

# Changes to the VPSC Code of Conduct: 1 June 2015

## Current clause 1.7: breach of this code

This Code is based on the Victorian public sector values and therefore relates to both performance and conduct behaviours.

Failure to behave in the ways described in the Code of Conduct may lead to action under relevant performance management or misconduct processes. These processes need to be consistent with the public sector employment principles (Public Administration Act 2004, s. 8) and standards issued by the Public Sector Standards Commissioner; and communicated to all employees.

## Current clause 2.2: remaining apolitical

*[as existed without the additional paragraph]*

## New clause 1.7: breach of this code

This Code is based on the Victorian public sector values and therefore relates to both performance and conduct behaviours.

Failure to behave in the ways described in the Code of Conduct may lead to action under relevant performance management or misconduct processes. These processes need to be consistent with the public sector employment principles (Public Administration Act 2004, s. 8), standards issued by the Victorian Public Sector Commissioner and any relevant industrial instruments; and communicated to all employees.

## New clause 2.2: remaining apolitical – *[additional paragraph inserted]*

If standing as a candidate in a State or local government election, public sector employees ensure that they balance this right against their obligations under section 95 of the Victorian Constitution and this Code. They discuss with their manager how this may relate to their public sector duties.

### **Current clause 3.6: reporting unethical behaviour**

Public sector employees comply with legislation, policies and lawful instructions in the performance of their work. Public sector employees report to an appropriate authority workplace behaviour that violates any law, rule or regulation or represents corrupt conduct, mismanagement of public resources, or is a danger to public health or safety or to the environment. Public sector employers inform their employees of their rights and responsibilities under 'whistleblower' and similar legislation.

### **Current clause 3.7 conflict of interest**

Public sector employees declare and avoid conflicts of interest to help maintain community trust and confidence.

A conflict of interest can be actual, potential or perceived. This relates to circumstances where the employee is or could be directly influenced or where it is perceived the employee might be influenced.

Public sector employees ensure their personal or financial interests do not influence or interfere with the performance of their role. They seek to ensure the interests of family members, friends or associates do not influence or could be perceived to influence their performance in their job.

If an employee is unsure about a possible conflict of interest they seek advice from their manager.

### **Current clause 3.9: public trust**

Public sector employees seek to build and maintain a high level of trust with the Government, community and other public sector employees. They behave in a manner that does not bring themselves or the public sector into disrepute.

Public sector employees avoid conduct in their private life that may adversely affect their standing as a public official or which may bring their public sector employer into disrepute

### **New clause 3.6: reporting unethical behaviour**

Public sector employees comply with legislation, policies and lawful instructions in the performance of their work. Public sector employees report to an appropriate authority workplace behaviour that violates any law, rule or regulation, or represents corrupt conduct, mismanagement of public resources, or is a danger to public health or safety, or to the environment. Public sector employers inform their employees of their rights and responsibilities regarding the making of such reports.

### **New clause 3.7 conflict of interest**

A conflict of interest occurs where there is conflict between the public duty and private interests of a public official. A conflict can be actual, potential or perceived. It may relate to circumstances where the employee is or could be directly influenced, or where it is perceived the employee might be influenced.

Public sector employees avoid conflicts of interest (actual, potential or perceived) wherever possible. They ensure their personal or financial interests (including the interests of family members, friends, or associates) do not influence and could not be perceived to influence the performance of their role.

Public sector employees declare any conflicts of interest. They manage any conflicts of interest that cannot be avoided in accordance with their organisation's policies and procedures.

If unsure about a possible conflict of interest, public sector employees seek advice from their manager.

### **New clause 3.9: public trust**

Public sector employees seek to build and maintain a high level of trust with the Government, community and other public sector employees. In the performance of their public duties and in their private life, public sector employees avoid conduct that may adversely affect their standing as a public official, or which may bring their public sector employer or the public sector into disrepute.

### **Current clause 3.11: drugs and alcohol**

Public sector employees carry out their work safely and avoid conduct that puts themselves or others at risk. This includes the misuse of alcohol, drugs or other substances when at work or when engaged in work related activities.

The misuse of alcohol, prescribed drugs, illegal drugs and other substances is an issue for both employers and employees as it impacts on both work and personal life and in some cases the reputation of their public sector body.

Public sector employees who are on medication that could affect their work performance or the safety of themselves or others inform their manager or supervisor to ensure any necessary precautions or adjustments to work can be put in place.

### **Current clause 4.2 gifts and benefits**

Public sector employees do not – for themselves or others – seek or accept gifts or benefits that could be reasonably perceived as influencing them.

Public sector employees comply with any policies of their public sector employer in relation to accepting, declaring and/or recording the receipt of gifts or benefits.

Public sector employees who are unsure about accepting a gift or benefit seek advice from their manager.

### **New clause 3.11: drugs and alcohol**

Public sector employees carry out their work safely and avoid conduct that puts themselves or others at risk. This includes the misuse of alcohol, drugs or other substances when at work or when engaged in work related activities.

The misuse of alcohol, prescribed drugs, illegal drugs and other substances is an issue for both employers and employees as it impacts on both work and personal life and in some cases the reputation of their public sector body.

Consistent with any relevant occupational health and safety requirements, public sector employees who are on medication that could affect their work performance or the safety of themselves or others inform their manager or supervisor to ensure any necessary precautions or adjustments to work can be put in place.

### **New clause 4.2 gifts and benefits**

Public sector employees do not – for themselves or others – seek gifts and benefits (including hospitality). They refuse all offers of gifts and benefits that could reasonably be perceived as influencing them or undermining the integrity of their organisation or themselves.

Public sector employees comply with any policies of their employer in relation to accepting, declaring and recording the receipt of gifts or benefits.

If unsure about responding to an offer of a gift or benefit, public sector employees seek advice from their manager.