court fees to the department. You are regarded as being on official duty and a record of all expenses incurred must be kept and provided to your manager/supervisor.

If you have been asked to provide evidence in your private capacity, you do not need to notify the Associate Director-General, but you must comply with the Code, particularly the obligations regarding disclosure of official and commercial information and comment made as a private citizen. For further information contact the [Legal unit](#).

3.2.11 Pre-election conventions

Following the disbandment of the Legislative Assembly by the Governor prior to an election, the government assumes a caretaker role. During the caretaker period, you must comply with the arrangements relating to a caretaker period, and the arrangements for pre-election consultation with the Opposition. The major caretaker arrangements include:

- no appointments to be made to significant positions during the caretaker period (what is deemed to be a 'significant appointment' will be announced prior to each election)
- no new policies to be implemented
- no major contracts or undertakings to be entered into
- Cabinet documents to be returned to the Cabinet Secretary
- access to departmental officers by the Opposition spokespersons to be permitted on a restricted basis.

3.2.12 Confidentiality

- You must at all times respect the confidentiality of official departmental information.
- You must ensure official information is kept secure and not discuss it with anyone who does not have a legitimate right to know.

- You must not collect or use official information for private or commercial gain or to bring the department into disrepute.
- You must ensure confidentiality even after you have left the department's employ.

3.2.13 Identification cards

If you have been provided with a Queensland Government Identification Card, you are required to have it in your possession whilst working on Queensland Government or specified worksites. Some employees may also be furnished with a special identification card to be used as part of their role or as required by legislation, and must comply with the requirements for use of these identification cards.

Accountability and Transparency

Acting **accountably** is to act responsibly so your actions and decisions can be explained. Acting with **transparency** is to be open and candid so your actions and decisions can be easily understood.

When we act accountability and transparently, we provide the basis for the public to have confidence in us and place trust in the public service.

4.1 Values

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.

4.2 Standards of conduct

4.2.1 Ensuring diligence in public administration

You have an obligation to seek to achieve high standards of public administration and perform your duties to the best of our abilities. You will:

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

4.2.2 Exercising proper diligence, care and attention

You have an obligation to apply yourself industriously to your official duties. This includes, but is not limited to:

- applying your knowledge and skills to the best of your ability
- performing your duties to the best of your ability
- prioritising your tasks according to the priorities of the government and the department
- making sure your standard of work gives a good impression of the department
- making all reasonable efforts to provide high standards of service to clients
- adhering to any relevant professional standards of conduct that are consistent with your official duties and professional capacity and with the code
- acting responsibly and being accountable for your official decisions and conduct
- supporting and assisting your work colleagues and actively seeking out work once your allocated tasks are completed
- not allowing your own conduct to distract other employees from performing their duties diligently.

Board members and employees appointed to representative groups such as committees and trusts have an obligation to perform their allotted roles with diligence, including:

- attendance and participation at meetings whenever possible
- making decisions without bias or discrimination and in accordance with relevant legislation and policies
- documenting decisions and information relied upon in making decisions.

Managers/supervisors are obliged to ensure that:

- workloads are equitably distributed and employees who have completed their tasks are allocated other work
- role descriptions accurately reflect the tasks and responsibilities of the role and ensure that employees are paid appropriately for the duties performed
- employees are aware of what is required of them in their role, their work performance is monitored and they are given constructive and regular feedback on their performance in accordance with the relevant performance management policy and procedures
- employees have the relevant skills and knowledge to undertake the duties of their role competently or they are provided with training to enable this to occur
- employees are given opportunities to develop and maintain knowledge and skills.

Examples of what diligence does not mean -

- working excessive hours without adequate breaks
- encouraging other employees to work excessively long hours
- not taking recreation leave
- coming to work when you are genuinely ill.

4.2.3 Adhering to dress standards

You must at all times present a professional image and maintain an appropriate standard of appearance. Consideration must be given to health and safety factors, cultural diversity, local community standards and climatic conditions. You must not discriminate against employees wearing garments for religious or cultural reasons.

Managers should remind employees of appropriate dress standards that do not meet the department's requirements. When an official uniform is required to be worn, this must be worn in its entirety and in good order in accordance with any relevant policies or work instructions.

