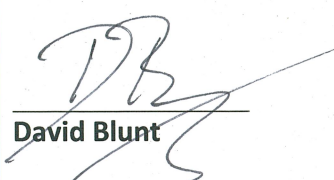
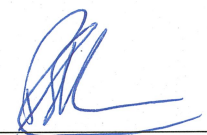
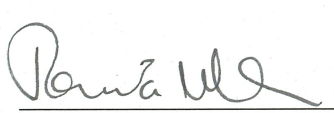




## Code of Conduct for Parliamentary Staff

| Policy Summary          |  |
|-------------------------|--|
| <b>Status</b>           | Current as at February 2013  |
| <b>Purpose</b>          | This Code is designed to: <ul style="list-style-type: none"> <li>• help Parliamentary staff meet high standards of integrity and ethical behaviour</li> <li>• give staff a basis for making day-to-day decisions, and</li> <li>• convey the behaviour expected of them as an employee</li> </ul>   |
| <b>Scope</b>            | This Code of Conduct applies to all permanent, temporary and casual employees (with the exception of Members' staff), contractors engaged on-site, volunteers and people engaged in work experience programs.  |
| <b>Availability</b>     | This policy is available on the Parliament's intranet.   |
| <b>Policy Owner</b>     | Clerk of the Legislative Assembly<br>Clerk of the Parliaments<br>Executive Manager   |
| <b>Related Policies</b> | <i>Public Sector Employment and Management Act 2002 (Part 1.2)</i><br><i>Public Interest Disclosures Act 1994</i><br>Code of Conduct for Members' Staff<br>Code of Conduct for Members<br>Gifts and Benefits Policy<br>Equal Employment Opportunity Policy<br>Harassment Free Workplace Policy<br>Anti-Bullying Policy<br>Public Interest Disclosures policies<br>Employees Contesting Federal, State and Local Elections  |
| <b>Review Process</b>   | This policy will be reviewed once every parliament.  |
| <b>Approval</b>         | <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <br/> <b>David Blunt</b><br/>           Clerk of the Parliaments         </div> <div style="text-align: center;"> <br/> <b>Rob Stefanic</b><br/>           Executive Manager         </div> <div style="text-align: center;"> <br/> <b>Ronda Miller</b><br/>           Clerk of the Legislative Assembly         </div> </div> |
| <b>Date</b>             | 20 February 2013   |



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## Parliamentary Staff Code of Conduct

### 1. Purpose

This code is designed to help parliamentary staff meet high standards of integrity and ethical behaviour, to give staff a basis for making day-to-day decisions and convey the behaviour expected of them as an employee. Employees of the Parliament should be aware of the importance of the Parliament to the people of New South Wales and the impact that your behaviour can have on the overall reputation of the Parliament.

This code was originally launched in May 2005 following consultation between management and unions. It has now been reviewed and updated to reflect changes to the Parliament's structure, with the establishment of the Department of Parliamentary Services (DPS), and relevant legislative changes.

This code also references and incorporates the core values of the public sector contained within the *Public Sector Employment and Management Act 2002*, as amended in 2012. These core values apply to all public sector service employees including parliamentary staff. It is not possible for any code of conduct to cover all possible situations that may arise. If you are uncertain about any aspect of this code, or have an ethical problem you cannot resolve you should seek guidance from your manager or Human Resources. The contribution of each employee is essential if the Parliament is to operate effectively, with integrity and in accordance with the values set out in this code.

### 2. Scope

The Code of Conduct for Parliamentary Staff applies to:

- All parliamentary staff i.e.: permanent, temporary and casual employees of the Legislative Council, the Legislative Assembly, and the Department of Parliamentary Services which together make up the Legislature.
- Contractors engaged by one of the three parliamentary departments to work at Parliament House, at an electorate office, at any other site controlled by the Parliament, or at any other site to work on behalf of the Parliament.



## Parliament of New South Wales Policy Series

- Volunteers involved in one of the three parliamentary departments, interns working for parliamentary staff, and people engaged in work experience programs arranged by one of the three parliamentary departments.

The Parliamentary Staff Code of Conduct does not apply to:

- Members' staff, this includes electorate officers and research assistants in electorate offices and secretary/research assistants working for Members of the Legislative Council. These staff are covered by the Code of Conduct for Members' Staff.
- Volunteers, interns or work experience students involved in the work of Members and/or Members' offices. These individuals are covered by the Code of Conduct for Members' Staff.



