

AUGUST 2024

Schedule 1: General Conduct and Behaviour Standards for all workers.

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Purpose and Scope

These standards apply to all workers (including employees, volunteers, contractors and sub-contractors, consultants, trainees and out-of-home carers) who work with, or are engaged with, the Department for Education, Children and Young People (the department, DECYP) while working in their role, and in situations where there is a connection to their role.

This document sets out the standards of conduct and behaviour required of all DECYP workers and must be read in conjunction with the Conduct and Behaviour Policy.

1 General Workplace Conduct and Behaviour

All workers must comply with relevant legislation the *Anti-Discrimination Act 1998* (Tas), *Equal Employment Opportunity (Commonwealth Authorities) Act 1987* (Commonwealth), *Industrial Relations Act 1984* (Tas) and the *State Service Act 2000* (Tas)

1.1. Discrimination

- 1.1.1. Workers must not discriminate against any person including other workers, children and young people and members of the community.

1.2. Harassment

- 1.2.1. Workers must not harass any person including other workers, children and young people and members of the community.

1.3. Bullying

- 1.3.1. Workers must not bully any person including other workers, children and young people and members of the community.

1.4. Sexual Harassment

- 1.4.1. Workers must not sexually harass any person including other workers, children and young people and members of the community.

1.5. Racism

- 1.5.1. Workers must not engage in racist behaviour towards any person including other workers, children and young people and members of the community.

1.6. Victimisation

- 1.6.1. Workers must not victimise another person. including other workers, children and young people and members of the community.

1.7. Vilification

- 1.7.1. Workers must not vilify another person, including other workers, children and young people and members of the community.

1.8. Violence and Aggression

- 1.8.1. Workers must not engage in violent or aggressive behaviour towards another person, including other workers, children and young people and members of the community.
- 1.8.2. The Department has a zero-tolerance policy towards violence in the workplace. Any act of violence by one person against another in the workplace may be a criminal offence. Where an employee is alleged to have committed an act of violence that may constitute a criminal offence, this must be reported to Tasmanian Police without internal investigation.
- 1.8.3. Employees must comply with the DECYP [Family Violence Policy](#).

1.9. Tobacco, Vaping, Alcohol, Other Drugs and Medications

- 1.9.1. Workers must not smoke or vape in government buildings, vehicles, facilities and school grounds.
- 1.9.2. Workers must ensure that their use of alcohol, drugs or other medications does not adversely affect their work performance or endanger the health and safety of others. This includes behaviour at official functions, organised or sanctioned by DECYP, where alcohol is served.
- 1.9.3. Workers suffering from a drug or alcohol problem that adversely affects their work performance must actively seek professional assistance to correct the problem. In this regard workers are encouraged to access the Employee Assistance Program.

1.10. Professional and Ethical Conduct

- 1.10.1. All employees must make decisions ethically that reflect the [State Service Code of Conduct](#) including decisions relating to appropriate use and management of financial assets and resources.
- 1.10.2. All employees must comply promptly, conscientiously and effectively with all reasonable decision and directions having authority to give such directions.
- 1.10.3. Employees must ensure that their personal appearance and presentation is clean, tidy and appropriate for their work role.

1.11. Conflict of Interest

- 1.11.1. Employees must identify and avoid any actual, potential or perceived conflict of interest.
- 1.11.2. Where it not possible to avoid the conflict, the employee must declare and manage the actual, potential or perceived conflict/s of interest.
- 1.11.3. Employees must refer to the [Conflict of Interest Procedure](#).
- 1.11.4. When working in smaller communities, it is paramount that DECYP workers always uphold professional boundaries and avoid any direct, indirect, perceived or potential conflict of interest. Where uncertainty arises, workers must proactively seek guidance on appropriate management strategies from their senior line managers or People Services and Support.

1.12. Gifts, Benefits and Hospitality

- 1.12.1. Workers must not seek or encourage favours or gifts for services performed in connection with official duties.
- 1.12.2. Workers must not accept a monetary gift, or cash equivalent, in connection with their work duties under any circumstances.

1.12.3. Employees must refer to the [Gifts Benefits and Hospitality Policy](#).

1.13. Leave

1.13.1. Employees must only take leave of absence from their duties when authorised.

1.13.2. Employees must ensure all leave applications are submitted through appropriate channels within a reasonable timeframe.

1.13.3. Employees must work with their principal/manager to ensure appropriate leave balance management of recreation and long service leave balances in order to manage leave liability and employee wellbeing.