4.2.4 Following procedural fairness (natural justice)

You must follow procedural fairness when making decisions about people. This is particularly so if the decision has negative consequences for those involved, as in disciplinary and unsatisfactory work performance cases. Briefly, procedural fairness requires that you:

- give the person concerned reasonable notice, time and opportunity to comment on any adverse material and to state 'their side of the case' and have it considered before any decision is made
- do not have any personal interest in the matter to be decided or any bias in the outcome, and that you act in good faith throughout the process.

You should document any discussions and be able to justify and provide reasons for the decision.

4.2.5 Using authority properly

You have a duty to avoid influencing, or using the influence of, any person to obtain improperly a personal advantage or an advantage on behalf of another, or to affect the proper outcome of a procedure established under legislation or government policy. When making decisions, directing employees and distributing resources, your actions must be in accordance with government policy and departmental goals, and follow departmental procedures and the principles of procedural fairness.

4.2.6 Examples of inappropriate use of authority

- As part of a grant application assessment, you influence the process to ensure a friend's grant application is successful.
- You use your authority to ensure a friend or relative is appointed or promoted to a position within the department.
- You are on the committee of an association applying for a licence and seek to influence internal processes in relation to the issuing of the licence.

4.2.7 Not endorsing products or companies

Departmental employees cannot take any action where their conduct could be considered a direct or indirect endorsement, or advertisement, of a commercial product or service. You have an obligation to ensure that your actions and decisions are carried out impartially, to serve and protect the interests of the whole community, and to treat all members of the public equally. Sponsorships must be dealt with in accordance with the [Queensland Government Sponsorship Policy](#) and departmental policies.

4.2.8 Minimising effect of personal matters on work

You must try to minimise any adverse impact on your work and colleagues that may be due to difficulties in your personal life. Advising your supervisor/manager, and in some circumstances colleagues, of significant private issues in general terms will enable the department to provide assistance in relation to your personal matter.

4.2.9 Using alcohol and other drugs responsibly

You must at all times ensure that any use of alcohol or drugs is within legal limits and does not compromise work performance or safety considerations. You must also ensure that while on duty you do not use alcohol or drugs that could cause damage to other employees or departmental property, or adversely affect client relations or the reputation of the department. If you are taking medication that may affect your work performance, safety, or the safety of others, you must advise your supervisor or manager.

The consumption of alcoholic beverages on lunch breaks, or at the invitation of clients, suppliers or any other person, is not encouraged and must be limited, especially if you are wearing clothing that identifies the department. At all times you must use your commonsense and maintain the department's interests and professional image, as well as your own welfare.

If in the course of your work you travel to an area where there are alcohol restrictions in place such as in some indigenous communities, you are required to comply with those restrictions.

4.2.10 Not using illegal drugs in workplace

Use of illegal drugs is a criminal offence and is not to occur in the workplace. If you are suspected of being under the influence of illegal drugs, you will not be allowed to continue to perform your duties and will be required to immediately leave the workplace. Use of illegal drugs may result in a disciplinary process being implemented and/or police being notified.

4.2.11 No smoking policy

The Queensland Government has a no smoking policy and, in accordance with the policy, smoking is prohibited in all indoor and outdoor spaces either owned or leased by the Queensland Government. This applies to all Queensland Government motor vehicles, including motor vessels owned and operated by the Queensland Government.

If you wish to take smoking breaks you will need to do so in your own time. You will need to record personal work absences appropriately on your timesheet.

4.2.12 Examples of inappropriate behaviour in the use of alcohol or other drugs

- Clubbing all night and turning up for work the next day hung-over and unable to work satisfactorily.
- Smoking in offices, vehicles, entrances, exits or covered areas of departmental buildings.
- Encouraging other employees to drink during lunchtime to the extent that their work performance is affected after lunch.
- Taking sinus tablets or cough medicine that causes drowsiness and then driving a vehicle or operating machinery.

4.2.13 Complying with attendance requirements

You must comply with legislation and departmental policy and procedures regarding attendance and leave. This includes:

- completing attendance records and leave forms accurately and in a timely manner
- adhering to relevant hours of work
- complying with the relevant legislation and policies regarding leave entitlements
- requesting and obtaining approvals for any absences from duty.

You must ensure you advise your supervisor/manager in a timely manner if you are unable to attend work. This includes periods working away from your normal workplace. Should you be unable to contact your supervisor/ manager, you should arrange for another person (i.e. family member or friend) to do this. Attendance records must be endorsed by supervisor/manager and reflect the actual hours worked.