## 3. Policy

### 3.1. PARLIAMENTARY STAFF VALUES

Parliamentary staff take pride in serving the Parliament of New South Wales. We believe in the importance of parliamentary institutions and the democratic process and we work to strengthen and foster respect for them. We make great efforts to preserve the corporate memory and ensure institutional continuity, while continuing to develop innovative ways to work. We work together to provide professional, responsive and impartial support.

### 3.2. PUBLIC SECTOR CORE VALUES

The *Public Sector Employment and Management Act 2002* was amended in 2012 when the following public sector core values were included as Section 3B of the Act. These core values apply to all public sector service employees including Parliamentary employees. The core values are consistent with and complement the Parliament's ethical values which follow at Section 3.2 of this Code.

The core values for the public sector and the principles that guide their implementation are as follows:

#### 3.2.1. Integrity

- a) Consider people equally without prejudice or favour.
- b) Act professionally with honesty, consistency and impartiality.
- c) Take responsibility for situations, showing leadership and courage.
- d) Place the public interest over personal interest.

#### 3.2.2. Trust

- a) Appreciate difference and welcome learning from others.
- b) Build relationships based on mutual respect.
- c) Uphold the law, institutions of government and democratic principles.
- d) Communicate intentions clearly and invite teamwork and collaboration.
- e) Provide apolitical and non-partisan advice.





### 3.2.3. Service

- a) Provide service fairly with a focus on customer needs.
- b) Be flexible, innovative and reliable in service delivery.
- c) Engage with the not-for-profit and business sectors to develop and implement service solutions.
- d) Focus on quality while maximising service delivery.

### 3.2.4. Accountability

- a) Recruit and promote staff on merit.
- b) Take responsibility for decisions and actions.
- c) Provide transparency to enable public scrutiny.
- d) Observe standards for safety.
- e) Be fiscally responsible and focus on efficient, effective and prudent use of resources.

## 3.3. ETHICAL VALUES

Staff of the Parliament and others covered by this policy must undertake their duties with regard to:

- **Integrity** – you should consider your duty as an employee whenever you take action
- **Honesty** – abide by the law and appropriate policies and procedures
- **Impartiality** – put aside personal interests, biases and views, and disclose any real or apparent conflict of interests as soon as possible
- **Accountability** – employees accept responsibility for their acts and omissions
- **Respect** – your actions and decisions as an employee should be based on equitable consideration of the relevant facts
- **Professionalism** – ensure your actions and decisions do not compromise your reputation or the reputation of the Parliament
- **Confidentiality** – the information received in the course of your duties should only be used for the purposes intended and not disclosed to any other person
- **Value for money** – parliamentary resources should be used for the purpose for which they are provided, and you should seek to achieve the best value for money.



### 3.3.1. Integrity

#### a. Responsibility to the public and other client groups

The people of New South Wales are entitled to expect the business of the Parliament to be conducted with efficiency, economy, fairness, impartiality and integrity. Employment with the Parliament carries with it a particular obligation to the public interest. You are required to:

- meet a standard of professional behaviour that promotes and maintains public confidence and trust in the work of the Parliament
- treat members of the public with courtesy and sensitivity
- ensure that your actions do not compromise the reputation of Parliament
- stay up-to-date and informed on legislation, policy and guidelines affecting your role

#### b. Responsibility to Members

You must perform your duties irrespective of your personal political beliefs. This involves:

- being impartial in your treatment of Members of Parliament, and providing accurate information to all Members equally
- providing advice to all Members that is frank, independent, based on an accurate representation of the facts and as comprehensive as possible
- maintaining complete confidentiality in relation to the information you provide to, and receive from, Members

#### c. Ethical decision making

If you are faced with an ethical dilemma, you may find it useful to refer to or consider, either by yourself or in consultation with your peers or manager, the following points:

- Is the decision of conduct lawful?
- Is the decision or conduct consistent with Parliament House policy and in line with the Code of Conduct?
- What will be the outcomes for you, for your colleagues, for the Parliament and for other parties?
- Do these outcomes raise a conflict of interest or lead to private gain at public expense?
- Can the decision or conduct be justified in terms of the public interest?
- Would it withstand public scrutiny? That is, how would you feel if details of the decision were made public?



