



**FIRE +
RESCUE**

CODE OF CONDUCT AND ETHICS 2022

PROFESSIONAL STANDARDS
POLICY NO CG02-10
OCTOBER 2022



A message from the Commissioner

On behalf of Fire and Rescue NSW (FRNSW), I am pleased to endorse our updated *Code of Conduct and Ethics* – one of our most important documents.

FRNSW is a highly trusted, admired and respected organisation in NSW. With this trust and responsibility comes the duty for each of us to act with the highest standards of conduct at all times. A momentary lapse in judgement by a single staff has the potential to damage the high regard in which we are held in the community.

Our *Code of Conduct and Ethics* (the *Code*) establishes the expectations of conduct and behaviour for all FRNSW staff and is one of the ways we put our values into practice. In essence, it defines the standards of behaviour we can expect of each other, and others can expect of us. It has been updated to reflect changes to legislation, regulations and professional ethics, as well as our requirement to act in the public interest while delivering high quality services.

Our *Code* is built on the foundation of FRNSW and NSW Government values and conduct requirements, and applies to all staff, contractors and volunteers. The *Code* applies at all times when we are acting in the course of, or in connection with, FRNSW.

Please read the *Code* carefully and in its entirety and if in doubt, please refer to it as often as required. If you have any questions, or come across a situation where you are unsure how to respond, seek guidance from your line manager, a senior manager or Professional Standards.

As we embrace new challenges, one thing that must never change is our continued commitment to our values and highest ethical standards. This will ensure FRNSW continues to deserve its outstanding reputation and remain a great place to work.

Paul Baxter
Commissioner

Introduction

Fire and Rescue NSW (FRNSW) is committed to the highest standards of conduct, ethical behaviour and accountability. It is essential that our staff demonstrate to the Government, and people of NSW, a standard of conduct and ethics in the performance of their duties that maintains confidence and trust.

As outlined in the Commissioner’s introductory message, the *Code of Conduct and Ethics* is our guide to appropriate conduct in the workplace. It sets the standards of professional and ethical conduct that are required of everyone working in FRNSW.

The *Code* places an obligation on each of us to take responsibility for our own conduct and work cooperatively to build a workplace culture based on our core FRNSW values of respect, integrity, service and courage.

There are sixteen principles contained within the *Code* that guide us to make the right decisions. More detailed information about each principle is provided in this *Code*, which governs our behaviour with each other, our stakeholders and the community.

It is important to note that the *Code* cannot provide an exhaustive list of every situation that can arise in the workplace and will not replace the need for common sense in relation to how we conduct ourselves. As an staff, you are accountable for your actions.

Background — Ethical Framework

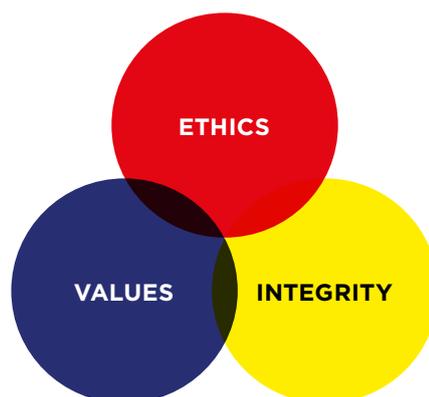
All FRNSW staff, including firefighters, trades and administrative staff, are bound by the statutory obligations under the Government Sector Employment Act 2013 (GSE Act).

Part 2 of the GSE Act established the Ethical Framework for the government sector. The Ethical Framework “recognises the role of the government sector in preserving the public interest, defending public value, and adding professional quality and value to the commitments of the Government of the day”. It outlines expectations and behaviours to be demonstrated by staff in their working relationships with other government sector staff, clients and customers, stakeholders and the Government of the day.

It is **mandatory** that the objective, core values and principles of the Ethical Framework are demonstrated in the conduct of all government sector staff and heads of government sector agencies.

The Ethical Framework underpins the *Code of Conduct and Ethics* for NSW government sector staffs, which was first released by the NSW Public Service Commission (PSC) on 20 April 2015 and subsequently updated and published on 26 August 2022. The purpose of the *Code* is to identify mandatory requirements and best practice conduct for all government sector staff which is consistent with Part 2 of the GSE Act.

The *Code of Conduct and Ethics* for NSW government sector staff applies at all times when staff are acting in the course of, or in connection with, NSW government employment.



FRNSW's Code of Conduct and Ethics

Who does the Code apply to?

The Public Service Commissioner has directed all government agencies to implement the *Code of Conduct and Ethics* for NSW government sector staff in their organisations, and to instruct their staff to comply with it.