4.2.14 Complying with professional codes of conduct

The obligation of 'diligence, care and attention' includes any relevant professional ethics standards and codes of recognised professional bodies, to the extent that such standards and codes are consistent with the objectives and functions of the department. If you consider your professional code is in conflict with the Code or government policy, you should discuss the matter with your manager. If your manager cannot reach an agreed understanding with a professional association on an issue, the matter should then be referred to the Human Resources unit for further advice. Your professional association may also approach the department.

4.2.15 Complying with research policies and practices

All departmental employees conducting research are expected to comply with appropriate departmental standards, policies and procedures to guide and enhance research activities.

4.2.16 Not appearing or presenting in an official capacity without approval

From time to time, you may attend or present at seminars or conferences in an official capacity. Any funds received by you in such circumstances must be remitted to the department. Permission to attend a seminar or conference must have appropriate approval.

Full-time or part-time public sector employees who are appointed as part-time chairs or members of government boards are not to be paid daily fees or annual allowances, except where this is approved by the government. For further details, refer to [Remuneration Rates for Part-time Chairs and Members of Government Boards, Committees and Statutory Authorities](#).

4.2.17 Ensuring 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, you will:

- treat official information with care and use it only for the purpose for which it was collected or authorised
- store official information securely, and limit access to those persons requiring it for legitimate purposes, and
- 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.

4.2.18 Disclosing official and commercial information lawfully

There are some circumstances and some types of information that make the release of information inappropriate or illegal. Where an applicant has formally applied for the release of information under the [Right to Information Act 2009](#) or the [Information Privacy Act 2009](#), only one of the department's delegated right to information (RTI) or information privacy (IP) officers have the authority to decide what information will be released and to release that information to the applicant.

You may only publicly release information that you have obtained through your work with the department where it is consistent with the Code and this policy (e.g. release of the information would not lead to a breach of confidentiality or a breach of privacy) and:

- the release is authorised by statute or regulation or required by law
- the information would normally be given to a member of the public
- the information is already available in the public arena.

4.2.19 Ensuring information security/confidentiality

The department is accountable for the information it collects and stores and must assess specific risks and take reasonable steps to protect information from misuse and loss and from unauthorised access, modification or disclosure. You must manage information in your custody, regardless of whether it is paper-based or electronic format, to ensure:

- confidentiality (ensuring information is accessible only to those authorised to have access)
- integrity (safeguarding the accuracy and completeness of information and processing methods)
- availability (ensuring that authorised users have access to information and associated assets when required)
- information is collected, stored and used in accordance with legal and legislative requirements.

The [Information Privacy Act 2009](#) ensures that the collection, use, disclosure and storage of personal information by government agencies are lawful and appropriate. This also obliges the department to advise parties why personal information is being collected about them and when it is being disclosed to a third party.

4.2.20 Supporting the release of information where appropriate

The nature of a public service officer's position and the need to interact with and provide information to the public generate a reasonable expectation that routine personal work information (i.e. non-sensitive information) would be disclosed to members of the public. The [Right to Information Act 2009](#) and the [Information Privacy Act 2009](#) are not intended to hinder government accountability, and should support the need for the majority of references to the personal information of public service officers to be disclosed in a way that balances competing interests (e.g. names, signatures and opinions of officers acting in their routine performance of duties).

Disclosure of routine personal work information to the public or to a member of the public for legitimate agency or department purposes will, in most circumstances, be a permitted disclosure pursuant to the [Right to Information Act 2009](#) or Information Privacy Principle 11(1) (a) under the [Information Privacy Act 2009](#).

4.2.21 Complying with exit processes

By law, you cannot be restrained from using the skill, knowledge or experience you have gained in the course of your employment. However, if you leave the department you must:

- respect the confidentiality of information and ownership of intellectual property to which you had access in the course of your work
- brief your supervisor/manager on your work and its status before ceasing employment, including details of significant contacts
- leave behind articles or materials produced by you as part of your official duties (such as files, data, and photographs) as they are departmental property. The moral property rights of information you have created, however, will remain with you
- ensure that all project and other information is stored on official files and that important emails or other documents stored electronically within your email account are available to your supervisor/manager
- return departmental property issued to you for performing your official duties, such as portable computers and printers, mobile phones, credit cards, library books and journals, fuel cards, ID cards, security passes and keys
- where employees are involved in research projects involving the creation of intellectual property, advise supervisors and managers of all planning and outcomes where these have not already been documented electronically.

