



Public Sector
Commission

Code of Conduct

Integrity

Impartiality

Respect for others

Trust and accountability

October 2023



From the Commissioner



Ethical conduct is a non-negotiable at the Public Sector Commission.

Every person working for, with or alongside us should know this.

As public officers, our decisions, words and actions are underpinned by the Public Sector Code of Ethics' standards of integrity, impartiality, respect for others, and trust and accountability.

Our Code of Conduct builds on the [Code of Ethics](#) by describing how these standards apply to our work and setting the behaviours we should demonstrate and see every day. It reinforces our values and culture, and supports us to consistently uphold our responsibilities.

Crucially, the code includes information on how to speak up when we see something we think is not right, confirming our collective commitment to support and protect those who do.

It also ensures we are all doing our part to contribute to a safe and productive working environment where we naturally do the right thing. It enhances the trust and confidence of those we work with and for, as well as the integrity of the Commission and the sector.

I expect each one of us to uphold the conduct described in this code so we further build a trusted and capable Commission to drive a future enabled public sector in Western Australia.

SHARYN O'NEILL PSM
PUBLIC SECTOR COMMISSIONER

October 2023



We are proud to deliver our services from Whadjuk Noongar boodja.
We acknowledge and pay respect to Elders, Traditional Owners and Custodians
from the many land and language groups of Western Australia.



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Our code and us

Our code is built on ethical foundations

Our code builds on and is structured around the [Public Sector Code of Ethics](#) which sets out 4 mandatory standards of conduct and integrity for all public sector staff: **integrity**; **impartiality**; **respect for others**; and **trust and accountability**. These standards are included at the start of each section. See overview on page 3.

Our code forms part of our [Integrity framework](#).

Who our code applies to and when

Our code applies to all our staff including interns, temporary personnel and contractors.

It applies while working, including work outside the office or normal working hours, and online. It also applies when doing things associated with our work at the Commission where our conduct could have a direct impact on our performance and/or the Commission's reputation.

In addition, the code sets expectations for those we engage, including consultants, and it may be enforced through contractual arrangements.

Our responsibilities

As **integrity leaders**, we are all responsible for:

- understanding and complying with the code and all internal policies
- demonstrating our commitment to the code through our words and actions
- calling out and reporting behaviour that is not consistent with the code
- promoting and supporting a culture of speaking up.

Managers are additionally responsible for:

- ensuring their staff are informed about the code and supported to understand their obligations
- modelling appropriate behaviour
- supporting their staff to speak up and protecting those who do from victimisation
- identifying and managing risks that could lead to corruption or misconduct.

Questions about our code

Your line manager, director or executive director can answer questions you may have about the code and the standards of conduct it describes.

For policies referenced in the code, you can contact the policy owner listed in the policy.

For other questions about the code contact [Human Resources](#).

Ethics in Action: Conduct Standards

1. Demonstrating integrity

In demonstrating **integrity**, we:



act honestly and uphold the trust placed in us by the community



use our position and authority for the **purpose intended**



provide **objective** and **timely advice** to the government of the day



ensure our **behaviour** **upholds** the **good reputation** of the Commission and the public sector.

Discharging our duties

Acting on lawful instructions

We comply with all reasonable and lawful instructions when performing our work.

Customer service

In line with our [Customer Service Charter](#), our service is responsive, appropriate and accurate. Our [Statement of Business Ethics](#) further sets out how we engage with partners, contractors, subcontractors and suppliers.

Use of position and authority

We act only within the levels of authority set out in our [delegations](#) and within the limits of the authority our position has for tasks, responsibilities and communications.

Impairment to perform duties

We ensure we are fit for duty and that our capacity to perform our duties is not impaired by any substance including drugs, alcohol and medication. Staff taking medication which may impair their capacity to work discuss necessary precautions or adjustments with their manager.

Providing advice

We provide advice to government and other stakeholders that is accurate, unbiased, responsive, evidence based and informed by a range of perspectives. We do not withhold relevant information.

Implementing government policy

We understand and accept our role in implementing the government of the day's policy agenda, and do so in an apolitical, unbiased and responsive manner.

