



SASSLA ANNUAL CONFERENCE

**UNDERSTANDING AND WORKING WITH THE CODE OF
CONDUCT FOR THE SOUTH AUSTRALIAN PUBLIC SECTOR**

A PERSONAL VIEW

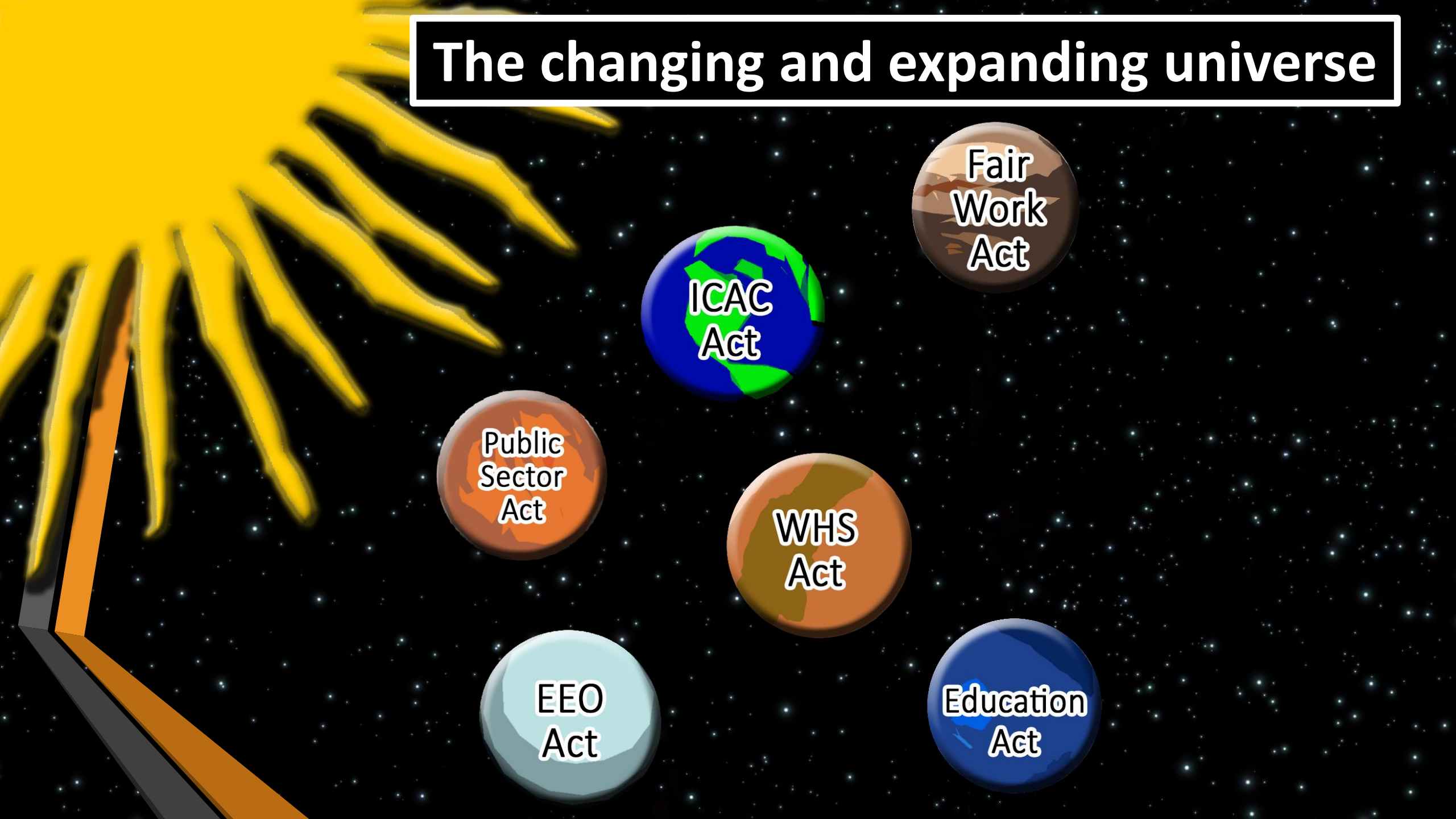
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A presentation in 3 parts

- Setting the scene – The changing and expanding ethical and accountability universe we inhabit
- The code of ethics – the conduct standards that apply to you.
- Successfully navigating the new universe.