4.2.22 Ensuring transparency in our business dealings

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

- your 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
- any engagement we have with lobbyists is properly recorded, and
- you manage gifts, benefits or hospitality in accordance with the department's policies.

4.2.23 Complying with laws regarding lobbyists

Lobbyists can enhance the strength of the democratic process by assisting individuals and organisations to communicate their views on matters of public interest to the government, and so improve outcomes for the individual and the community as a whole.

The public has a clear expectation that lobbying activities will be carried out ethically and transparently, and that Ministers, Parliamentary Secretaries, Ministerial employees or members of the public service who are approached by lobbyists are able to establish whose interests the lobbyists represent so that informed judgements can be made about the outcome they are seeking to achieve.

Any interaction between a government representative and a lobbyist must be conducted in accordance with the [Integrity Act 2009](#) and the [Contact with Lobbyists Policy](#).

4.2.24 Complying with post separation employment procedures of senior employees

For two years after becoming a former senior government representative, the former senior government representative must not carry out a related lobbying activity for a third party client.

Under the [Integrity Act 2009](#), you must not knowingly permit a former government representative of less than 2 years standing to carry out a related lobbying activity for a third party client.

In addition, under Public Service Commission Directive 2/09 [Employment Separation Procedures](#), all chief executives, senior executives and equivalent officers are required to:

- sign a declaration that they understand the obligations associated with their separation from employment in the Queensland public service
- complete and certify a written checklist to ensure that all property of the Crown is returned on the last working day of the employee.

A responsible officer will certify in writing that the requirements have been satisfied and the employee has been informed of their obligations.

4.2.25 Obligations on staff regarding business meetings with former senior government representatives

Under the whole of government [Post separation employment provisions policy](#), you are required to ensure you do not have business meetings with a former senior government representative during the relevant quarantine period on any matter which that person had official dealings with during a defined period of employment or office.

4.2.26 Only accepting and giving gifts or benefits in accordance with Directives, Guidelines and policies

You should not accept or give gifts and benefits that affect or could affect the performance of your official duties, especially if it could be perceived as a gift to influence decisions. Public officials employed in regulatory and procurement activities must take particular care in deciding whether to accept a gift, including hospitality because of the capacity of gifts to be perceived as influencing decision making.

You must not ask for, or encourage, the giving of any form of gift, hospitality or benefit in connection with performance of official duties. Sometimes protocol will require that you accept a gift or benefit. For example, cultural protocol may deem it appropriate to accept a gift from a visiting overseas delegation.

For advice on conformance to international or cultural practice, contact the Protocol Unit, Department of the Premier and Cabinet. Most gifts or benefits accepted by an employee remain the property of the department.

Any gift or benefit must be for official purposes and accountable officers must be able to identify the benefit for the department, the State of Queensland and the public generally. Any gift or benefit that has a fair market value of more than \$150 must be recorded in a gift and benefit register. If multiple gifts are from the same donor or from donors in a similar relationship with the public service employee, received in any financial year and the cumulative value is more than \$150, then each gift must be reported.

If you are not sure whether to accept or decline a gift, speak to your supervisor/manager. Also refer to the Public Service Commission [Directive 22/09 Gifts and Benefits; Guideline](#) issued by the Public Service Commission and the department's [Financial Management Practice Manual clause 2.22](#).

4.2.27 Committing 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 your agency and yourself.

You each have a responsibility, having regard to your own roles, to:

- maintain and develop your professional skills and knowledge

- in consultation with your managers, take reasonable steps to identify and apply for development opportunities relevant to our current roles and responsibilities
- actively participate in employee performance management processes, including induction, performance planning and development, and
- actively contribute to developing and improving business planning and processes, including innovative ways of delivering services.

The department can demonstrate their shared responsibility and mutual obligations with employees through:

- best practice human resource management (for example: selection on the basis of merit, safe and healthy work places, reasonable access to training and development, reasonable avenues of redress)
- equitable and flexible working environments in which all public service employees are:
 - treated fairly and reasonably
 - remunerated at rates appropriate to their responsibilities and
 - a diverse and highly skilled workforce drawing from Government and non-government sectors.