1.14. Confidentiality

1.14.1. Workers must ensure that confidential, private and sensitive information is handled carefully, and that the integrity of such information is maintained at all times.

1.14.2. Workers must only use DECYP's official information, proprietary knowledge and intellectual property for departmental work, except where specific consent has been given for another purpose. This requirement continues to apply after workers have ceased their service to DECYP.

1.15. Personal Information

1.15.1. Workers must be aware of and comply with the provisions of the [Personal Information Protection Act 2004](#) (Tas).

1.15.2. Workers must not make private use of official information.

1.15.3. Personal information collected or held by workers must be held securely to avoid loss; unauthorised access, use, modification or disclosure; and all other misuse.

1.15.4. Workers may only disclose information not normally provided to the public:

- if it is required as part of their duties
- proper authority has been given to them to do so
- when required, or authorised, to do so by law, or
- when called to give evidence in court.

1.16. Public Comment

1.16.1. Subject to confidentiality and personal information protection requirements (clauses 11 and 12 of the [State Service Regulations 2021](#) (Tas) as private citizens, workers have the same rights as any member of the community to enter into discussion of community and social issues, but with the following limitations:

1.16.2. Unless authorised to make public comment as a representative of DECYP, an employee must ensure that any public comment made by the employee is clearly seen to be made in a private capacity.

1.16.3. An employee's public comments must not raise reasonable doubts about their capacity and preparedness to continue to perform their role as a public service employee within DECYP.

1.16.4. An employee's public comments do not create a conflict between their private interests and the proper performance of their work duties.

1.16.5. An employee's public comments do not misrepresent the facts concerning Government or department policy or administration.

1.16.6. As a private citizen, an employee has the right to communicate with a Member of Parliament on any issue affecting them as a private citizen, where there is no conflict

of interest with the impartial performance of their work duties and where such communication is clearly seen to be made in a private capacity.

- 1.16.7. Public comment includes but is not limited to, public speaking engagements, comments on radio and television, expressing views in letters to the media or in books, journals, the internet, podcasts and resources such as blogs, wikis, social networking sites or other notices that may be viewed by the public.

1.17. Departmental Resources

- 1.17.1. Workers must ensure that all departmental equipment, resources, and consumable items are used only for the work and business of DECYP, or where use is permitted under Award entitlements. Limited and occasional private use of department equipment and resources may occur providing it does not adversely affect the performance of an employee's work duties, or the work duties of others, or the reputation of DECYP.
- 1.17.2. Workers must ensure that departmental equipment is maintained and used in accordance with the manufacturer's requirements, and that all use is both safe and legal.
- 1.17.3. Workers must have approval to use departmental equipment and resources off site for work purposes and must ensure they are safely stored and secured.
- 1.17.4. Workers must ensure they do not breach copyright law or licensing arrangements when copying any department property, such as software, library and reference materials, or copying other property for department use.
- 1.17.5. Where work duties involve purchasing or managing resources on behalf of DECYP, workers must act within their delegated authority and comply with legislative requirements, policies and procedures for the purchase, use and disposal of any department resource.

1.18. Information and Communication Technology

- 1.18.1. Workers must comply with the [Information and Communications Technology Conditions of Use Policy](#) while using departmental resources and/or communication facilities both within and outside the workplace.
- 1.18.2. Workers must not access, attempting to access, download, attempt to download, send, display, disseminate, transmit, store or view by or through whatever means, material considered to be of a pornographic and/or sexually explicit nature on DECYP devices at any time.

1.19. Work Health and Safety

- 1.19.1. Workers must comply with the [Work Health and Safety Act 2012 Section 28 'Duties of Workers'](#) to take reasonable care for their own health and safety, take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, comply so far as the worker is reasonably able with any reasonable instructions, and cooperate with any reasonable policy or procedure relating to health and safety in the workplace.

2 Reporting Requirements

- 2.1. Workers must report any suspected criminal conduct of workers, to their supervisor/manager, or directly to Tasmania Police.
- 2.2. Workers must report any suspected breaches of the Conduct and Behaviour Policy and these Standards to their supervisor or manager, who will determine if the matter needs to be reported to Workplace Relations, People Services and Support. If the issue relates to the supervisor or manager workers should report any suspected breach to their next level manager. Workers in schools must report any suspected breach to Senior School Staff, who will determine if the matter should be referred to Learning Services. Where the matter relates to senior school staff workers should report directly to Learning Services.