



Parliamentary Service

CODE OF CONDUCT
FOR THE
PARLIAMENTARY SERVICE

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MESSAGE FROM THE CLERK OF THE PARLIAMENT

As officers and employees of the Parliamentary Service, we are called upon every day to make decisions. These decisions may vary considerably in complexity and impact, but whether your work involves advising Members, purchasing resources, processing accounts or assisting Members in their electorate offices you will frequently encounter situations that have an ethical dimension. The purpose of this Code of Conduct is to guide and help you in dealing with such situations.

A code of conduct is important for the Parliamentary Service given that the Parliamentary Service provides support to the Parliament, the body to which all other public entities in Queensland are ultimately accountable. This Code has been developed in accordance with the *Public Sector Ethics Act 1994* (PSEA), which specifies ethics, principles and values. Our essential obligation under the PSEA and the Code is that decisions on how we do our work and how we conduct ourselves must be made in the public interest.

The Code cannot, of course, be exhaustive and, in fact, makes many references to other Parliamentary Service policies and legislation with which we must comply. It also expects us to use our common sense in applying the principles of the code and the values of the organisation in resolving issues when the Code is not explicit. It is important to emphasise that simply because a matter is not explicitly canvassed in the Code that does not mean the matter is not covered by the Code. It is likely that the matter is still covered by the wider principles contained in the Code.

Under the PSEA, the Code of Conduct applies to officers, employees, and anyone engaged to provide services to the Service (for example consultants, contractors etc). For ease of reading, however, the Code will only refer to “employees and agents”.

I commend it to you and ask for your commitment to the ethical principles and values upon which it is based.

This Code of Conduct is effective from 27 October 2017.

Neil Laurie
Clerk of the Parliament



1. INTRODUCTION

The Parliamentary Service is a unique organisation that has a wide range of functions and responsibilities. The *Parliamentary Service Act 1988* (PSA) establishes the Parliamentary Service and envisages a service independent of Executive Government and acting to service the needs of Parliament in the public interest.

Given the Parliamentary Service's role to provide support to the Queensland Parliament, the community is entitled to expect employees and agents of the Parliamentary Service to adhere to high standards of ethical conduct in the course of carrying out their duties.

In an era of increasing accountability and due to the nature of the services we provide, the conduct of employees and agents of the Parliamentary Service must be above reproach. To achieve this, we must have shared values and a clear understanding of what is expected of us.

It is not possible to provide a comprehensive set of rules that stipulate how employees and agents should behave in every conceivable circumstance.

This Code of Conduct is intended to provide you with a set of guiding ethics principles and values to determine the right or best course of action when confronted by an ethical decision.

It is your responsibility to familiarise yourself with the Code and observe its provisions.

The Code requires you to conduct yourself in a manner that does not discredit:

- a) individual employees and agents, having regard to their official position held within the Parliamentary Service, or
- b) the reputation of the Parliamentary Service.



2. PURPOSE AND APPLICATION OF THE CODE

2.1. Purpose

The purpose of this Code is to-

- a) inform you of the standards of conduct expected from you, consistent with the ethics principles and values outlined in the *Public Sector Ethics Act 1994* (PSEA);
- b) assist employees and agents to identify and resolve situations that could result in:
 - corruption in the Parliamentary Service;
 - lack of impartiality;
 - unauthorised release of official information;
 - conflicts of interest
- c) ensure that the Parliamentary Service is not discredited because of a poor understanding of its standards of conduct; and
- d) assist you to act in ways that enhance the positive public perception of, and confidence in, the Parliamentary Service.

2.2. Relevant legislation and administrative policies

This Code is to be read in conjunction with the PSA, the PSEA, the *Public Interest Disclosure Act 2010*, other relevant legislation (such as the *Anti-Discrimination Act 1991* and *Work Health and Safety Act 2011*) and the Parliamentary Service's policies.

In the case of conflict between legislative requirements and administrative policy or procedures of the Parliamentary Service (including this Code of Conduct) the legislation will always be paramount.

Should you be unclear on any aspect of the Code or its relationship to legislation and any Parliamentary Service policy, you should contact your manager, or *Human Resource Services*.