The changing and expanding universe



Fair
Work
Act

ICAC
Act

Public
Sector
Act

WHS
Act

EEO
Act

Education
Act

A Planetary Tour

- **Education Act 1972**
 - Part 2 - Roles and responsibilities of the Minister and CE
 - Section 26 - Disciplinary Code
- **Public Sector Act 2009**
 - Part 7 - Of PS Act now applies across the Public Sector
 - Section 14 - Code of Ethics
- **Independent Commissioner against Corruption Act 2012**
 - Establishment of Independent Commissioner and Office of Public Integrity
 - Key definitions of Misconduct, Maladministration, Corruption
 - Reporting obligations
- **Work Health and Safety Act 2012**
 - Section 27- Exercise Due Diligence
 - Workplace bullying
- **EEO Act 1984**
 - Grounds for Harassment and Discrimination

The “physics” of the new universe

- The 24 hour news cycle
- Changing political interests and boundaries
- Increased surveillance
- immediacy, accessibility and transparency of information enabled by technology
- Extending the reach of the law
- The “accountability revolution”

The Changing Universe -What it means for you

- Higher bar of accountability- "what" you do and "how" you do it.
- Actions and behaviour subject to increased scrutiny.
- The replacement of the informal culture with the formal culture
- Public and private lives more co-joined
- Need to develop capabilities to understand and thrive in the new universe as an employee and leader.

Code of Ethics

- The Code of Ethics for the South Australian Public Sector is the Code of Conduct for the purposes of the Public Sector Act 2009, and all public sector employees are bound by it.
- Every public sector employee must familiarise themselves with the content of this Code and conduct themselves in a manner consistent with the values and standards of professional conduct that are set out herein.
- These professional conduct standards are the disciplinary provisions of the Code of Conduct for the purposes of the Public Sector Act 2009.

Understanding the Code of Ethics- key concepts

- The Professional conduct standards in the Code of Ethics has the status of regulations
- Understanding the difference between “business ethics” v “personal morality”
- How to read and understand the Code
- The high bar of “leadership”



Structure of the Professional Conduct Standards

- PROFESSIONAL AND COURTEOUS BEHAVIOUR
- PUBLIC COMMENT
- HANDLING OFFICIAL INFORMATION
- USE OF GOVERNMENT/PUBLIC RESOURCES
- CONFLICTS OF INTEREST
- OUTSIDE EMPLOYMENT
- ACCEPTANCE OF GIFTS AND BENEFITS
- CRIMINAL OFFENCES
- REPORTING UNETHICAL BEHAVIOUR

Professional and Courteous Behaviour

- *Bringing government or the public sector or Government into disrepute: or that is otherwise improper or disgraceful.*
- *Comply with lawful and reasonable direction*
- *Respect and courtesy*
- *Not absent without authority*
- *Diligent and not act in a way that is negligent.*

Public Comment

- *Public comment is providing information or comment to any forms of media (electronic and print) posting comments on internet and speaking at public engagements.*

Handling of Official Information

- *Information about issues, facts data and circumstances that is confidential is referred to as official information.*
- *Public sector workers will not access or attempt to access official information other than in connection with the performance by them of their duties and/or as authorised*
- *Public sector employees will not misuse information in their official capacity*
- *Not access or attempt to access official information other than in connection with duties or as authorised.*
- *Employees will also ensure that the privacy of individuals is maintained and only released in accordance with relevant legislation, industrial instruments, policy or lawful or reasonable direction.*

Use of Government/Public Resources

- *Public sector employees shall use the Government /public resources that are the property of the Crown efficiently and only for appropriate purposes as authorised.*

Conflict of Interest

- *Public Sector employees will avoid actual or potential conflicts of interest.*
- *Employees will disclose in writing to their CE any actual or potential conflicts of interest at the earliest available opportunity*

Outside Employment

- *Public sector employees must not engage in employment or other remunerative activity outside of the public sector where the activity conflicts with, or has the potential to conflict with their role as a public sector employee.*

Gifts and Benefits – perceived or actual

- *Public sector employees will not seek or accept gifts for themselves or others that could be reasonably perceived as influencing them in the performance of their duties and functions as a public sector employee.*

