



Standards of Professional Conduct

NSW POLICE



Contents

Commissioner's Foreword	2
Introduction	3
Statement of Values	4
Code of Conduct and Ethics	5
1. An employee of NSW Police must behave honestly and in a way that upholds the values and good reputation of NSW Police, whether on or off duty.	6
2. An employee of NSW Police must act with care and diligence when on duty.	6
3. An employee of NSW Police must know and comply with all policies, procedures and guidelines that relate to their duties.	6
4. An employee of NSW Police must treat everyone with respect, courtesy and fairness.	7
5. An employee of NSW Police must comply with any lawful and reasonable direction given by someone in NSW Police who has authority to give the direction.	7
6. An employee of NSW Police must comply with the law whether on or off duty.	8
7. An employee of NSW Police must take reasonable steps to avoid conflicts of interest, report those that cannot be avoided and co-operate in their management.	8
8. An employee of NSW Police must only access, use and/or disclose confidential information if required by their duties and allowed by NSW Police policy.	8
9. An employee of NSW Police must not make improper use of their position or NSW Police information or resources.	9
10. An employee of NSW Police must report the misconduct of other NSW Police employees.	9
Management Action	10

Commissioner's Foreword

The professional reputation of NSW Police relies on the integrity and ethical conduct of every individual within the organisation. With a sound professional reputation NSW Police can achieve its goal of working cooperatively with the community to reduce violence, crime and fear.

I am pleased to introduce a revised Statement of Values and Code of Conduct and Ethics. These significant and purposeful documents have come about through the hard work of many people across NSW Police in response to the concerns and experiences of NSW Police employees.

A Statement of Values describes the shared ideals of an organisation. NSW Police is adopting a more modern statement which expresses our values clearly and succinctly. This statement is consistent with the Australasian Statement of Ethics, confirming the shared commitments of police in Australia.

The Code of Conduct and Ethics provides employees with clear guidelines on the conduct required to support the values of NSW Police. Our code has been streamlined and now consists of ten principles. Knowledge of these principles will assist you to do your job with professionalism and pride - even in the absence of other information - because they describe the basic behaviours on which all conduct policies are based.

These changes do not alter the expectations NSW Police has of you; our expectations are simply being expressed more clearly. All employees will now be able to work from first principles through to more detailed policy and guidelines to the extent necessary to meet the requirements of their position. Those policies and guidelines relate directly to the standards expressed in the Code.

It is my expectation that commanders, managers and supervisors manage conduct in a manner that is proportionate with the circumstances. As a consequence, if you act in a way that is proven to be wrong as a result of an honest mistake or lack of experience then you will be supported. However, if you are to receive this support you are expected to acknowledge your mistakes and be accountable and cooperative.

This booklet is your introduction to the new Statement of Values and Code of Conduct and Ethics. We are all required to act in accordance with NSW Police's standards of professional conduct so take the time to familiarise yourself with this booklet and the other resources now available on the intranet and in your workplace.

*K.E. Moroney APM
Commissioner of Police
October 2006*





Introduction

The people of NSW are entitled to be served by police who demonstrate the highest levels of ethics, integrity and professionalism. NSW Police provides guidance to its employees through the *Statement of Values* which establishes our shared ideals, as well as the *Code of Conduct and Ethics* which outlines the conduct that empowers us to be true to those ideals.

The failure of NSW Police employees to meet the professional conduct standards established in these two documents poses a significant risk for employees individually as well as the organisation. As an individual, misconduct demonstrates your inability to act ethically and undermines your capacity to perform effectively while putting your professional future at risk. Misconduct also erodes community confidence in NSW Police as a whole, making it more difficult for you and your fellow employees to do what is already complex and often dangerous work.

You are responsible for your own professional conduct and, to ensure that you are able to deliver the highest standard of conduct possible, you must have an understanding of the contents of this booklet. You are expected to know and act in accordance with the

Statement of Values and *Code of Conduct and Ethics*. Failure to do so may result in management action being taken. In any circumstance where you are unsure of the appropriate course of action you should seek advice from a person in authority.

Resources

Detailed resources on standards of conduct can be accessed through the **Professional Conduct** site on the NSW Police Intranet (from the home page, select Policy and Procedures / Professional Conduct). The Professional Conduct site is dedicated to providing access to the standards of professional conduct as described in the *Statement of Values and Code of Conduct and Ethics* as well as the policies, procedures and guidelines that support them.