2.3. Application of Code

The Code applies to everyone who works for and at the Parliamentary Service (hereinafter referred to as employees and agents), including:

- the Clerk
- officers and employees



- anyone engaged by the Parliamentary Service to provide services, information or advice
- electorate office staff (as employees of the Parliamentary Service)
- the Parliamentary Crime and Corruption Commissioner and staff of the Parliamentary Crime and Corruption Commissioner
- voluntary workers¹
- consultants and members of advisory panels and selection committees insofar as they use Parliamentary Service resources or have access to official information.²

2.3.1. Application to Members of Parliament

The Code does not apply to Members of the Legislative Assembly. In the case of Members, reference should be made to the *Code of Ethical Standards Legislative Assembly of Queensland*.

2.3.2. Application to electorate office staff

In the context of the Code, it is recognised that electorate office staff occupy a unique position within the Parliamentary Service.

While these staff are employed by the Parliamentary Service, and utilise publicly-funded resources in the performance of their duties, they are appointed on the recommendation of the Member. They work in a position of trust with, and at the direction of, their Member. Maintenance of the trust and confidence of their Member is, therefore, essential. Electorate office staff must ensure that at all times they are acting within the authority of their Member. They must ensure that they do nothing to undermine the confidence and trust of the Member, nor compromise the principles of this Code.

In short, the circumstances in which they are appointed, the conditions in which they must work and the conditions under which they are employed, differentiate Electorate Office staff from other Parliamentary Service employees.

Notwithstanding the above differences, most of the provisions of this Code apply to electorate office staff.

While some specifically noted provisions of the Code (such as rules regarding political activities) do not apply to electorate office staff, all other provisions of the Code do apply to electorate office staff.

Electorate office staff often work in remote locations. Should a difficult issue confront an electorate office staff member, assistance and advice is always available by contacting *Human Resource Services*.

¹ When volunteers are engaged, it is the duty of supervising officers to bring the Code of Conduct to their attention.

² When consultants and others are appointed, it is the duty of supervising officers to bring the Code of Conduct to their attention.



2.3.3. On-going application of the code

The Code applies throughout the entire period of engagement of every employee and agent, including periods of leave and off-duty times.

If you leave the Parliamentary Service to work elsewhere, you have an obligation to respect the confidentiality of information and ownership of intellectual property to which you had access in the course of your work here.

Unless otherwise authorised, when you cease duty with the Parliamentary Service, you cannot take any resources such as computer files, software, articles, processes and materials produced as part of the official functions of the Parliamentary Service. Material you produce, no matter what form it is in, as part of your official functions is the property of the Parliamentary Service.

2.3.4 Obligation on officers in leadership positions

Whilst the code applies to every employee and agent, those Parliamentary Officers in leadership roles have a higher obligation to ensure the Code is observed by all staff reporting to them as detailed in their role descriptions.

Officers in leadership roles also have a duty to:

- a) exhibit the highest standards of ethical conduct in the course of carrying out their duties
- b) ensure contemporary human resource, and workplace health and safety practices are observed
- c) effectively managing financial resources under their control
- d) promote the benefits of equity and diversity in the workplace including through integrating these qualities into everyday management practice; and
- e) promote cultural and disability awareness.



3. ETHICS FRAMEWORK

3.1. Public sector ethics

Ethics are the rules or standards of conduct any society imposes on its members. Ethical obligations recognise the fundamental moral principles that underpin every decision and action a member of a society may make.

Public sector ethics are those ethics principles, values and standards of right conduct in the administrative sphere of government. They provide guidance in situations where there are no specific rules or where matters are unclear but where the ultimate objective is to serve the public interest.

3.2. Parliamentary Service ethics checklist

As an employee or agent of the Parliamentary Service, you may often be called upon to make decisions, take actions or apply laws, rules and policies that can, in some circumstances, have a significant impact on clients and other employees.

Occasionally, circumstances may arise where you find yourself having to make these decisions or take actions etc in circumstances where ethical dimensions arise.

You need to, at all times,-

- a) act appropriately; and
- b) be free, and be seen to be free, from undue or improper political considerations in making operational decisions, taking actions etc.

It is not possible to detail in this or any other code all possible ethical situations or dilemmas that officers may face. However, the Code does remind us of the obligations we do have and the direction our decisions ought to take.