FRNSW's updated *Code of Conduct and Ethics* incorporates the mandatory requirements in the *Code of Conduct and Ethics* for NSW government sector staff, and provides requirements specific to FRNSW's environment and organisational risks.

The *Code of Conduct and Ethics* applies to all FRNSW employees, including but not limited to, full, part time and casual staff and contractors, consultants, students and volunteers (henceforth referred to as staff). All staff must abide by the *Code* and the values and principles it promotes.

Contractors, consultants and work experience students working with FRNSW must be aware of the *Code* and act in line with the conduct described in it. While they are not subject to disciplinary action, conduct that is assessed as being a serious breach of the *Code* may result in their contract or placement being terminated.

Managers are responsible for ensuring external contractors, consultants or students are aware of FRNSW's behavioural expectations and for taking necessary action to address any identified concerns in a timely manner.



When does the Code apply?

The *Code of Conduct and Ethics* sets the standards for the way we work at FRNSW and applies to all of our working relationships.

The *Code* applies at all times when we are acting in the course of, or in connection with, FRNSW. This includes activities that are connected to FRNSW but may take place outside work premises or outside work hours – for example at work related functions, training events or when we are out in the community representing FRNSW.



Legal framework

The *Government Sector Employment Act 2013* (GSE Act) strengthened the legal requirements for all people employed in the government sector to act ethically and in the public interest. These requirements apply to all FRNSW staff, including those employed under the *Fire and Rescue NSW Act 1989*.

The Code is supported by the following legislative framework (not an exhaustive list, and subject to change):

- *Anti-Discrimination and Human Rights Legislation Amendment*
- *Child Protection (Working with Children) Act 2012*
- *Children and Young Persons (Care and Protection) Act 1998*
- *Commission for Children and Young People Act 1998*
- *Crimes Act 1900 (NSW)*
- *Fire and Rescue NSW Act 1989*
- *Fire Brigades Regulation 2014*
- *Government Sector Employment Act 2013*
- *Government Sector Employment Regulations (and Rules) 2014 (NSW)*
- *Government Information (Public Access) Act 2009*
- *Health Records and Information Privacy Act 2002*
- *Independent Commission Against Corruption Act 1988*
- *Ombudsman Act 1974*
- *Privacy and Personal Information Protection Act 1998*
- *Public Finance and Audit Act 1983*
- *Public Interest Disclosures Act 2022*
- *Public Service Commissioner Direction No. 1 of 2014 and No. 1 of 2015*
- *Public Works and Procurement Act 1912*
- *Sex Discrimination Act 1984*
- *State Emergency and Rescue Management Act 1989*
- *State Records Act 1998*
- *Work Health and Safety Act 2011*

Policy framework

The Code is supported by the following FRNSW Policy framework, including but not limited to:

- *Alcohol and Other Drugs Policy and testing procedures*
- *Asset Management Policy*
- *Conflict of Interest Policy*
- *Contingent Labour Policy*
- *Cyber Security Policy*
- *Delegations Manual*
- *Employment Screening Policy*
- *Financial Management Governance Policy*
- *Fixed Assets Policy*
- *Fraud and Corruption Policy and Prevention Control Plan*
- *Intellectual Property Policy*
- *Managing Gifts, Benefits and Hospitality Policy and Procedure*
- *Network Security Policy*
- *Password Policy*
- *Preventing and Responding to Unreasonable Behaviour and Bullying Policy*
- *Privacy Policy and Privacy Management Plan*
- *Public Comment and Social Media Policy*
- *Public Interest Disclosures Policy and Procedures*
- *Records Management Policy*
- *Resolving Workplace Complaints Policy*
- *Secondary or Other Employment Policy*
- *Sexual Harassment Prevention Policy*
- *Statement of Business Ethics*
- *Work Health and Safety Policy*
- *Working with Children Policy*

The Code is also supported by a broad range of FRNSW operating procedures, Standing Orders, Commissioner's Orders etc. These are available on the FRNSW intranet. All staff are required to be conversant with these documents.

FRNSW and NSW Government sector values

At the core of every high performing organisation is a set of clear and consistent values. Values define what is most important to an organisation and act as a compass to guide staff in everything that they do.

In the NSW government sector and in FRNSW, values underpin how we interact with our colleagues, the government, stakeholders and members of the community.

FRNSW has four core values that are essential to our success. These values, and the principles of behaviour that guide their implementation, are on the right.



FRNSW values

Every aspect of the work we do at FRNSW is guided by our shared values.

We are committed to:

Respect

We always treat each other, our partners, stakeholders and recipients of our services with respect and fairness while recognising and accepting the differences, wishes, rights, feelings and value of others.

Integrity

We always act professionally and can be trusted implicitly because honesty, transparency and strong ethical principles underpin who we are and everything we do.