If your supervisor or another person directs or requests you to perform an action which you consider to be unethical, you should consider the following options:

- clarifying with the supervisor or other person seeking assistance exactly what is being asked of you
- asking for the instruction to be put in writing
- giving the supervisor or other person verbal and written advice about the implications of the instruction
- documenting all exchanges on the issue
- refusing to pass on the instruction to other employees and informing your supervisor or the person seeking assistance of the reasons why
- seeking advice from other people not directly involved, such as other trusted senior officers or the ICAC, anonymously if necessary
- if the above options fail, using the grievance or internal reporting mechanisms available to employees

### **3.3.2. Honesty**

All employees are required to act honestly, and abide by lawful directions, policies, procedures and the law.

#### **a. Gifts and Benefits**

The Parliament has adopted a Gifts and Benefits Policy which provides guidance to parliamentary employees regarding offers of gifts or benefits made to them as employees; the receipt of gifts, benefits or prizes as an employee of the Parliament of NSW and the provision of official gifts on behalf of the Parliament.

You should not seek or accept any gift or benefit if such action could be perceived by reasonable members of the public as intended or likely to cause you:

- to act in a particular way (including making a particular decision)
- to fail to act in a particular circumstance
- to otherwise deviate from the proper course of your official duties

Gifts and benefits are items or services that are provided to you, your family or anyone associated with you resulting from your employment. These could include money, discounts, free travel, hospitality, accommodation or employment. You must not accept or demand gifts or benefits from any person or organisation in return for doing your work, because this could impose obligations upon you, or appear to do so.

Generally, offers of gifts and benefits should be declined if they compromise you in your decision-making. You must decline offers which are individually targeted and are not available to your colleagues who share a common task or purpose.





You may accept a gift, benefit, travel or hospitality only if it is of a token kind, and when refusal would be unnecessarily rude. For example, it is quite common for gifts to be accepted or exchanged as part of the courtesy and protocol of delegations and official visits. All managers responsible for employees involved in delegations and official visits should brief employees on the accepted practice and courtesy of these occasions.

All offers of gifts and benefits should be reported to your manager, whether you accept them or not. If you are uncertain whether it is appropriate to accept an offered gift, discuss it with your manager prior to acceptance.

**b. Making Representations to Members and Ministers**

Employees like other citizens can seek access to their local Member or contact a Minister in relation to an issue. You should not approach Members or Ministers for a private purpose through your office role.

If employees wish to meet with or make a representation to their local Member or Minister you should make it clear to the Member or Minister that you wish to approach them as a constituent. It is preferable that the initial approach is made through the Member's or Minister's office in the same way that other constituents access the Member.

**3.3.3. Impartiality**

**a. Conflict of Interest**

A conflict of interest may exist where an employee could be influenced, or could be perceived to be influenced, by a personal interest in carrying out their official duties. You have a responsibility to ensure that your personal interests, financial and non-financial, associations and activities do not conflict with your duties.

**b. Political and Community Participation**

You should make sure that any participation in political activities does not conflict with your duty to serve in a politically neutral manner. This is important because of the need for Members and the public to maintain confidence in your impartiality when you take action or give advice.

The nature of your position, the extent of involvement, and public prominence will affect the level of political activity which is appropriate or inappropriate. For example, for a Clerk at the Table of either House, it will be inappropriate to participate in any form of political activity, because the need to be and appear to be impartial is critical in that position. A gardener or waiter, however, would be less restricted because bias is unlikely to influence decision-making in those positions.



If you believe a conflict has arisen, or may arise, you must report it to your manager for further advice. This may result in you stopping your political activity, or withdrawing from areas of work where conflict is occurring, where this is possible.

Employees who are contesting Federal, State or Local elections should consult with their manager and Human Resources on the policies that apply. Within the context of the requirements of this code, all employees are free to participate in voluntary community organisations, charities and professional associations.