A good starting point for all employees and agents is the Parliamentary Service ethics checklist. When facing ethical dilemmas, consider the following questions in relation to the action or decision you are about to take:

PARLIAMENTARY SERVICE ETHICS CHECKLIST	
1. Is the action legal and consistent with Parliamentary Service Policy?	<input checked="" type="checkbox"/>
2. Is the action consistent with Parliamentary Service values (see 3.2.2)?	<input checked="" type="checkbox"/>
3. Is the action the right thing to do?	<input checked="" type="checkbox"/>



3.2.1. Is the action legal and consistent with Parliamentary Service Policy?

The Parliamentary Service Intranet site contains all of the key policy documents that aid staff in the conduct of their duties. Will the action breach one of these policies?

3.2.2. Is the action consistent with Parliamentary Service values?

The *Parliamentary Service Management Plan* (published on the Intranet) outlines the key values of the Service as-

Accountability: We are accountable to the institution, our clients, and to each other.

Innovation: We are innovative and strive to create a better future.

Learning: We shall continually learn and pass on our knowledge.

Integrity: We are honest, ethical, respectful, independent and professional.

Clients: We are focused on the needs of our clients.

Will the action breach one of these values?

3.2.3. Is the action the “right” thing to do?

Obviously, the answer to this question depends upon the individual value set of the person making the decision. When uncertain, a person might consider a range of matters including-

- a) What may be the consequences of the action for-
 - the Parliamentary Service?
 - my colleagues?
 - other parties?
 - me?
- b) Will I be able to defend and justify my actions if called upon to do so?
- c) What would happen if my decision and action taken became front page news?



3.3. Professional -V- personal ethical conflicts

Making decisions may involve conflict between your personal values and beliefs or individual interests or associations and Parliamentary Service policy. The ethics principles and values discussed in this Code are to be applied to resolve such conflict.

The Parliamentary Service acknowledges the professional diversity of officers and employees within the Parliamentary Service. It acknowledges that conflicts may occur between codes of professional ethics and your official duties with the Parliamentary Service.

For example, if you are a member of a specific profession (for example, accountant, lawyer etc.) from time to time conflict may arise between your perceived 'professional' legal and ethical duty and the requirements of your position in the Parliamentary Service. These conflicts are usually based on different views of what the public interest, Parliamentary Service policy, the profession's standards and your conscience require in a particular case.

Where a conflict arises involving professional ethics standards and the requirements of this Code, the Parliamentary Service's right to determine what is to be done should be recognised. In the case of a professional employed to provide services to the Parliamentary Service, the professional must respect the Parliamentary Service's right to issue instructions as to the services required and to reject advice or services tendered.

If you feel there is a conflict because of your religious beliefs you should discuss the matter with your manager.

3.4. Public Sector Ethics Act (PSEA)

The PSEA provides the basis for codes of conduct in the public sector and good public sector administration. It sets out four ethics principles and related values.

The principles are not prioritised either in the PSEA or this Code, however each is equally fundamental to good public administration. They are:

- Integrity and impartiality
- Promoting the public good
- Commitment to the system of government
- Accountability and Transparency

Notwithstanding the Parliamentary Service's Ethics Checklist outlined earlier, the Act requires that the above 4 principles form the basis of our Code.



4. PRINCIPLES

The remainder of this Code takes the 4 principles as outlined in the PSEA and Queensland Public Sector Code of Conduct and adapts them where necessary to reflect the unique context of the Parliamentary Service.

4.1. Principle 1: Integrity and impartiality

4.1.1. Values for integrity and impartiality

The following values describe the behaviour that will demonstrate integrity and impartiality:

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.

4.1.2. Standards of conduct for integrity and impartiality

4.1.2.1 Commit to the highest ethical standards

As Parliamentary Service employees and agents we are required to ensure that our conduct meets the highest ethical standards when we are fulfilling our responsibilities.

We will:

- a) ensure any advice that we provide is objective, independent, impartial and, with the exception of electorate office staff and staff employed in the Office of the Speaker, apolitical;
- b) ensure our decision making is ethical;
- c) engage with the community in a manner that is consultative, respectful and fair; and
- d) meet our obligations to report suspected wrongdoing, including conduct not consistent with this Code (see 5.2 Reporting) and other policies of the Parliamentary Service.



4.1.2.2 Manage Conflicts of Interest

A conflict of interest involves a conflict between our duty, as Parliamentary Service employees or agents, to serve the interests of our clients and our personal interests.

The conflict may arise from a range of factors including our personal relationships, our employment outside the Parliamentary Service, our membership of special interest groups, or our ownership of shares, companies, or property.