Criminal Offences

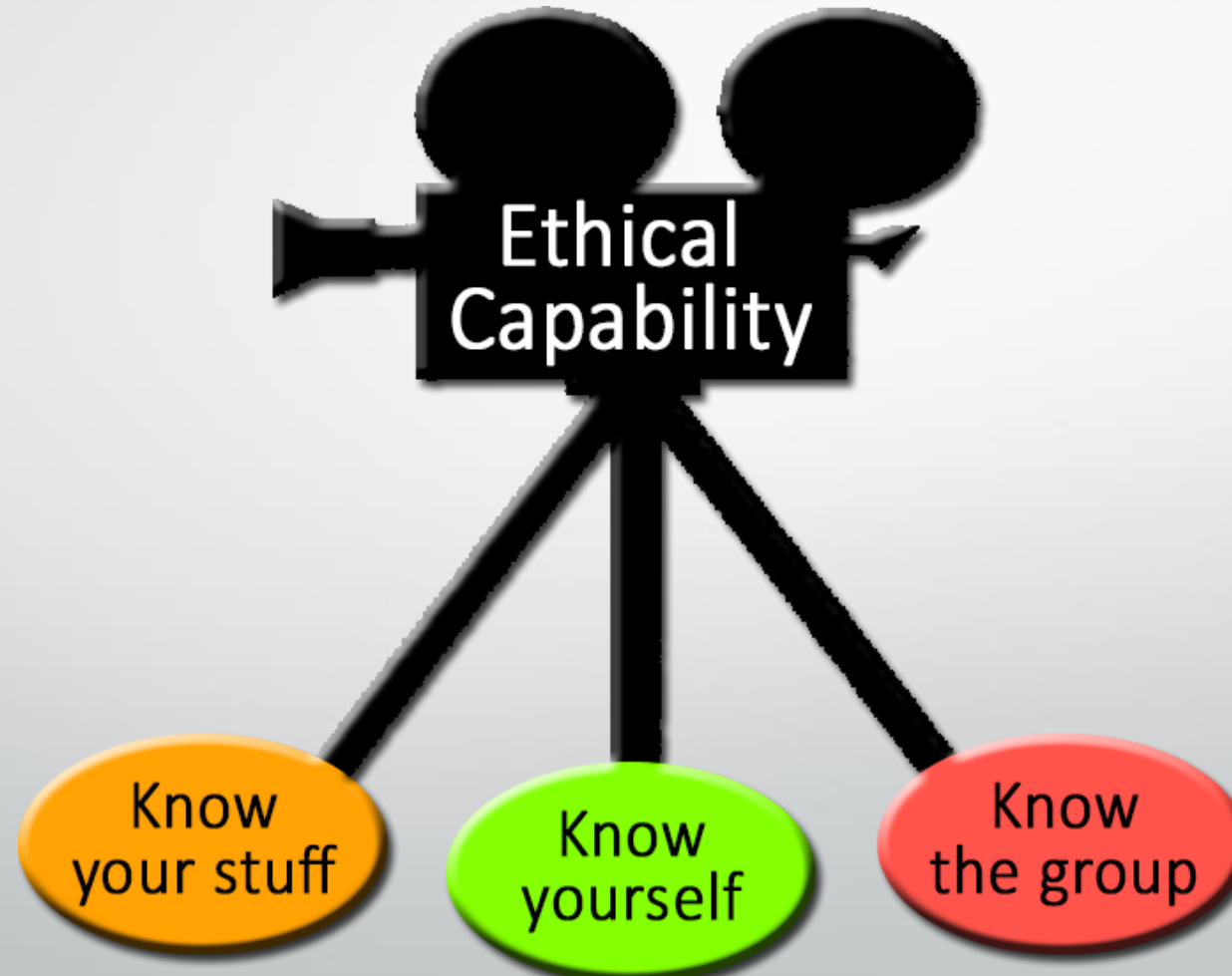
- *Public sector employees will at their earliest possible opportunity advise their manager if they have been charged with a criminal offence*



Reporting Unethical Behaviour

- *Public Sector employees will report to an appropriate authority workplace behaviour that a reasonable person would suspect violates any law, is a danger to public health or safety or to the environment or amounts to misconduct.*

Developing and Sustaining Ethical Capabilities



7 Good Habits for Ethical Practice

- Documentation and Records -
- Immediacy
- Advice
- Disclosure
- Transparency
- Due process
- Responsibility and authority