Statement of Values

NSW Police has identified its values to be:

***E**xcellence*

having the highest professional standards and integrity

***T**rust*

promoting community faith and confidence in their police

***H**onour*

acting with pride and admiration for the policing profession

***I**mpartiality*

fair and objective decision making without prejudice

***C**ommitment*

dedication and devotion in the performance of your duties

***A**ccountability*

acknowledging ownership and being answerable for your actions

***L**eadership*

acting as a role model for the community and your colleagues



Code of Conduct and Ethics

An employee of NSW Police must:

- 1** behave honestly and in a way that upholds the values and the good reputation of NSW Police whether on or off duty
- 2** act with care and diligence when on duty
- 3** know and comply with all policies, procedures and guidelines that relate to their duties
- 4** treat everyone with respect, courtesy and fairness
- 5** comply with any lawful and reasonable direction given by someone in NSW Police who has authority to give the direction
- 6** comply with the law whether on or off duty
- 7** take reasonable steps to avoid conflicts of interest, report those that can not be avoided, and co-operate in their management
- 8** only access, use and/or disclose confidential information if required by their duties and allowed by NSW Police policy
- 9** not make improper use of their position or NSW Police information or resources
- 10** report misconduct of other NSW Police employees.

Failure to comply with the Code of Conduct and Ethics may result in management action.

1. An employee of NSW Police must behave honestly and in a way that upholds the values and the good reputation of NSW Police whether on or off duty.

Whether on or off duty your conduct will reflect on NSW Police. All employees must protect the reputation of NSW Police through appropriate behaviour.

You must always act lawfully and never in a way that brings, or is likely to bring discredit to NSW Police.

You must act honestly, truthfully and with integrity in all of your dealings with other employees and the public.

Compliance with the *Oath of Office* and *Statement of Values* helps ensure you achieve this.

The *Statement of Values* describes the values that apply to all employees. These values provide guidance for any circumstance, regardless of specific policies that may also apply.

The *Oath of Office* (clause 8 *Police Regulation 2000*) provides general guidance on appropriate conduct for all employees. For sworn employees it represents a promise to the community about how you will exercise police powers.

2. An employee of NSW Police must act with care and diligence when on duty.

As an employee of NSW Police you must carry out your work professionally. This means paying all due care, attention and diligence to your duties, fulfilling them to the best of your ability and supporting other employees to do the same.

It is your responsibility to ensure that you present yourself for work fit to carry out your duties. If you are aware of any health concerns or other impairments that may impede your fitness for duty you must report your concerns to your supervisor. Similarly if you believe another employee is unfit for duty you must report your concerns to your supervisor.

3. An employee of NSW Police must know and comply with all policies, procedures and guidelines that relate to their duties.

If you are going to work lawfully and effectively you need to understand and act in accordance with the standards that govern your duties.

NSW Police has a responsibility to ensure all employees know and understand the requirements of their job by providing access to training and advice as well as documented policies, procedures and guidelines.

Employees are also responsible for their own professional development and education. This includes maintaining an up to date knowledge



of relevant policies, procedures and guidelines and applying them appropriately. All NSW Police policies, procedures and guidelines are available through the NSW Police Intranet or in your workplace.

Sworn employees have an obligation to ensure they meet mandatory training requirements.

You should not act outside your level of competency or authority. If you have any questions about how to carry out your duties you should seek advice from other employees or someone senior to you.

4. An employee of NSW Police must treat everyone with respect, courtesy and fairness.

All NSW Police employees must act with fairness and impartiality to other employees and customers. You must show tolerance to all individuals and their traditions, beliefs and lifestyles provided that such are compatible with the rule of law.

It is unlawful to harass, vilify, victimise or discriminate against any person based on;

- age
- sex
- pregnancy
- disability (includes past, present or possible future disability)

- race, colour, ethnic or ethno religious background, descent or nationality
- marital status
- carer's responsibilities
- homosexuality
- transgender.

5. An employee of NSW Police must comply with any lawful and reasonable direction given by someone in NSW Police who has authority to give the direction.

As an employee you will, from time-to-time, be subject to direction from others. Compliance with lawful and reasonable directions is essential for ensuring NSW Police operates safely and effectively.

While senior employees have authority, a direction can also be issued by a person who, although junior/equal in rank or grade to you, is performing a role that allows them to give direction to other employees. Examples of this would include a fire warden, an employee conducting a drug test or a weapons instructor.

You must not follow directions which you know or ought to know are unlawful.