Preventing fraud and corruption

Fraud and corruption are against the law and we do not tolerate or engage in these behaviours. We minimise opportunities for fraud and corruption by following our [Fraud and Corruption Control Policy](#).

Communicating with stakeholders

Our communications and correspondence are professional, accurate and to a standard appropriate to the Commission's context and remit. We are mindful that documents, emails and other records may be subject to public scrutiny.

Contact with the Office of the Premier

Our engagement with the Office of the Premier is in line with our [Communications Agreement](#). This sets out specific staff who are authorised to liaise with this office, and supports the separation between the complementary roles of the public sector and government of the day.

2. Demonstrating impartiality

In demonstrating **impartiality**, we:



make **considered** and **unbiased decisions** based on merit



place the **public interest** over our personal interest



declare and manage **conflicts of interest**



implement government priorities, policies and decisions **impartially**.

Acting in the public interest

We act first and always in the public interest to uphold the integrity, trustworthiness and accountability of the public sector. We never exploit our position for personal gain.

Decision making

We inform ourselves and make evidence based and unbiased decisions while documenting and keeping records of our work to ensure fairness, accountability and transparency.

Managing conflicts of interest

We manage our relationships and personal interests so they do not unduly influence the Commission's work. Where there is an actual, perceived or potential conflict between our personal interests and our public duty we follow our [Managing Conflicts of Interest Policy](#) and [Conflicts of Interest Guidelines](#).

Gifts, benefits and hospitality

We do not seek to receive gifts, benefits and hospitality. To manage any potential conflicts of interest, we only accept them in line with our [Managing Gifts, Benefits and Hospitality Policy](#) and [Procedures](#).

Secondary employment

We seek permission to undertake work outside the Commission and follow our [Undertaking Secondary Employment Policy](#).

Publishing official content and comments

Official content is approved by the Commissioner or as authorised. When representing the Commission in an official capacity our comments are always factual and do not criticise any political party, its actions or policies; or speculate on future policy directions.

Contact with the media

We refer all [requests from the media](#) for information or comment to [Strategic Communications](#).

2. Demonstrating impartiality (continued)

Expressing personal views

We are entitled to hold personal views about government policy and its implementation. We understand the importance of maintaining public trust in the Commission and public sector.

If we express our personal views on government matters in person or online, we do not reveal confidential information or give the impression that we are representing the Commission's views.

Our comments do not compromise our ability to remain impartial or undertake our role, or damage the reputation or administration of the Commission or sector.

Having contact with lobbyists

Any contact we have with people in the business of communicating with a government representative for the purpose of influencing government decision making occurs in accordance with [Commissioner's Instruction 16: Government Representatives Contact with Registrants and Lobbyists](#). We document any contact with lobbyists in our [Record of Contact with a Lobbyist](#). There is a [Register of Lobbyists](#).

3. Demonstrating respect for others

In demonstrating **respect for others**, we:



communicate with and treat people **with respect**



treat people fairly, having regard for their diverse backgrounds



work together constructively, inclusively and professionally.

Supporting diversity, equity and inclusion

Diversity of background, culture, thought and experience brings valuable insights, contributions and other benefits to our work.

We actively support workplace equity and inclusion across the spectrums of age; marital status; family status and responsibility; sex and gender; physical, intellectual and mental impairment; race and ethnicity; sexual orientation; and religious and political conviction.

Fostering a safe and respectful work environment

We recognise everyone's right to safety and respect at work.

We foster, support and protect an environment where everyone feels safe to speak up, share ideas, ask questions and make mistakes without fear of humiliation or retribution.

We ensure our behaviour does not pose a risk to other people's health and safety, including psychological safety, in line with our [Workplace Health, Safety and Wellbeing Policy](#).

Preventing bullying, discrimination and harassment

We do not tolerate or engage in bullying, harassment and unlawful discrimination. This includes direct and indirect discrimination; and sexual, gender, racial and disability based harassment.

The Commission takes steps to protect staff from unlawful, inappropriate and unsafe behaviours. We call out such behaviour when we witness it and take action to respond to it.



4. Demonstrating trust and accountability

In demonstrating **trust and accountability**, we:



take accountability for our time, decisions, actions and behaviours



are **responsive** and provide **considered advice and information** to our clients, customers and stakeholders



make decisions that ensure the **best use of resources** for now and the future



access, use and **disclose information** only where we are authorised to do so



record our decisions for **transparency**, allowing for review and scrutiny.