As Parliamentary Service employees we may also experience conflicts of interest between our Parliamentary Service ethics and our professional codes of ethics or with our personal beliefs or opinions.³

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 Parliamentary Service employees or agents we are committed to demonstrating our impartiality and integrity in fulfilling our responsibilities and as such we will:

- a) always disclose a personal interest that could, now or in the future, be seen as influencing the performance of our duties (this will be done in accordance with Parliamentary Service policies and procedures);
- b) actively participate with the Parliamentary Service in developing and implementing resolution strategies for any conflict of interest; and
- c) ensure that any conflict of interest is resolved in the public interest.

All officers in leadership roles (as determined by the Clerk and specified in the relevant role description) will be required to formally declare any private interests. Such declarations will be kept on a register maintained by the Clerk.

³ Some examples of potential conflicts of interest include:

- A Parliamentary Service supervisor or manager works for (or has an interest in) a company which also provides services to the Parliamentary Service.
- You use your status or position to inappropriately obtain a transfer, promotion, advancement or appointment for yourself or on behalf of another person.
- You use your status or position to inappropriately gain confidential information for personal gain.
- You inappropriately seek to obtain a more favoured status for a funding application or for services to a particular client.



4.1.2.3 Contribute to public discussion in an appropriate manner

Commenting on Parliamentary Service policy is a matter for the Speaker or the Clerk, not employees or agents. Unless prior authorisation has been given by the Clerk or the Speaker, we will not comment to the media on the Parliamentary Service policies.

Matters concerning Parliamentary committees should be referred to the committee's chair as the spokesperson for the Committee.

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

Electorate office staff should not make comment on matters concerning the electorate office or their Members duties without the approval of their Member.

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

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

4.1.2.4 Manage participation in external organisations

Our work as a Parliamentary Service employee or agent does not remove our right to be active privately in a political party, professional organisation or trade union.

As a member of a political party, however, we are aware that participating in activities in the public arena, where we may be identified as a Parliamentary Service employee or agent, can give rise to a perception of conflict of interest (see section 4.1.2.2). Where this situation arises, we will declare and manage our activities in accordance with Parliamentary Service policies.



Because of the nature of the relationship needed with Members of Parliament from all political sides, some positions within the Parliamentary Service have a special requirement against officers holding those positions being engaged in political activity. In these positions, officers and applicants must be willing to certify that they have not engaged in any recent political activity, and will not engage during the course of their employment in any political activity which is likely to raise a suspicion or question of bias in a fair-minded person which would:

- a) jeopardise or diminish the confidence of Members in the Parliamentary Service or the relevant employment unit; or
- b) otherwise impede the efficient and effective performance by the officer of their duties.

Positions to which this requirement relates includes Chamber Services staff, Committee research staff, Library research and information staff, Senior Executives and other classes of officers specifically advised by the Parliamentary Service.

If we are elected as workplace representatives or officials of a trade union or professional association, we are not required to seek permission from our workplace before speaking publicly in that capacity. However, we are obliged to make it clear that our comments are made only on behalf of that organisation and not the Parliamentary Service.

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



4.1.2.5 Demonstrate a high standard of workplace behaviour and personal conduct

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

We will:

- a) treat co-workers, clients and members of the public with courtesy and respect and without harassment, be appropriate in our relationships with them, and recognise that others have the right to hold views which may differ from our own;
- b) ensure our conduct reflects our commitment to a workplace that is inclusive and free from harassment;
- c) ensure our fitness for duty, and the safety, health and welfare of ourselves and others in the workplace, whether co-workers or clients⁴;
- d) ensure our personal presentation is consistent with the professional standards expected of the Parliamentary Service⁵;
- e) ensure our private conduct maintains the integrity of the Parliamentary Service and our ability to perform our duties; and
- f) comply with legislative and/or policy obligations to report employee criminal charges and convictions.⁶

⁴ You have an obligation to ensure that personal use of alcohol or other legal drugs does not affect the performance or safety of yourself or others.

Unless otherwise provided for in this Code (see below), you are not to consume alcohol while performing Parliamentary Service duties. You will not be permitted to report for duty, continue to perform your duties or use the Parliamentary Service's equipment while your supervisor or manager considers you are unable to perform your duties diligently and safely.

You are also encouraged not to consume alcohol during lunch breaks or while representing the Parliamentary Service, in the interest of maintaining:

- your fitness for duty
- effective work performance, decorum and judgment
- safety on work sites
- effective client relations
- the Parliamentary Service's public image.