You can demonstrate your shared responsibility and mutual obligations with the department when:

- you professionally perform your official duties
- you are truthful, fair and honest in every dealing with each other and with the department
- your actions and decisions are consistent with government policy and procedures
- you resolve issues in favour of the public interest
- you provide objective, independent, apolitical and impartial advice and
- you ensure resources are not wasted, abused or used improperly or extravagantly.

Appendix 1: Definitions and Acronyms

Cabinet documents	Cabinet documents can broadly be described as documents that, if disclosed, would reveal any consideration or deliberation of Cabinet, or otherwise prejudice the confidentiality of Cabinet considerations, deliberations or operations.
CMC	Queensland Crime and Misconduct Commission, the Queensland public sector oversight body responsible for receiving and dealing with complaints.
Corruption	Criminal behaviour may involve fraud, theft, the misuse of position or authority or other acts that are unacceptable to an organisation and which may cause lack of impartiality and/or loss to the organisation, its clients or the general community.
Delegate	A person designated to act for, or represent, the Director-General, as prescribed in legislation and/or the department's financial and human resource delegations.
Disciplinary action	Action taken as a result of the disciplinary process. It is always the outcome of a substantiated allegation or assessment that involves a penalty.
Discrimination	Discrimination in employment occurs when a person is treated less favourably than another because of a characteristic that is irrelevant to the capacity to perform the job.
Former senior government representative	One of the following people— <ul style="list-style-type: none"> • the Premier or another Minister • a Parliamentary Secretary • a councillor • a public sector officer, who was a chief executive, senior executive or senior executive equivalent • a ministerial staff member or • a parliamentary secretary staff member and is no longer a government representative
Fraud	A deception deliberately practised in order to secure unfair or unlawful gain.
Intellectual property	An invention, original work, the results of scientific research, or a product development that can be protected under legislation, e.g. the <i>Copyright Act 1968</i> , and by common law, depending on the type of intellectual property involved. It covers material both published and unpublished produced in the course of employment, e.g. computer software, illustrations, issues papers, manuals (Note: this definition does not cover Indigenous intellectual property).
Maladministration	Administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose.
Misconduct	Disgraceful or improper conduct in an official capacity, or disgraceful or improper conduct in a private capacity that reflects seriously and adversely on the public service.
Official misconduct (as defined in the Crime and Misconduct Act)	Official misconduct is conduct that relates to a person's duties that: <ul style="list-style-type: none"> • is dishonest or lacks impartiality • involves a breach of trust placed in the officer by virtue of their position or • is a misuse of officially obtained information.

2001)	The conduct must also be: <ul style="list-style-type: none"> • a criminal offence or • serious enough to warrant dismissal.
Private interests	Include both financial and non-financial interests, activities, involvements and benefits. 'Non-financial' interests include employment and career interests, political and religious activities, sporting and community involvements, and trade union and ideological interests. It can also involve a desire to benefit a family member or friend, or to cause harm to another.
Procedural fairness (natural justice)	A process that aims to ensure that a fair decision is reached by the decision maker. The elements to be observed are timeliness, a fair hearing and exclusion of bias.
Professional ethics	Standards of conduct that are promulgated by established professions that apply to individuals in their professional capacity.
Public interest	For a public official/department employee, 'acting in the public interest' means acting lawfully and/or in accordance with government policy under the direction of the Minister. In the absence of legal or policy frameworks, it means acting for the common good of the community.
Public resources	Public resources include material and financial resources, as well as an employee's skills and knowledge, intellectual property, official information, intangible assets such as corporate learning, public support and the department's image. An employee's paid time is also a public resource.
Related lobbying activity	Activity relating to the persons' official dealings as a government representative in the two years before becoming a former government representative.
Reprisal	In the terms of the Public Interest Disclosure Act 2010, causing or attempting or conspiring to cause detriment to another person because, or in the belief that, somebody has made or may make a public interest disclosure.
Sexual harassment	Unwelcome behaviour of a sexual nature as determined by the employee being affected. Examples include if a person subjects another person to an unsolicited act of physical intimacy, a request for sexual favours or a remark with sexual connotations.
Harassment (bullying)	Repeated behaviour, other than sexual harassment, that is directed at an individual worker or groups of workers, is offensive, intimidating, humiliating or threatening, is unwelcome and unsolicited and a reasonable person would consider it to be offensive, intimidating, humiliating or threatening for the individual worker or group of workers.

Appendix 2: Ethical Decision-Making Model