Keeping and managing records

We create and manage proper and adequate records in line with the [State Records Act 2000](#) and our [Record Keeping Plan](#).

We understand that the public can apply for access to documents under the [Freedom of Information Act 1992](#).

Using and accessing information

We recognise the information we handle is a public resource which we are trusted to access, use, share, store and manage responsibly.

We may have access to information that is sensitive or not publicly available.

We only access and use information in connection to our official duties and within the boundaries of our role. We store and manage information appropriately and in accordance with its classification. We do not share official information without approval to ensure risks are managed and information is shared responsibly.

Privacy

We respect and protect people's personal information including that of our colleagues, stakeholders and members of the public. We handle personal information appropriately, only collect it where necessary, and do not access or share it without approval unless legally required to.

Using resources

We use resources only where we have authority and it is appropriate to our role. We are economical with our use of all physical, financial, technological and intellectual resources.

Resources include Information and Communication Technology (ICT) resources under our [ICT Acceptable Use Policy](#); fleet vehicles under our [Vehicle Management Manual](#); official expenditure in line with our [Purchasing Card Policy](#) and [Procedures](#); and travel under our [Guidelines for Arranging Official Travel](#) and [Premier's Circular 2021/02: Guidelines for Official Air Travel by Ministers, Parliamentary Secretaries and Government Officers](#).

4. Demonstrating trust and accountability (continued)

Procuring goods and services

To ensure appropriate governance, probity and compliance of procurement and management of government contracts, we abide by the [WA Procurement Rules](#) and our [Procurement and Contract Management Policy](#); follow the detailed instructions in our [Procurement and Contract Management Manual](#); and seek guidance from our [procurement team](#) as needed.

Managing risk

We follow our [Risk Management Policy](#) and [Framework](#) to manage risks and help safeguard the Commission against situations that threaten our priorities, people, stakeholders and operations.

Recording work attendance

We maintain official, accurate and auditable records of attendance as set out in the [Public Sector CSA Agreement](#) and our [Managing Staff Attendance Policy](#). We notify our line manager of any absences during scheduled work time as soon as possible via agreed means.

Personal activities during work time

We only take small work breaks for personal activities if needed, and are considerate of and accountable for their impact on our work and colleagues. We record significant breaks in our timesheets.

When our code is breached

Breaches of our code can negatively impact our culture, our individual reputation and that of the Commission, trust, relationships and efficacy. All of these are to the detriment of our work and goals as an agency.

Breaches can result in action being taken under our [Staff Discipline Policy](#). This can include action ranging from counselling to dismissal. In some cases, breaches may also be against the law which could lead to fines or imprisonment.

How to report concerns

You can report concerns about behaviour to your line manager, manager, director, any of our executive directors, a grievance officer or any member of Human Resources.

Other options include:

- reporting suspected [minor misconduct](#) to the Commission
- reporting suspected [serious misconduct](#) to the [Corruption and Crime Commission](#)
- following the [Public Interest Disclosure Procedures](#) to [make a public interest disclosure \(PID\)](#) to one of our [PID officers](#) (the [Public Interest Disclosure Act 2003](#) includes rights and responsibilities for those using it, including protections for those making appropriate disclosures; it is recommended that you speak with one of our [PID officers](#) before making a disclosure)
- making a complaint to the [Equal Opportunity Commission](#) for equal employment matters; [Industrial Relations Commission](#) for industrial matters; [Australian Human Rights Commission](#) regarding discrimination; and/or [WorkSafe](#) for workplace health and safety matters.

You can make an anonymous report provided it includes sufficient information for the matter to be considered.

Anyone making a report or complaint complies with our code. Deliberately false or misleading reports are themselves breaches of the code and may in some cases be unlawful.