**c. Outside (or secondary) employment**

You are required to obtain prior approval from the relevant Department Head before engaging in any paid outside employment. Generally, outside employment will be approved as long as:

- the work is not associated with your work duties or knowledge gained in the course of your duties
- the work is carried out in your own time
- the work does not involve a conflict of interest with your work at Parliament
- there is no adverse impact upon your work attendance and performance or increased health and safety risks

For example, lecturing at educational institutions, hospitality/catering work, sports officiating, or undertaking activities as a Poll Official at elections, outside working hours, would normally be approved.

It is not necessary to obtain approval for voluntary or unpaid activities, unless a conflict of interest arises in relation to those activities and your official responsibilities.

**d. Post-separation employment**

You should not use your position with the Parliament to obtain opportunities for future employment. You should not allow yourself or your work to be influenced by plans for, or offers of, employment outside the Parliament. If you do, there is a conflict of interest and your integrity, and that of the Parliament, is at risk. We recognise that the knowledge and skills you have attained while working at Parliament will assist you in your future career.

You should be careful in your dealings with former employees, and make sure that you do not give them, or appear to give them, favourable treatment or access to privileged information.



**e. Bankruptcy and private financial affairs**

Any employee who becomes bankrupt or has to form an arrangement with creditors or a debt collection agency must immediately notify the relevant Clerk or the Executive Manager.

**3.3.4. Accountability**

You must accept responsibility for your own acts and omissions. If you receive directions to perform actions which you believe to be illegal or improper, you should query them and may refuse to perform them, and explain why.

If you have employees under your supervision, you are also responsible for their acts and omissions if those acts or omissions are so serious, repeated or widespread that you should know of them and correct them. You should therefore ensure that employees under your supervision understand what their duties are, how they are expected to perform them, and what results are expected.

**Public Interest Disclosures**

You have a duty to report any suspected corrupt conduct, maladministration, criminal or serious and substantial waste of public funds in accordance with the relevant Public Interest Disclosures policy (LA/LC or DPS). All disclosures of such conduct will be handled in confidence in accordance with the relevant policy.

Disclosures may also be made to the ICAC, the Ombudsman, the Auditor-General or the Police Integrity Commissioner in accordance with the *Public Interest Disclosures Act 1994*. The *Public Interest Disclosures Act* ensures that all employees making public interest disclosures are protected from reprisals provided they meet the criteria set out in the Act.

Further information about reporting corrupt conduct, maladministration and serious and substantial waste of public funds can be found in the Parliament's Public Interest Disclosures policies, located on the Intranet or from Human Resources.



### 3.3.5. Respect

You should treat members of the public and other employees honestly, fairly, responsibly, and compassionately.

You should behave in a way that upholds the Parliament's commitment to respecting the dignity, rights and views of others. Employees must not engage in any form of bullying, mistreatment, coercion or harassment.

You should always act in a manner that is inclusive and tolerant of people regardless of:

- gender or sexual orientation
- linguistic, cultural, religious, ethnic, national or racial backgrounds
- physical or mental attributes or disabilities
- age

You must not discriminate against members, staff or the public on the grounds of:

- sex, age, marital status or pregnancy
- race, colour, nationality, ethnic or social origin
- physical or intellectually disability or impairment
- sexual preference or transgender identity
- religious or political belief
- personal carer's responsibilities

Such discrimination can be:

- unlawful – prescribed by statute
- unfair – arising from such things as arbitrary action, error, failure to consider relevant facts or consideration of irrelevant facts

You should also read Parliament's Harassment Free Workplace, Equal Employment Opportunity and Anti-Bullying policies available on the Parliament's intranet.

### 3.3.6. Professionalism

Professionalism requires that you act at all times with courtesy, efficiency and thoroughness.

#### a. Dress

The standards of dress for employees of the parliament can have an important impact on the image of the Parliament. All employees should conform to the generally accepted standards of business dress or standards set by your



Department or Section. If you are provided with a uniform, you must wear it at all times whilst on duty.

**b. Drugs and alcohol**

Although the Parliament has dining room and bar facilities, you must not perform your job, remain at work, or undertake any work-related activity if you adversely affected by alcohol or other drugs. You may be directed by your manager to stop work or leave the workplace if you are affected by alcohol or drugs to the detriment of your work or for safety reasons. For further information refer to the Parliament's *Managing Alcohol and Other Drugs* policy available on the Intranet or from Human Resources.