It is acknowledged, however, that instances will arise where the consumption of minimal amounts of alcohol will be regarded as socially acceptable.

The consumption of alcohol at the invitation of clients, suppliers or any other person is not encouraged, although it is recognised that in some situations some officers may feel awkward in refusing such invitations.

At all times you must use your common sense and maintain the Parliamentary Service's interests, professional image and your own welfare.

⁵ What employees choose to wear is generally a matter of personal discretion. However, your work attire can affect the Parliamentary Service's image and your work colleagues. Accordingly, unless otherwise authorised, you are required to dress in a clean and tidy manner consistent with your position, job requirements, reasonable community expectations, and health and safety requirements.

Personal hygiene in the workplace is also important because of respect for your colleagues and clients as well as health and well-being. Any reasonable instruction by your supervisor or manager about your personal appearance and hygiene is to be complied with. Some officers and employees are required to wear official uniforms. Such officers have an obligation to wear those uniforms in accordance with the instructions by their supervisors or managers.

⁶ Refer to the Queensland Parliamentary Service Policy "Duty to Report Criminal Charges and Convictions".



4.1.2.6 Manage outside employment arrangements

Having a second job at the same time as working at the Parliamentary Service can give rise to a conflict of interest, particularly if your private work is in an area related to your work with the Parliamentary Service.

A conflict of interest may exist, particularly in relation to private consultancies, where the area of work is one in which:

- a) the Parliamentary Service is already operating;
- b) the Parliamentary Service has already stated it will be operating in the future; and
- c) the Parliamentary Service is acting as broker for any government agency with an interest in the area.

Generally, you may undertake any outside employment providing:

1. it does not create a conflict of interest
2. it will not affect your efficiency in the performance of your official duties.

Before you engage in outside work, you must comply with the following:

- i) seek approval from the Clerk, who will determine whether any conflict of interest or other issues arises from that outside work
- ii) intellectual property of the Parliamentary Service must not be used for personal gain
- iii) confidential information that you have access to at work must stay confidential
- iv) outside work is to be performed wholly in your private time, and you must not use Parliamentary Service resources or facilities
- v) there must be a clear separation between your Parliamentary Service and outside work, evidenced by things like your mailing address, business cards, etc.
- vi) there must be no indication that the Parliamentary Service endorses your outside work activities.

By way of example you should undertake the following actions:

- seek approval from the Clerk **before** you undertake outside employment;
- ensure that there is no conflict of interest prior to undertaking any commercial business venture either as a principal or agent;



- not carry out any activities related to private employment while in your official role - this includes not using Parliamentary Service resources or personal resources during working hours to carry out any income producing activity;
- seek approval before presenting for payment at a commercially run conference, seminar or workshop; and
- ensure that private employment does not affect your ability to work the hours of duty normally required in your position.

4.2. Principle 2: Promoting the public good

4.2.1. Values for promoting the public good

The following values describe the behaviour that will demonstrate promoting the public good:

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, we-

- a) accept and value our duty to be responsive to both the requirements of the Parliament and to the public interest;
- b) accept and value our duty to engage the community in developing and effecting official public sector priorities, policies and decisions;
- c) accept and value our 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.

4.2.2. Standards of conduct for promoting the public good

4.2.2.1 Commit to excellence in service delivery

The Parliamentary Service is entrusted with public funds to develop and deliver services to the community on behalf of the Parliament.

We have a responsibility to:

- a) deliver services fairly, courteously, effectively, and ensure we use resources efficiently and economically;
- b) 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 the Parliament; and



- c) treat complaints from clients and the community seriously and respond to constructive feedback as an opportunity for improvement.

4.2.2.2 Ensure appropriate community engagement

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

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

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

4.2.2.3 Work as an integrated service

In order to deliver excellence in customer service, we will work together to address complex issues and provide integrated services to the community.

We have a responsibility, where appropriate and in accordance with our official duties, to work with Queensland public service agencies to enhance the seamless delivery of services



4.3. Principle 3: Commitment to the system of government

4.3.1. Values for commitment to the system of government

The following values describe the behaviour that will demonstrate commitment to the system of government:

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 Parliamentary Service Officer to act independently of government in order to observe and maintain the principle of the independence of Parliament where required.

