



**NSW Police Force**

# **Standards of Professional Conduct**

**NSW Police Force**

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### Introduction

The people of NSW are entitled to be served by police who demonstrate the highest levels of ethics, integrity and professionalism. The NSW Police Force 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 Force 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 the NSW Police Force 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 Standards Command site on the NSW Police Force intranet (from the home page select the link on the left side bar).

The Professional Standards Command site is dedicated to providing access to policies, procedures and guidelines that support professional conduct in the field.



**NSW Police Force**

## ***Statement of Values***

Employees of the NSW Police Force should align with the values and principles as outlined in Section 7 of the *Police Act 1990* which states

Each member of the NSW Police Force is to act in a manner which:

- a. places integrity above all,
- b. upholds the rule of law,
- c. preserves the rights and freedoms of individuals,
- d. seeks to improve the quality of life by community involvement in policing,
- e. strives for citizen and police personal satisfaction,
- f. capitalises on the wealth of human resources,
- g. makes efficient and economical use of public resources, and
- h. ensures that authority is exercised responsibly.



**NSW Police Force**

## ***Code of Conduct and Ethics***

An employee of the NSW Police Force must:

1. behave honestly and in a way that upholds the values and the good reputation of the NSW Police Force 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 the NSW Police Force 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 Force policy
9. not make improper use of their position or NSW Police Force information or resources
10. report misconduct of other NSW Police Force employees.

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

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

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

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

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 7 Police Regulation 2015) 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 the NSW Police Force must act with care and diligence when on duty.

As an employee of the NSW Police Force 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 the NSW Police Force 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.

The NSW Police Force 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 Force policies, procedures and guidelines are available through the NSW Police Force 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 the NSW Police Force must treat everyone with respect, courtesy and fairness.

All NSW Police Force 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 the NSW Police Force must comply with any lawful and reasonable direction given by someone in the NSW Police Force 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 the NSW Police Force 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 the NSW Police Force must comply with the law whether on or off duty.

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

All employees of the NSW Police Force 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 the NSW Police Force must take reasonable steps to avoid conflicts of interest, report those that cannot be avoided and co-operate in their management.

The NSW Police Force 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 the NSW Police Force. 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 the NSW Police Force must only access, use and/or disclose confidential information if required by their duties and allowed by NSW Police Force policy.

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

Employees must only access NSW Police Force 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 Force policy. Before disclosing information, you must be satisfied that you are authorised to release the information.

All NSW Police Force information must be managed securely.

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

Employees of the NSW Police Force 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 Force 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 the NSW Police Force. Sworn employees must not use their official NSW Police Force identification to obtain any personal benefit, nor declare their office unless acting in an official capacity.

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

All NSW Police Force 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.

Further to the *Code of Conduct*, all NSWPF employees have a legislated duty to report misconduct. Under section 211F of the *Police Act 1990*, a police officer or administrative employee who has reasonable grounds to suspect that a police officer has engaged in police misconduct or serious maladministration is under a duty to report that police misconduct or maladministration (or alleged misconduct or maladministration), in writing, to a police officer who is of the rank of sergeant or above and is more senior in rank than the reporting officer.

### Management Action

Any NSW Police Force 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.

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 the NSW Police Force.

The NSW Police Force has a specific statutory regime in place under the Police Act to deal with complaints about the conduct of sworn employees, whether on or off duty. Similar provisions apply to administrative employees under the *Government Sector Employment Act 2013*.

#### What is Management Action?

Management action is a term used to describe the wide range of supervisory or managerial responses available to the NSW Police Force 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, commander/manager will have a say in determining the appropriate action to be taken. The NSW Police Force aims to deliver consistent processes and outcomes through management action by providing education, advice and support to supervisors, managers and commanders.



**As a NSW Police Force employee, I hereby acknowledge I have read and understood the NSW Police Force *Code of Conduct and Ethics* and the supporting information that is provided with it in the Standards of Professional Conduct booklet.**

**I understand that if I fail to comply with the *Code of Conduct and Ethics* I may be subject to management action.**

**Print Name:** \_\_\_\_\_ **Serial No:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Endorsed on SAP by: \_\_\_\_\_

Name and rank/position: \_\_\_\_\_

Date: \_\_\_\_\_

Completed acknowledgement forms are to be noted on SAP then attached to the officer's personal file.