Service

We are reliable, always performing our roles safely, effectively and efficiently, while taking responsibility for our actions and decisions.

Courage

We always put the needs of the community and FRNSW first, and have the courage not only to deal with serious emergency situations, but to stand up for others and to challenge wrongdoing.



NSW Government sector values

Integrity

- Consider people equally without prejudice or favour
- Act professionally with honesty, consistency and impartiality
- Take responsibility for situations, showing leadership and courage
- Place the public interest over personal interest.

Service

- Provide services fairly with a focus on customer needs
- Be flexible, innovative and reliable in service delivery
- Engage with the not-for-profit and business sectors to develop and implement service solutions
- Focus on quality while maximising service delivery.

Trust

- Appreciate difference and welcome learning from others
- Build relationships based on mutual respect
- Observe the law, institutions of government and democratic principles
- Communicate intentions clearly and invite teamwork and collaboration
- Provide apolitical and non-partisan advice.

Accountability

- Recruit and promote staff on merit
- Take responsibility for decisions and actions
- Provide transparency to enable public scrutiny
- Observe standards for safety
- Be fiscally responsible and focus on efficient, effective and prudent use of resources.

There is no hierarchy among the core values and each is of equal importance.

Ethics checklist

Our ethical behaviour – that is our personal recognition of what is right – should guide our response to the situations that arise in the course of our work in FRNSW.

The questions below help us decide how we should respond, not only when we are faced with a difficult situation or decision, but also in going about our daily business.

- ✓ **Is it legal?**
- ✓ **Is my behaviour consistent with FRNSW values and ethical framework?**
- ✓ **Does my decision feel like the right thing to do?**
- ✓ **Is my decision being driven by self-interest rather than the needs of FRNSW?**
- ✓ **What would a colleague or the community expect me to do in this situation?**
- ✓ **Who else could be affected by this?**
- ✓ **What impact might my conduct have on FRNSW and its reputation in the community?**
- ✓ **What might happen if my conduct becomes front page news?**
- ✓ **What is the likely impact on FRNSW finances, infrastructure or other assets?**
- ✓ **Is there any alternative action that does not pose an ethical conflict?**



FRNSW Code of Conduct and Ethics principles

The FRNSW *Code of Conduct and Ethics* describes the standards of conduct expected of our staff. These obligations are expressed in a set of principles which guide us to make the right decisions every day.

These principles are:

1. **We act with honesty, integrity and in the best interests of FRNSW at all times**
2. **We treat everyone with respect, courtesy and fairness**
3. **We act professionally and ensure our behaviour is of an acceptable standard in the workplace**
4. **We comply with all policies, procedures and guidelines**
5. **We comply with any lawful and reasonable directions**
6. **We comply with health and safety procedures, protocols and standards**
7. **We identify conflicts of interest and manage them responsibly**
8. **We do not accept inappropriate gifts, benefits or hospitality**
9. **We do not engage in inappropriate secondary or other employment**
10. **We use official resources lawfully, efficiently and only as authorised**
11. **We report corruption, fraud, maladministration and waste**
12. **We respect and maintain privacy and confidentiality, and do not misuse information**
13. **We protect intellectual property**
14. **We only make public comment on behalf of FRNSW when authorised to do so**
15. **We engage in political participation in our own time and independently of FRNSW**
16. **We are mindful of post-FRNSW employment obligations**



1. We act with honesty, integrity and in the best interests of FRNSW at all times

Integrity is doing the right thing, even when no-one is watching. Staff must behave ethically and act with honesty and integrity at all times. Honesty and integrity go hand-in-hand and guide us in making the correct choice between right and wrong.

There is no room for compromise: if we do not act with honesty and integrity 100% of the time, we are undeserving of the trust of our colleagues, stakeholders and the community.

We must prioritise integrity in our relationships and uphold FRNSW values in our own actions. We must always place the interests of FRNSW first, and ensure our actions and decisions are not influenced by self-interest or other improper motives. It is essential our duties are performed with objectivity and impartiality and our decisions are made in a fair, transparent and timely manner.

Due consideration must always be given to relevant information, legislation and FRNSW policies and procedures. We do not conceal errors and omissions, or attempt to protect our colleagues who have acted, or appeared to have acted, unethically. We are always accountable for our own actions.

Acting with honesty and integrity is about more than FRNSW's reputation. It's about each of us knowing we have done the right thing and sustaining an organisation where we are all proud to work.