**c. Attending functions**

Employees need to exercise discretion when attending private functions and celebrations held at Parliament House. Although members may offer "open invitations" to employees to attend such functions this is usually a courtesy and you are still expected to conduct yourself in a professional manner while attending the function.

**3.3.7. Confidentiality**

**a. Public Comment**

Public comment includes public speaking engagements, comments to journalists, statements on radio and television or letters to newspapers, as well as expressing views in books, journals, the Internet and notices where it is expected that the comments will be published to the wider community. Only the Presiding Officers or the Department Heads will make statements in an official capacity for the Parliament. You must not make public comments on issues relating to the Parliament unless you have been authorised to do so by the relevant Clerk or the Executive Manager.

As a member of the community, you can make public comment and enter into public debate on political and social issues. If you choose to make a public comment, you must ensure that:

- your personal views are not presented or interpreted as official comment, although made in a private capacity
- you should preface your remarks with a comment that they are made in a private capacity and do not represent the views of the Parliament
- the information you disclose is official information and material that is normally given to members of the public seeking that information



Employees acting in the capacity of a local union delegate or union office holder may comment on matters involving union business.

It is quite common for journalists to talk to employees seeking background information or comments. Unless the information sought is published and available to the public or you have been authorised to make a comment or give information to journalists, you should refer all media enquiries to the relevant Clerk or the Executive Manager.

**b. Confidentiality of Information**

Information you have gained in the course of your official duties must only be used for the work-related purpose intended, and not for personal benefit. All employees must make sure that all confidential information including computer files cannot be accessed by unauthorised people and that sensitive information is only discussed with people who are authorised to have access to it.

**c. Use of Official Information**

You may only disclose information that is already on the public record, or which would normally be available to members of the public who seek that information.

**3.3.8. Value For Money**

**Use of official resources**

You should seek to ensure that value for money is obtained when using parliamentary resources and report any misuse of resources by others. You are to use parliamentary resources economically and should avoid any action or situation which could create the impression that parliamentary property, equipment, official services or facilities are being improperly used by you or any other person, for private benefit.

Any facilities provided by the Parliament such as office equipment, stationery, telephones, or transport, for use by employees in performing their duties should be used strictly for those duties and for no other purpose. However, your manager may permit occasional and minor use of some facilities for private purposes, for example, occasional telephone calls, emails or faxes. Refer to the Parliament's current IT policies for further direction.

Generally, you should not use parliamentary resources for private purposes. You should not expect or ask other employees to use work time for private purposes. For example, if you are supervising other employees, it is not appropriate to direct them to collect your dry cleaning, pay bills, or to perform other personal tasks for you.





## 4. Grievance mechanisms/sanctions

Sanctions may be applied if your conduct breaches this Code of Conduct. Depending on the sensitivity of the breaches, the impact upon the Parliament and your employment, sanctions may include counselling, a formal warning or dismissal.

## 5. Accountabilities

The Clerk of the Parliaments, the Clerk of the Legislative Assembly and the Executive Manager are responsible for ensuring compliance with this policy.

## 6. Related Policies and Legislation

*Public Sector Employment and Management Act 2002(Part 1.2)*

*Public Interest Disclosures Act 1994*

Code of Conduct for Members' Staff

Code of Conduct for Members

Gifts and Benefits Policy

Equal Employment Opportunity Policy

Harassment Free Workplace Policy

Anti-Bullying Policy

Public Interest Disclosures policies

Employees Contesting Federal, State and Local Elections

## 7. Policy Review

This policy will be reviewed once every parliament.

## 8. Further Information

Parliamentary Staff Code of Conduct – Employee Declaration (attached)

## 9. Document Control

| Version Number | Date of Issue | Author | Description of Change         |
|----------------|---------------|--------|-------------------------------|
| 1.0            | May 2004      |        | New document                  |
| 1.1            | May 2005      |        | Policy update                 |
| 2.0            | February 2013 | PRSC   | Revised and modernised policy |



**NEW SOUTH WALES PARLIAMENT**  
**PARLIAMENTARY STAFF CODE OF CONDUCT**  
**NOVEMBER 2012**

**EMPLOYEE DECLARATION**

I have received and read the Parliamentary Staff Code of Conduct, November 2012. I agree to abide by the Code.

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Signed

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Print Name

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Date

Please return this page to your manager or Human Resources, so that it can be placed on your Personal file.