6. An employee of NSW Police must comply with the law whether on or off duty.

NSW Police is responsible for upholding the law. Unlawful and/or criminal conduct by employees of NSW Police is incompatible with that role and also likely to bring NSW Police into disrepute.

All employees of NSW Police are expected to comply with the law at all times.

When travelling outside NSW (including overseas), employees must abide by the laws of that jurisdiction while not engaging in conduct that is a criminal offence under NSW or Australian Commonwealth law.

In the event that you are charged with a criminal offence you are required to report the matter to your commander.

7. An employee of NSW Police must take reasonable steps to avoid conflicts of interest, report those that cannot be avoided and co-operate in their management.

NSW Police must effectively manage conflicts of interest. This ensures we provide the community with fair and impartial services, maintain public confidence, prevent corruption and manage allegations of misconduct.

You are responsible for identifying and avoiding conflicts of interest that relate to your employment with NSW Police. These conflicts may be actual, perceived or potential.

You must report in writing any conflict of interest that cannot be avoided and co-operate in managing it appropriately.

All conflicts of interest will be managed in favour of the public interest.

8. An employee of NSW Police must only access, use and/or disclose confidential information if required by their duties and allowed by NSW Police policy.

The community places significant trust in NSW Police to appropriately manage confidential information.

Employees must only access NSW Police information for purposes that are directly relevant to their duties.

This information can only be used and/or disclosed for a lawful purpose and in accordance with legislative requirements and NSW Police policy. Before disclosing information you must be satisfied that you are authorised to release the information.

All NSW Police information must be managed securely.



9. An employee of NSW Police must not make improper use of their position or NSW Police information or resources.

Employees of NSW Police hold positions of authority and have access to a range of resources and confidential information. Use of any of these must only be for lawful purposes and in the course of your duties.

You must not improperly use your position, or access NSW Police resources and information, for personal gain or the gain of any other person or organisation.

Sworn employees in particular are reminded of the image they portray when representing NSW Police. Sworn employees must not use their official NSW Police identification to obtain any personal benefit, nor declare their office unless acting in an official capacity.

10. An employee of NSW Police must report the misconduct of other NSW Police employees.

All NSW Police employees must report misconduct. This includes criminal offences, corrupt or unethical conduct, serious mismanagement and substantial waste of public resources. Further, employees are encouraged to challenge inappropriate behaviour.

You can report misconduct to any employee senior in rank or grade to you, or through the Corruption Hotline on 1 800 060 205.

Sworn employees have specific legislative obligations to report corrupt or unethical conduct under clause 20 of the *NSW Police Regulation 2000*. In doing so certain protection from reprisal is available under legislation including the *Police Act 1990*, the *Protected Disclosures Act 1994* and the *Internal Witness Support Policy*.

All commanders and managers must ensure they understand internal reporting procedures.

Management Action

Any NSW Police employee who is found to have acted contrary to the Code of Conduct and Ethics will be subject to management action proportionate with their actions and the circumstances surrounding those actions.

NSW Police will acknowledge honest mistakes by its employees but this acknowledgement only comes if employees are open, accountable and cooperative. Depending on the circumstances, management action may mean informal discussion, or even a decision to take no action. However, serious misconduct can lead to transfer, loss of income or removal from NSW Police.

NSW Police has a specific statutory regime in place under the *Police Act 1990* to deal with complaints about the conduct of sworn employees, whether on or off duty. Similar provisions apply to administrative employees under the *Public Sector Employment and Management Act 2002*.

What is management action?

Management action is a term used to describe the wide range of supervisory or managerial responses available to NSW Police to appropriately manage issues affecting employees in the workplace. Management action can involve an incident simply being discussed or recorded in a notebook

or, in serious circumstances, it can extend to formal outcomes through which an employee can lose salary, rank/grade or their job.

The most common misconception about the term “management action” is that it refers exclusively to punitive measures. It does not. Management action also refers to: informal discussions between supervisors and their staff; requests for training; the provision of advice, guidance or resources; and action taken to address systems issues that might have led to employees doing the wrong thing at no fault of their own.

Accordingly, any breach of the standards established in the Code of Conduct and Ethics can lead to management action. However, any management action will be proportionate with the nature of the breach and the specific circumstances surrounding each individual matter.

On a day-to-day basis, it is the local supervisor, manager and/or commander that is responsible for managing the conduct of their employees. In cases of serious misconduct, a commander/manager will have a say in determining the appropriate action to be taken. NSW Police aims to deliver consistent processes and outcomes through management action by providing education, advice and support to supervisors, managers and commanders.