4.3.2. Standards of conduct for commitment to the system of Government

4.3.2.1 Commit to our roles in the Parliamentary Service

Our role is to undertake our duties, and to give effect to the policies of the Clerk and the Speaker and the Standing Orders and other Orders of the Legislative Assembly. We will:

- a) accept that the Clerk and the Speaker have the right to determine policy and priorities;
- b) be responsive to the Clerk and the Speaker and implement decisions and policies professionally and impartially;
- c) comply with the laws of State, Australian and local governments
- d) comply with Standing Orders, Sessional Orders and other orders of the Legislative Assembly and committees;
- e) comply with all relevant awards, certified agreements, subsidiary agreements, directives, whole-of-government policies and standards; and
- f) adhere to the policies, organisational values and organisational documents of the Parliamentary Service.



4.3.2.2 Maintain appropriate relationships with Ministerial staff

If providing advice to Ministers is a part of our role, we will ensure our interactions are positive and productive when engaging with ministerial staff.

Ministerial staff are not empowered to direct Parliamentary Service employees in their own right. If this occurs, we will bring this to the attention of Parliamentary Service senior management.

4.3.2.3 Ensure proper communication with Members of Parliament

We have the right to communicate directly with a Member of Parliament on any issue affecting us as a private citizen.

However, in communicating with Members as private citizens, we will maintain the confidentiality of information that is not publicly available, and we have access to due to our roles.

As Parliamentary Service officers and employees, we have special access to Members by virtue of our day to day contact with Members. We should not abuse this special access by:

- a) Complaining to Members about our work conditions, Parliamentary Service policies or our leaders. There are appropriate avenues for Parliamentary Service officers and employees to address grievances.
- b) Seeking to have a Member change a Parliamentary Service policy with which we disagree. There are appropriate avenues for Parliamentary Service officers and employees to address grievances or seek to suggest policy changes.
- c) Seeking to have a Member interfere with a management decision because we disagree with that decision.
- d) Seeking to have Members advance a private cause unless we are a constituent of the Member.

4.3.2.4 Uphold the Privileges of the Legislative Assembly

We will respect and uphold the powers, privileges and immunities of the Legislative Assembly, its committees and members and observe directions in the Standing and/or Sessional Orders of the Legislative Assembly.

If we are ever asked for information or requested to do something that we believe may compromise the Legislative Assembly's privileges, we will refer the matter to our manager for advice.



4.4. Principle 4: Accountability and transparency

4.4.1. Values for accountability and transparency

The following values describe the behaviour that will demonstrate accountability and transparency:

In recognition that public trust in public office requires high standards of public administration, we-

- 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.

4.4.2. Standards of Conduct for accountability and transparency

4.4.2.1 Ensure diligence in public administration

We have an obligation to seek to achieve high standards of public administration and perform our duties to the best of our abilities.

We will:

- a) apply due care in our work, and provide accurate and impartial advice to all clients;
- b) treat all people equitably and consistently, and demonstrate the principles of procedural fairness and natural justice when making decisions;
- c) exercise our lawful powers and authority with care and for the purpose for which these were granted; and
- d) comply with all reasonable and lawful instructions, whether or not we personally agree with a given policy direction.⁷

⁷ We have a right to seek clarification of an instruction, but not to cause an instruction to be ineffective by delay or failure to comply with some part. Managers should, in most circumstances, be open to constructive questions about their directions. In exceptional circumstances, the public interest may be served by not complying with a law/instruction that is in conflict with another law/instruction, or where compliance would result in consequences adverse to the public interest.



4.4.2.2 Ensure transparency in our business dealings

In order to ensure all Parliamentary Service dealings with private industry are conducted with the highest level of integrity we will ensure:

- a) our business meetings with persons who were formerly Ministers, Assistant Ministers or senior government representatives are not on matters those persons had official dealings with in their recent previous employment in accordance with government policy;
- b) any engagement we have with lobbyists is properly recorded; and
- c) we manage gifts, benefits or hospitality in accordance with our agency policies (see *Parliamentary Service Gifts Policy*)

4.4.2.3 Maintain a Register of Interests

Certain Parliamentary Service officers, because of their decision-making capacity, are required to provide a declaration of their interests. The officers required to make a declaration of their interests include:

- The Clerk
- Senior Executive Officers or equivalent
- Senior Officers or equivalent
- Manager, Parliamentary Catering Services
- Manager, Financial and Administrative Services
- Any officer that has acted in the above positions or are likely to act in the above positions for more than six months.