2. We treat everyone with respect, courtesy and fairness

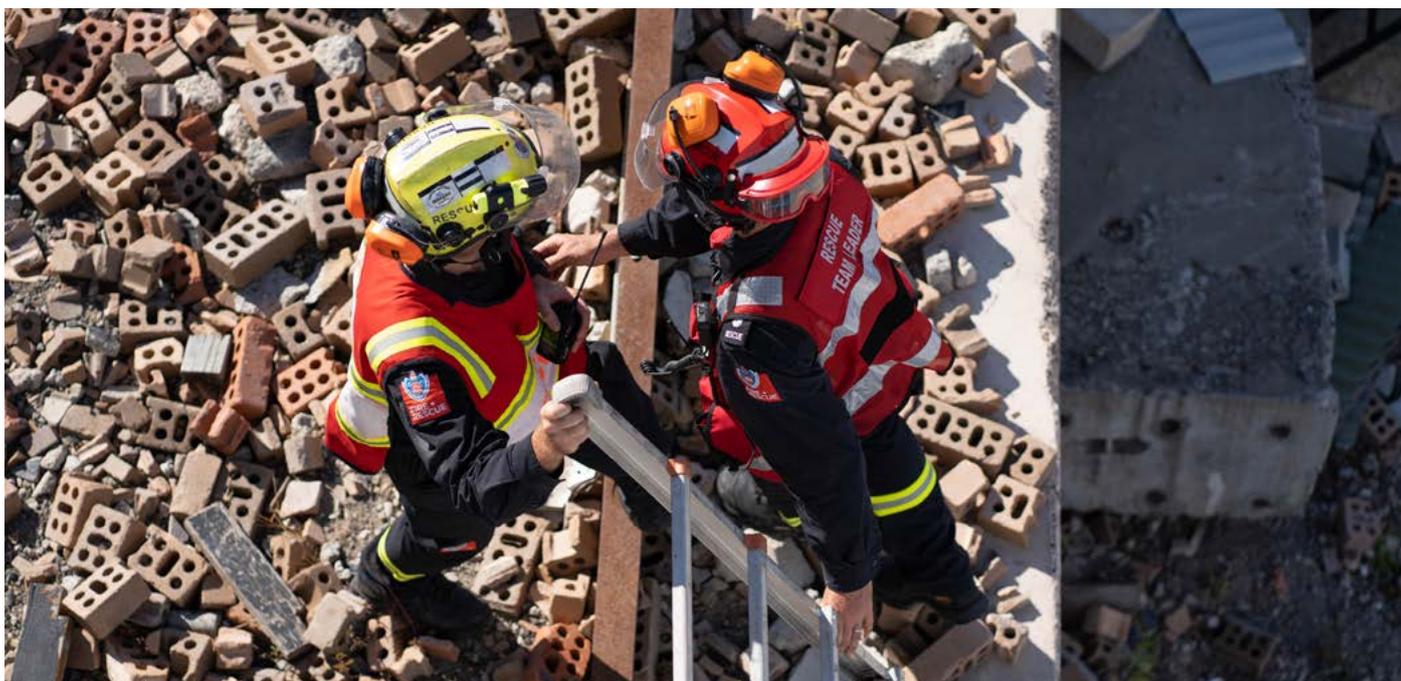
Everyone working in FRNSW expects to be treated and must treat others with respect, courtesy and fairness. Bullying or inappropriate workplace conduct is unacceptable and will not be tolerated.

We do not discriminate against or harass our colleagues, stakeholders or members of the public. We recognise that discrimination on the grounds of sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment, sexual orientation, gender identity, or political or religious conviction is unlawful.

We are individually and collectively responsible for promoting and embedding positive, productive and values-based workplaces. Where possible, we should seek to address any interpersonal disagreements directly with the person involved in the first instance or seek the assistance of a manager or more senior member of staff in accordance with our Resolving Workplace Complaints Policy.

We encourage our colleagues to raise workplace complaints promptly and we listen to, and act upon those concerns in accordance with our relevant policies and procedures.

We do not make unfounded complaints with malicious, frivolous or vexatious intent against other staff, clients or stakeholders.



3. We act professionally and ensure our behaviour is of an acceptable standard in the workplace

As FRNSW staff, we must behave in a lawful, appropriate, and professional manner in the workplace. You are responsible for your own professional behaviour and ensuring you meet the standards required by FRNSW. This includes paying all due care, attention and diligence to our duties, fulfilling them to the best of our ability and supporting other staff to do the same.

We must not:

- be under the influence of alcohol or other drugs when commencing work and/or while at work
- wilfully damage, destroy or steal property belonging to FRNSW, other staff or the community
- Must not sexually harass or bully others.
- absent ourselves from the workplace without proper notification or justification, when we are required to be on duty
- wear clothing that is inappropriate or unsafe for the workplace, such as revealing or untidy clothing, or clothes with inappropriate slogans (e.g. offensive language, advertising for tobacco/ alcohol). Firefighters must comply with relevant provisions in respect of apparel, including dress code, PPE and uniform.

