

POL-115

# Code of Conduct Policy

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<b>Accountable officer</b>	Executive Director – Legal, Risk and Compliance
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# About this document

## Purpose and scope

<b>Policy</b>	<p>The policy statement for this document is <i>POL-120 Values and Ethics policy</i>.</p> <p><b>Parks Victoria will promote the highest standard in public sector values to support commitment to and confidence in every aspect of its delivery of park management services.</b></p>
<b>Purpose</b>	<p>This policy outlines:</p> <ul style="list-style-type: none"><li>• how Parks Victoria's employees interact with the Government and the broader community;</li><li>• how Parks Victoria's employees strive for excellence in the services they provide;</li><li>• the core behaviours employees are required to demonstrate in the workplace;</li><li>• the importance of employees avoiding any actual, potential or perceived conflict of interest;</li><li>• how Parks Victoria will protect employees who report any improper conduct.</li></ul>
<b>Scope</b>	<p>This policy applies to Parks Victoria's Board Members, employees and contractors, at all times, in the performance of their duties. A breach of this policy may result in disciplinary action.</p>
<b>Related documents</b>	<ul style="list-style-type: none"><li>• Code of Conduct for Directors of Victorian Public Entities 2016</li><li>• Code of Conduct for Victorian Public Sector Employees 2015</li><li>• Victorian Public Sector Executive Employment Handbook 2010</li><li>• Victorian Government Purchasing Board Conduct of Commercial Engagements</li><li>• Charter of Human Rights and Responsibilities Act 2006</li><li>• Ethics in the Workplace (Victorian Public Sector Commission)</li><li>• Parks Victoria Enterprise Agreement 2016</li><li>• Performance and Development Plan C-0080H</li><li>• Performance and Development Plan C-0080A</li></ul>

## Definitions

<b>Line Manager</b>	The manager who has responsibility for the position or employee, regardless of the title they hold.
<b>One-up manager</b>	The manager who occupies a position at Grade 8 or above who has direct line responsibility for the position.
<b>Executive Director</b>	A Regional Director or Executive Director that the senior manager reports to.
<b>Board Members</b>	The Parks Victoria Board is responsible for the governance of our organisation and are appointed by the Governor in Council for a period not exceeding four years. The Board is responsible for directing and monitoring the business of Parks Victoria and is

accountable to the Minister for Energy, Environment and Climate Change for its overall performance.

**Directors Code of  
Conduct**

Public Administration Act 2004 ('PAA') and related codes, in particular, the Directors' Code of Conduct.

# 1 Context

## 1.1 Introduction

The Code of Conduct guides Board member and employee behaviour. It reinforces the public-sector values and describes the nature of the relationship between the Board, employees, the government, community and colleagues.

## 1.2 Principles

### Application to Board Members

The key principles are:

- **Relevant obligations:** the Board operate in accordance with all relevant obligations and with good governance practice.
- **Public interest:** the Board (collectively and individually) act in the public interest at all times.
- **Directors' Code of Conduct:** Board Members adhere to the governance principles in the Public Administration Act 2004 ('PAA') and related codes, in particular, the Directors' Code of Conduct.
- **Consolidated statement:** the Board's policy is a consolidated statement of the key standards of conduct and the key accountabilities and responsibilities that apply to all Board Members.

### Application to employees

In following this policy employees must adhere to the principles of:

- Behaving in accordance with the Victorian Public-Sector Code of Conduct for employees.
  - Responsiveness
  - Integrity
  - Impartiality
  - Accountability
  - Respect
  - leadership
- Parks Victoria Act 2018

## 1.3 Public sector employment principles

The Board will treat the Chief Executive Officer (CEO) in accordance with the public-sector employment principles in section 8 of the PAA and the related Standards and will ensure that the CEO has mechanisms in place to apply these principles throughout the agency. The applicable principles are:

- employment decisions must be based on merit;
- employees must be treated fairly and reasonably;
- there must be equal opportunity employment;
- Victoria's Charter of Human Rights and Responsibilities must be upheld; and
- employees must have a reasonable avenue of redress against unfair or unreasonable treatment.