The form and content of the declaration is the same as per the rules for the disclosure of Members' and related persons' interests established by the Legislative Assembly from time to time. The disclosures must be provided to the Clerk and the Office of the Clerk will keep the disclosures in a register. In the case of the Clerk, the Clerk must provide the disclosure to the Speaker.

A copy of the Clerk's disclosure will be kept in the register in the Office of the Clerk. The register will be confidential and access will only be granted to:

- The Speaker The Clerk and the Clerk's nominee from the Office of the Clerk
- Internal Auditors
- Auditor-General
- Crime and Corruption Commission
- A Committee of the House.



4.4.2.4 Ensure appropriate use of official resources, public property and facilities

We are accountable for all resources that we use in the course of our duties. We will:

- a) be economical, and avoid waste and extravagance in the use of public resources for proper purposes;
- b) use any public resource in accordance with official policies;
- c) purchase, manage and care for public resources in accordance with official policies; and
- d) responsibly utilise human assets such as corporate knowledge and intellectual property⁸, as public resources.

4.4.2.5 Ensure appropriate use and disclosure of official information

The Parliamentary Service's clients have a right to know the information that is created and used by the Parliamentary Service 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, we will:

- a) treat official information with care and use it only for the purpose for which it was collected or authorised;
- b) store official information securely, and limit access to those persons requiring it for legitimate purposes, and
- c) not use confidential or privileged information to further personal interests. We will continue to respect the confidentiality of official information when we leave Parliamentary Service employment.

⁸ Intellectual property is any invention, original work, the results of scientific research or product development that can be protected by common law. Ownership is determined by consideration of the circumstances in which the intellectual property was conceived, researched and developed. You must comply with all applicable laws and regulations regarding copyright, including the rights of the owners of published material. All material in which copyright subsists and which was created by you in your official capacity or during work time is owned by the Parliamentary Service. Accordingly, you must obtain permission from your supervisor or manager prior to entering into any arrangements regarding publication or other use of any articles or materials that you have produced as part of your official duties, or that the Parliamentary Service otherwise owns.



4.4.2.6 Commit to innovation and continuous performance improvement

The capacity of the Parliamentary Service to deliver services to the Parliament, its Committees and Members and its clients depends on an innovative and creative workforce, and a commitment to continuously improve the performance of the Parliamentary Service and ourselves.

We each have a responsibility, having regard to our own roles, to:

- a) maintain and develop our professional skills and knowledge;
- b) in consultation with our managers, take reasonable steps to identify and apply for development opportunities relevant to our current roles and responsibilities;
- c) actively participate in employee performance management processes, including induction, performance planning and development; and
- d) actively contribute to developing and improving business planning and processes, including innovative ways of delivering services.



5. ENFORCING THE CODE AND SEEKING HELP

5.1. Compliance and sanctions

We will uphold the principles and values by adhering to the standards of conduct that are listed under each ethics principle.

Failure to adhere to the standards of conduct may represent a breach of the Code and may result in disciplinary action.

Situations may arise where your conduct or that of others appears to be inconsistent with the Code. This may be as a result of a genuine mistake or a deliberate action. You will not be adversely treated where your conduct reflects a genuine attempt to meet the spirit of the Code.

Breaches of the obligations contained in the Code may be dealt with pursuant to s.40 of the PSA. Breaches that could constitute offences may be referred to the police. Breaches that amount to corrupt conduct as defined in section 15 of the *Crime and Corruption Act 2001* (see glossary for definition) (that is, disciplinary offences that could justify a termination of employment) must be referred to the Crime and Corruption Commission.

5.2. Reporting

5.2.1. Should I report corrupt conduct or a breach of this code

Yes.

If you reasonably suspect corrupt conduct you must report the matter to your Manager or the Manager, Human Resource Services. This includes any complaint against another employee or agent of the Parliamentary Service that you may have received from any person either inside or outside the Parliamentary Service that appears to have reasonable grounds.

The Clerk has a paramount statutory obligation to report such matters to the Crime and Corruption Commission in accordance with section 38 and 39 of the *Crime and Corruption Act 2001*.

You will not suffer discrimination for reporting suspected misconduct in accordance with Parliamentary Service policy.

Similarly, you have an obligation to report to your manager or the Manager, Human Resource Services any conduct by yourself that breaches the standards contained in the Code. If there are difficulties in reporting the matter to your manager or the Manager Human Resource Services you can report the matter to any of the Divisional Directors comprising the Executive Management Group or the Clerk.