Any unlawful or unprofessional conduct, even

in a private capacity, which may damage, or has the potential to damage, the brand, image and reputation of FRNSW, may constitute misconduct. This can include comments made on social media or public websites where we are representing FRNSW (or it may be perceived that we are representing FRNSW) and could adversely affect the reputation of the agency (including using such sites to bully and/or harass).

In determining whether behaviour is acceptable or appropriate, we must consider what a “reasonable person” would regard as an acceptable standard in the community.

4. We comply with all policies, procedures and guidelines

We must maintain an up-to-date knowledge of relevant policies, procedures and guidelines and apply them appropriately. If we are uncertain about any part of a policy, procedure or guideline with which we must comply, we will seek immediate clarification from our manager or other relevant person.

We must be familiar with the legislation under which we are employed and the obligations arising from it.



5. We comply with any lawful and reasonable direction

As FRNSW staff, we are required to comply with lawful and reasonable directions related to our work. Following such direction is essential to ensuring that FRNSW operates safely, productively and effectively.

Lawful and reasonable directions may focus on the required quality of the work to be performed; the resources to be used in performing work or the timeframes within the work is expected to be performed. Such directions do not constitute bullying and harassment.

While senior staff have authority, a lawful and reasonable direction can also be issued by a person junior in rank, in light of their knowledge and specific role they perform. An example of this would be a fire warden issuing instructions to others.

6. We comply with health and safety procedures, protocols and standards

The health, safety and security of our workforce and our workplace is paramount. We must be vigilant, disciplined and always look out for one another. Each and every one of us is a role model for safety.

We must identify, assess and report safety risks and hazards as soon as possible. Considerations of safety relate to both the physical and psychological well-being of individuals.

We must understand our individual and collective responsibilities and obligations under the Work, Health and Safety Act 2011 (WHS legislation) and take reasonable care for the health and safety of ourselves and others at the workplace.

It is important to note that non-compliance with WHS legislation could mean substantial fines for the organisation. Staff, including Senior Officers and above, risk further fines and imprisonment if they do not exercise due diligence in relation to work, health and safety matters.



7. We identify conflicts of interests and manage them responsibly

An actual, potential or perceived conflict of interest exists when we could be influenced by a personal interest in the course of carrying out our official duties.

A conflict of interest, or the perception of a conflict of interest, can do great damage to the performance and reputation of FRNSW. Those conflicts of interest that affect impartial decision-making may constitute corrupt conduct and result in dismissal and/or criminal charges.

Examples of conflicts of interest include:

- being on a staff selection panel where a relative is one of the applicants
- inspecting a business owned by your spouse's employer
- deciding on which supplier to use in a situation where one of the suppliers has offered you secondary employment or another benefit
- wearing uniform in order to seek a discount on a private purchase.

We must never place, or be seen to place, our own personal interests before those of FRNSW. Each of us are responsible for identifying and avoiding potential, perceived or actual conflicts of interest that relate to our employment with FRNSW. Identified conflicts of interest must be reported to a senior manager to enable it to be appropriately managed according to FRNSW's *Conflict of Interest Policy*.

FRNSW senior executives are reminded of their obligations under the *Code of Conduct and Ethics* for NSW government sector staff to declare any private interests on commencement of their employment, when circumstances change, or annually.

8. We do not accept inappropriate gifts, benefits or hospitality

FRNSW staff may from time to time be offered gifts, benefits or hospitality in their course of their employment. Token gifts, benefits or hospitality may be accepted if they do not compromise, or could not be seen to compromise our integrity. This is explained in greater detail in FRNSW's Managing Gifts and Benefits Policy.

Token gifts are generally of nominal value (under threshold of \$50), given in appreciation and not offered on a regular basis. Examples may include items such as a box of chocolates or cake, and token hospitality may include items such as a pen, writing pad or stress ball provided at a conference.

Accepting improper gifts and benefits can give the impression that FRNSW staff may be unduly influenced or are providing preferential treatment to specific individuals or organisations. This compromises our staff, the brand, image, and reputation of FRNSW, and our trust and respect in the community.

As FRNSW staff, we must refuse:

- gifts of cash, cheques, money orders or gift certificates
- gifts of alcohol
- gifts, benefits or hospitality which are given with the intention of influencing them or others
- gifts, benefits or hospitality which might be seen as influencing you, or intending to influence you, in carrying out your duties.



9. We do not engage in inappropriate secondary or other employment

FRNSW recognises that from time to time we may seek to undertake employment secondary to our principal employment with FRNSW. Secondary employment describes any additional employment that an staff undertakes outside their employment with FRNSW, e.g. working for another employer, running a business, consultancy services, or being involved in a family business, whether paid or unpaid.