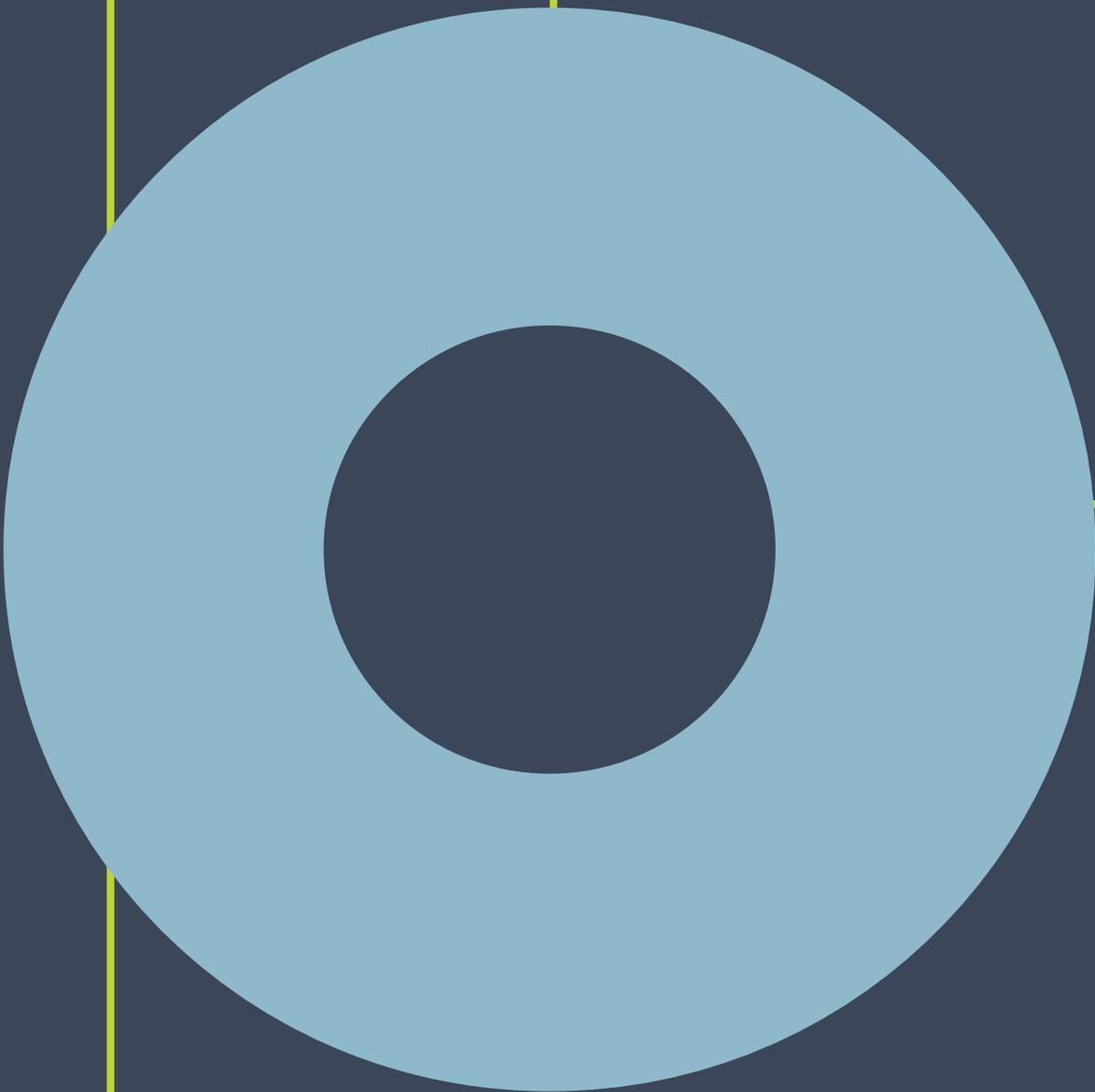
What happens next

Complaints and reports related to the code are taken seriously and managed promptly, fairly and confidentially.

How a matter is dealt with depends on the circumstances and its nature. It may be dealt with informally, as a [grievance](#), as part of [performance management](#) or as a [disciplinary matter](#).

Staff who report concerns are supported and protected from reprisal and victimisation which are themselves breaches of the code and may in some cases be unlawful.

The Commissioner has a statutory obligation to notify the [Corruption and Crime Commission](#) of suspected serious misconduct and the WA Police Force of suspected criminal conduct.



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