The Board will also ensure that the CEO complies with the Code of Conduct for Victorian Public-Sector Employees and that he or she has mechanisms in place to ensure that all other employees comply with the Code.

## 1.4 Relevant Board applications and good practice

Board Members will act in accordance with all relevant obligations and with good public-sector governance practice, including:

- The *Parks Victoria Act 2018*.
- The public-sector values in section 7 of the PAA;
- The Directors' Code of Conduct (section 81(1)(e) of the PAA)
- Similar requirements in section 79 of the PAA and in the common law (e.g. to act honestly and legally);
- The public-sector employment principles in section 8 of the PAA and related Standards;
- Any directions, guidelines and/or statements of obligation or expectation issued by the Minister;
- Government policy; and
- All other laws and obligations that bind the agency

## 1.5 Collective Board accountabilities and responsibilities

The Board will comply with its collective accountabilities and responsibilities, in particular:

- Accountability to Minister: the Board will act in accordance with its collective accountability to the Minister.
- Functions and objectives: the Board will ensure that all of its actions and decisions are consistent with the functions and objectives in the *Parks Victoria Act 2018* and with the agency's strategic plans, business plans, and related documents.
- Major risks: the Board will inform the Minister and the Secretary of Department of Environment, Land, Water and Planning of all known major risks (existing and emerging) to the effective operation of the agency and of the management systems that are in place to address those risks.
- Information to the Minister: unless prohibited by law, the Board will provide any information relating to the agency or its operations that the Minister (or Department of Environment, Land, Water and Planning) requests.

## 2 Operating process

### 2.1 Standards of conduct

Board Members and employees must act in the public interest at all times, collectively and individually.

### 2.2 Directors Code of Conduct

The public-sector values of integrity, impartiality, accountability, respect, leadership, responsiveness, and commitment to human rights are the over-arching standards of conduct for all Board Members. The Directors' Code of Conduct promotes adherence to these values. It sets out the fundamental conduct requirements that all Board Members will comply with, being:

### 2.3 Section 79 of the PAA

A Board member or employee who is standing for election to parliament (Federal, State or Territory) or local council will notify the Board and will avoid using any resources of the agency in connection with his/her candidature. The Board member's candidature will be recorded in the Board's minutes.

### 2.4 Conduct requirements in Parks Victoria Act or determined by the Board ('own motion')

Board Members will comply with any additional conduct requirements imposed by the Parks Victoria Act or by the Board of its own motion. In particular, Section 21 of the Parks Victoria Act which sets out additional requirements concerning conflict of interest.

Steps in Directors Code of Conduct	Step	Description	Responsibility
1	Act with honesty and integrity	Be open and transparent in your dealings; use power responsibly; do not place yourself in a position of conflict of interest; strive to earn and sustain public trust of a high level.	Board
2	Act in good faith in the best interests of the public entity	Demonstrate accountability for your actions; accept responsibility for your decisions; do not engage in activities that may bring you or the public entity into disrepute.	Board
3	Act fairly and impartially	Avoid bias, discrimination, caprice or self-interest; demonstrate respect for others by acting in a professional and courteous manner.	Board
4	Use information appropriately	Ensure information gained as a director is only applied to proper purposes and is kept confidential.	Board
5	Use your position appropriately	Do not use your position to seek an undue advantage for yourself, family members or associates, or to cause detriment to the public entity; ensure that you decline gifts or favours that may cast doubt on your ability to apply independent judgement as a director of the public entity.	Board
6	Act in a financially responsible manner	Understand financial reports, audit reports and other financial material that comes before the board; actively inquire into this material.	Board

Steps in Directors Code of Conduct	Step	Description	Responsibility
7	Exercise due care, diligence and skill	Ascertain all relevant information; make reasonable enquiries; understand the financial, strategic and other implications of decisions.	Board