Secondary employment can only be undertaken in accordance with relevant legislation and FRNSW's Secondary and Other Employment Policy. We must not undertake secondary or other employment that could adversely affect the performance of our FRNSW duties or our conduct in the workplace, gives rise to a conflict of interest, or in any way be perceived as having a negative impact on the integrity of FRNSW.

As FRNSW staff, we must:

- not carry out secondary or other employment during the same hours that we are rostered for duty or while on sick leave or personal carer's leave from FRNSW
- work in a competent and safe manner; including being aware of possible issues of fatigue and safety
- ensure our activities are consistent with FRNSW's values and *Code of Conduct and Ethics* and ensure the reputation and integrity of FRNSW is maintained at all times
- comply with applicable laws and regulations of FRNSW
- ensure our external activities are not endorsed, or appear to be endorsed by FRNSW
- not use FRNSW property including equipment, clothing, branding, computer software and intellectual property for private purposes
- not use or disclose confidential FRNSW information/resources.

It is also critical that we do not use the professional reputation and standing of FRNSW to promote or gain any personal benefit or advantage within our secondary or other employment.

10. We use official resources lawfully, efficiently and only as authorised

As staff of FRNSW, we have a responsibility to act in the public interest and the efficient, effective and prudent use of public resources is part of that responsibility. It is important for us all to realise that the resources provided by, or on behalf of FRNSW, are publicly funded and are not for personal benefit or unauthorised purposes.

These resources include, but are not limited to, properties, facilities, motor vehicles, boats, trailers, ladders, chainsaws, computers, printers, photocopiers, stationery and office supplies, catering, access to the internet, personal use of FRNSW mobile telephones and other ICT equipment, purchasing and fuel cards, and the working time of staff.

As FRNSW staff, we must:

- be economical and seek to obtain value for public money we use or spend
- avoid waste and extravagance in our use of resources such as facilities and equipment, including the use of motor vehicles, travel and catering
- use all equipment, goods, resources and materials provided for work-related purposes only, and not for outside or business practice or political purposes
- take utmost care to secure FRNSW property against theft, damage or misuse
- not wilfully damage, destroy or steal property belonging to FRNSW, our staff or community
- not use FRNSW computer, internet and email resources for accessing, transmitting, storing or downloading pornographic, sexually explicit or otherwise inappropriate material
- not operate a private business from the workplace or during work time
- not use our position, FRNSW property or reputation to promote or endorse a business and/or sell or products and/or services
- not plagiarise another's work or cheat, including in examinations, testing and assessments for promotional activities
- report the misconduct of other FRNSW staff, contractors or volunteers; this includes criminal offences, corrupt or unethical conduct, serious mismanagement and substantial waste of public resources.

11. We report corruption, fraud, maladministration and waste

The public expect us to perform our duties honestly and in the public interest. Corrupt behaviour, as defined in the *Independent Commission Against Corruption Act 1988*, is deliberate or intentional wrongdoing. It is illegal and may have serious consequences such as dismissal and/or imprisonment.

As FRNSW staff, if we have reasonable grounds to suspect any unethical behaviour, dishonest or corrupt conduct, we must report it. The Public Interest Disclosures Act 1994 encourages and facilitates the reporting of wrongdoing in the public sector by providing protection for reporters/staff who make reports of wrongdoing.

Corrupt conduct in the course of employment may include, but is not limited to:

- offering or accepting bribes, commissions or authorised payments
- blackmail
- criminal activity including, but not limited to fraud or theft, and the fraudulent use of office material, finances or information
- the dishonest use of an staff's role for personal gain or the advantage of others
- where a member of the public influences, or tries to influence, an staff to use their role in a way that is dishonest, biased or breaches public trust
- unauthorised disclosure of corporate information or material.

12. We respect and maintain privacy and confidentiality and do not misuse information

Our colleagues, stakeholders, and the community trust us with their sensitive personal and financial information – and it is vital that we respect and protect confidentiality and privacy at all times.

All FRNSW information and data must be managed securely and we must only access, use and/or disclose FRNSW information for purposes that directly relevant to our duties.

Our computer log-in details or passwords for any computer system applications/programs must never be provided to anyone. Sharing login details and passwords contravenes our policies and procedures.

Examples of inappropriate release of confidential information might include:

- accessing our colleagues' contact details or workplace records inappropriately
- sharing of password with others, for example sharing of a supervisor's password to endorse legitimate overtime conducted
- supplying confidential information to a company tendering for Government work
- providing information to another person, department or agency involved in an investigation or complaint without permission from the individual



13. We protect intellectual property

Intellectual property may be defined as intangible property that is the result of creativity – in other words creations of the mind. Intellectual property can exist in various forms; a new invention, brand, design or artistic creation.