5.2.2. Who decides if a breach of the code has occurred?

The Clerk or the Clerk's delegate will assess whether an officer's or employee's conduct, while on or off duty, is right and proper in terms of this Code.

Officers and employees have a right of appeal from certain decisions of the Clerk to the Speaker (see Parliamentary Service Rule 2010).

The Clerk or the Clerk's delegate determines appropriateness of conduct with reference to the expectations of the Parliamentary Service, the wider community and the provisions of this Code.

The Parliamentary Service expects that its employees and agents, particularly supervisors and managers, will not only meet the minimum standards of conduct required in fulfilling their obligations under this Code, but will strive to achieve, and encourage others to achieve, the highest standards of conduct possible.

5.3. Getting help and advice

Usually your manager will be able to help you if you have any questions regarding your ethical obligations and the contents of this Code.

If you are unsure whether your conduct or proposed conduct, or conduct of another officer or employee, is in conflict with the Code, you should seek advice from your manager before allowing that conduct to continue.

If for any reason you don't feel comfortable seeking advice from your manager there is also a network of officers and employees in the Parliamentary Service called Ethics Advice Officers (EOAs). This network has been created in the recognition that in some circumstances officers or employees may find seeking initial advice in this area from an independent network of peers less daunting than raising the matter in the first instance with their manager.

Assistance is also available from Human Resource Services.

A full list of EAOs is available on the Parliamentary Service Intranet site along with all relevant Parliamentary Service policies and other valuable information.



GLOSSARY

In this Code of Conduct unless the context otherwise permits or requires:

the Act	<i>Parliamentary Service Act 1988</i> (includes Regulations, Proclamations and Orders in Council made pursuant thereto)
CLA	The Committee of the Legislative Assembly
Clerk	The Clerk of the Parliament or an officer acting as the Clerk of the Parliament
employee	An employee under s.26 of the Act
gift	A present or benefit given for no consideration or consideration less than fair market value
hospitality	the provision of any meals, drinks or entertainment, including the provision of any complimentary or discounted tickets or entry to any sporting, cultural or similar events
corrupt conduct	<p>As defined in s.15 of the Crime and Corruption Act 2001, involves conduct of a person, that—</p> <p>(a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—</p> <p>(i) a unit of public administration; or</p> <p>(ii) a person holding an appointment; and</p> <p>(b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—</p> <p>(i) is not honest or is not impartial; or</p> <p>(ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or</p> <p>(iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and</p> <p>(c) is engaged in for the purpose of providing a benefit to the person or another person or causing a detriment to another person; and</p> <p>(d) would, if proved, be—</p> <p>(i) a criminal offence; or</p> <p>(ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.</p>



	Corrupt Conduct may include:
	(a) abuse of public office;
	(b) bribery, including bribery relating to an election;
	(c) extortion;
	(d) obtaining or offering a secret commission;
	(e) fraud;
	(f) stealing;
	(g) forgery;
	(h) perverting the course of justice;
	(i) an offence relating to an electoral donation;
	(j) loss of revenue of the State;
	(k) sedition;
	(l) homicide, serious assault or assault occasioning bodily harm or grievous bodily harm;
	(m) obtaining a financial benefit from procuring prostitution or from unlawful prostitution engaged in by another person;
	(n) illegal drug trafficking;
	(o) illegal gambling.

officer	<ul style="list-style-type: none"> • an officer of the Parliamentary Service under s.26 of the Act • an officer appointed on contract under s.28 of the Act
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policy	includes any Parliamentary Service policy, procedure, directive, protocol or administrative practice
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procedural fairness (natural justice)	a process that attempts to ensure that a fair decision is reached by an objective decision-maker where decisions affecting the rights of individuals are reached only after the individuals have been made aware of the specific allegation(s) made against them or of decisions which are adverse to their interests and they have had the opportunity to present their claims in relation to the allegation(s) and the decisions proposed to be taken affecting them
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public interest	the interests of the community or class of the community that may have a financial or other interest by which their legal rights or liabilities are affected
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standard of conduct the community reasonably expects of an officer	includes a requirement that an officer must at all times act independently, impartially, fairly and in the public interest
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Speaker	Speaker of the Legislative Assembly
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Standing Orders	Standing Rules and Orders of the Legislative Assembly of Queensland
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manager	For an electorate office staff member, includes their Member of Parliament
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