## 2.5 Steps in employee Code of Conduct

	Step	Description	Responsibility
1	Understand and apply Code of Conduct	<p>All Parks Victoria employees must at all times:</p> <ul style="list-style-type: none"> <li>• Demonstrate the behaviours in the Code of Conduct for Victorian Public Sector Employees 2015 which include: <ul style="list-style-type: none"> <li>○ responsiveness,</li> <li>○ integrity,</li> <li>○ impartiality,</li> <li>○ accountability,</li> <li>○ respect,</li> <li>○ leadership</li> </ul> </li> <li>• Comply with the Charter of Human Rights and Responsibilities.</li> </ul> <p>In all business dealings employees must:</p> <ul style="list-style-type: none"> <li>• behave fairly, honestly and consistently;</li> <li>• treat each person with respect and dignity;</li> <li>• respect the law and policies of Parks Victoria and act accordingly;</li> <li>• take direction from those who have the authority to give it.</li> <li>• use Parks Victoria assets responsibly and for organisational purposes;</li> <li>• resolve conflicts of interest in favour of the public interest;</li> <li>• behave professionally through taking responsibility for one's own actions, and accountability for their consequences.</li> </ul> <p>Parks Victoria has a zero tolerance towards unlawful behaviour.</p>	Employee
2	Demonstrate excellence in service	The Parks Victoria Performance Management System requires staff to document each year in their annual work plan how their actions will contribute to the achievement of the organisation's objectives as set out in the Corporate Plan.	Employee
3	Seek approval for outside work	<p>Employees must seek approval to engage in additional employment outside Parks Victoria.</p> <p>Approval will be granted if there is no conflict of interest and no impact on the employee's ability to perform their Parks Victoria work.</p>	Employee



Step	Description	Responsibility
4	Assist employees to meet the required standards of work	Manager
	Managers will assist employees to achieve the required Code of Conduct behaviours by explaining and demonstrating how they apply to circumstances in the workplace.  Coaching and counselling of employees will occur if and when they do not meet the required standards.	
5	Report improper conduct	Employee
	Employees must report instances of improper conduct to their manager who will escalate the matter in accordance clause 28 - <u>Management of Misconduct of the Parks Victoria Enterprise Agreement 2016</u> .  Where appropriate the Protected Disclosure Procedure (PRO-122) will protect the identity of a person making a report.	
6	Protect employees who report improper conduct	Manager
	All Managers will act to ensure that employees who properly raise matters of misconduct, or are otherwise involved in the misconduct process, do not suffer reprisal, bullying, discrimination, victimisation or harassment. Such behaviour is regarded as misconduct or serious misconduct.	

## 2.6 Contractors and Consultants

Public sector employers are to require contractors or consultants engaged in or by their public body (including contractors or consultants engaged through an employment agency) to comply with the Code of Conduct and relevant policies and procedures, where the contractors or consultants:

- supervise public sector employees;
- undertake work that is of a similar nature to the work undertaken by public sector employees at a premise or location generally regarded as a public-sector workplace; or
- use or have access to public sector resources or information that are not normally accessible or available to the public.

## Breaches of the Code

Breaches of the Code may constitute misconduct or lead to action under performance management processes. Public sector employers are responsible for enforcing the Code of Conduct. To achieve this, Parks Victoria has a suitable performance management and misconduct processes, consistent with the public-sector employment principles as defined by the Public Administration Act 2004, and any relevant industrial instruments.

## 2.7 Accountabilities

<b>Board</b>	Responsible for directing and monitoring the business of Parks Victoria and is accountable to the Minister for Energy, Environment and Climate Change for its overall performance.
<b>Managers, Senior Managers, Executive Managers</b>	Responsible to protect employees who report improper conduct.

<b>Director, People and Culture</b>	Promote awareness of, and compliance with, this policy. Provide advice on the application of this policy.
<b>Managers</b>	Ensure their employees are aware of this policy.
<b>Employees</b>	Be aware of, and comply with, the Victorian Public-Sector Code of Conduct and this policy.

## 2.8 Regular review of this policy

The Board will review this procedure on an annual basis or more frequently, if required, to keep up-to-date with changes to laws and government policy.

## Document history

Version	Date approved	Issue comment	Version author
1.0	January 2012	Comment	Human Resources Manager
1.1	June 2016	Review and format changes	Director, People and Culture
1.2	June 2017	Updated to reference Parks Victoria Enterprise Agreement 2016	Director, People and Culture
2.0	28 May 2019	Integration of Board Policy into procedure	Corporate Governance Officer