In the course of our duties, we may be authorised to use, or be involved in the development of, FRNSW intellectual property and confidential information.

This includes but is not limited to any work:

- that is directly or indirectly related to our duties and responsibilities to FRNSW, regardless of whether or not that work is undertaken at a FRNSW workplace or during normal working hours
- that involves us using any FRNSW information, resources or materials, regardless of whether or not that work is undertaken at a FRNSW workplace or during normal working hours.

As FRNSW staff, anything that we develop, invent or create, either alone or in collaboration with others in the course of our employment or engagement with FRNSW, remains the intellectual property of FRNSW.

Intellectual property will always remain the property of FRNSW unless there is an agreement in writing with an officer of FRNSW with delegated authority to the contrary. This obligation continues even after we leave the employ of FRNSW.

14. We only make public comment on behalf of FRNSW when authorised to do so

The unauthorised or improper release of information (including video footage) to the media can adversely affect the safety of individuals, and undermine the reputation of, and confidence in, our organisation. You must not make any comment on behalf of FRNSW unless authorised to do so by a delegated officer and only in accordance with FRNSW's *Public Comment and Social Media Policy*.

If you are authorised to make public comment on behalf of FRNSW, you should comment on factual operational activities pertaining to FRNSW's response to fires and other incidents and community safety messages and programs. You must not disclose issues of a confidential nature except for lawful or authorised purposes.

Requests for public comment on issues that fall outside of an staff's area of responsibility must be referred to your manager or FRNSW's Media, Communications and Engagement Unit.



15. We engage in political participation in our own time and independently of FRNSW

Political interests must always be undertaken in a strictly private capacity and must not conflict with the primary duty of a FRNSW staff to serve the community and the Government in an impartial and politically neutral manner.

Each FRNSW staff has the same right to freedom of political expression and association as other members of the community. However, you must not exercise this right in such a way that you place yourself in a position that creates, or is likely to create, a conflict of interest with your position as an staff of FRNSW, or where such comment may be interpreted as that of FRNSW.

In respect of political activity, we must not:

- identify ourselves as a FRNSW staff or use our job title, other than for reasonable union activity directly connected to an staff's employment with FRNSW.
- use any FRNSW resources (such as wearing a uniform or using a FRNSW vehicle or appliance) in connection with political activities other than for reasonable union activity directly connected to an staff's employment with FRNSW.
- access and/or disseminate any corporate information (that is not legitimately already available in the public domain) for political purposes.
- engage in party-political campaigning, for example distributing pamphlets while on duty or in uniform that identifies us as an staff of FRNSW.
- put up party-political signage in or around work stations, including fire stations and fire appliances.

Comments made on matters relating to union business by members of unions in their capacity as a local delegate within FRNSW or by union office holders employed by FRNSW are permitted under this Code, as long as the staff makes clear that the comments are about industrial matters that are only related to union business and are made in a union capacity and not as an staff or on behalf of FRNSW.

16. We are mindful of post-FRNSW employment obligations

As FRNSW staff, we must not use our position to obtain opportunities for future employment. We must not allow ourselves or our work to be influenced by plans for, or offers of, employment after we leave FRNSW.

When we cease employment with FRNSW, we must not use or take advantage of any professional and/or confidential information, including intellectual property, obtained in the course of our official duties unless it is publicly available.

Further, we should be careful in our dealings with former staff to ensure we do not give them, or appear to give them, favourable treatment or access to privileged information.



Responsibilities

Staff

We must all take personal responsibility to uphold the *Code* and the values of FRNSW by the way we perform our duties and treat others.

We are responsible for:

- our own behaviour
- demonstrating and promoting high levels of personal conduct consistent with the NSW Government's *Ethical Framework*
- reading and ensuring that we understand and comply with this *Code*
- identifying and reporting potentially unethical or corrupt practices, bullying, harassment, discrimination or inappropriate behaviour
- seeking guidance from managers, senior managers or Professional Standards if we are faced with a situation where we feel unclear about how to respond.



Managers and Supervisors

In addition to the responsibilities above, managers/supervisors must lead by example and model the highest standards of professional and ethical behaviour. Modelling effective leadership and respect in our interactions with staff has a strong influence on promoting an ethical and positive workplace.

Managers and supervisors must:

- promote the *Code*, FRNSW values and demonstrate ethical conduct
- monitor their workplaces to prevent, identify and address situations likely to raise ethical dilemmas
- foster a work environment free of harassment, discrimination, corruption, maladministration and waste
- embed the principles of the *Code of Conduct and Ethics* on a daily basis - for example making opportunities to discuss the *Code* and reinforce the importance of ethics and compliance with staff
- create an environment where staff feel comfortable raising concerns without fear of retaliation
- consider conduct in relation to the *Code* and other FRNSW policies when evaluating staff
- take immediate action where misconduct, fraud or corrupt conduct are alleged or suspected.



Commissioner and the Senior Executive

In addition to the responsibilities above, the Commissioner, Deputy and Assistant Commissioners, Executive Directors and Directors have a responsibility to lead and promote an organisational culture that values high ethical standards and behaviour.

Strong and visible leadership is a critical factor in achieving support for, and adherence to, the values and professional conduct embodied by this *Code*.

The Commissioner and Senior Executive need to:

- openly demonstrate their commitment to ethics by promoting ethical behaviour in day-to-day actions
- publicly demonstrate their support for both the spirit and letter of the *Code* through their actions
- ensure that employment policies and practices are fair and equitable
- raise awareness of the *Code*, and respond to any issue escalated to them.

Professional Standards

Professional Standards are responsible for:

- assessing complaints and reports regarding inappropriate behaviour
- maintaining appropriate standards of conduct within the organisation
- protecting and enhancing the integrity and reputation of FRNSW and ensuring that the public interest is protected
- implementing the Procedural Guidelines for the Management of Conduct, which are derived from the relevant legislation and regulations
- Together with all business units, ensuring that prevention strategies are implemented across the organisation, particularly in areas of work that are of inherently higher risk in terms of ethics and corruption
- updating the *Code* as appropriate.

Behaviour contrary to the Code

Behaviour contrary to this *Code* and to the Ethical Framework for the government sector (Part 2: *Government Sector Employment Act 2013*) can bring individual staff into disrepute, undermine productive working relationships in the workplace, hinder customer service delivery, and damage public trust in FRNSW or the broader government sector.

Behaving contrary to this *Code* may also result in referring the conduct to external agencies, such as the NSW Police Force, the Independent Commission Against Corruption and the NSW Ombudsman.

If an staff is unsure of what is appropriate conduct under any particular circumstance, they must discuss the matter with their supervisor, manager or Professional Standards.

If we see behaviour contrary to the Code

We each have an obligation to speak up when in the course of our employment we are faced with conduct or situations that raise legal or ethical concerns. This includes suspected or attempted wrongdoing and fraud, whether taking place within FRNSW or being attempted by an external third party.

If we see someone act in a way that may be contrary to this *Code*, we have a responsibility to promptly inform our immediate manager. If the matter involves your manager or you do not feel comfortable reporting the breach to them, you should refer the matter to a more senior staff member or Professional Standards.

If an staff believes certain conduct is not just unethical, but may also be corrupt, a serious and substantial waste of government resources, maladministration or a breach of government information and privacy rights, then they can report their concerns to FRNSW's Public Interest Disclosures Coordinator or Nominated Disclosures Officer, the Commissioner or the relevant investigating authority (such as the NSW Ombudsman, Independent Commission Against Corruption or the NSW Auditor-General). Further information, including contact details, are available in the FRNSW *Public Interest Disclosures Policy*.



Public interest disclosures

A public interest disclosure is a report by a government sector staff made in honest belief and on reasonable grounds, and is based on information that shows, or tends to show, that corrupt conduct, maladministration, serious and substantial waste of public money, or breach of the *Government Information (Public Access) Act 2009*, has, or is, occurring.

The *Public Interest Disclosures Act 1994* was established to provide rights and protection for people who report such behaviour and ensures that NSW government agencies deal with disclosures and act on substantiated disclosures.

To enable staff to make a report in a confidential and supportive environment, FRNSW has identified a number of positions as disclosure officers. The occupants of these positions are authorised to be able to accept disclosures from staff. For further information please refer to FRNSW's *Public Interest Disclosure Policy*.

FRNSW is committed to protecting any person who raises concerns about a breach of the *Code* from retaliation, reprisals or victimisation. Any attempt to take detrimental action against a person who raises a legitimate breach of the *Code* will be treated seriously and may lead to disciplinary action. It is a criminal offence to take reprisal against a whistleblower under Section 20 of the *Public Interest Disclosures Act 1994* where a disclosure falls within the scope of that Act.

Possible action

Failure to comply with the *Code* will be viewed seriously and will be investigated. Breaches of the *Code* may result in management and/or disciplinary action under the:

- *Procedural Guidelines for the Management of Conduct Fire Brigades Regulation 2014 (Part 1 and Part 2)*; or
- *Government Sector Employment Act 2013*.

Possible disciplinary outcomes include management action up to and including termination of employment.

It is important to be aware that breaches of the law may also lead to criminal prosecution.

Further information and support

For further information about any aspect of the *Code of Conduct and Ethics*, please contact Professional Standards at ProfStandards@fire.nsw.gov.au or on 9265 2826.





