

Estimates Committee 2008
Questions Taken On Notice

(17/6/2008 to 20/6/2008)

Date: 19/06/2008

Output: Sport and Recreation

Sub Output: NT Institute of Sport

Subject: Code of Conduct

From: Mr Matt Conlan MLA to Hon Matthew Bonson MLA
Minister for Sport and Recreation

9-2

Question: Would you please table the code of conduct for athletes and staff on interstate sporting trips?

Answer:

Answered On: 23/07/2008

ESTIMATES COMMITTEE

Question Taken on Notice

Date: 19 June 2008

Output: Sport and Recreation

Sub Output: Northern Territory Institute of Sport

Subject: Northern Territory Institute of Sport Codes of Conduct

Question From: Mr Conlan MLA Member for Greatorex

Question To: The Hon Matthew Bonson MLA Minister for Sport and Recreation

Department: Local Government, Housing and Sport

Number: 9.2

Question: Please table the code of conduct for athletes and staff at the Northern Territory Institute of Sport

Answer:

Please refer to the attached documents.

Attachment A - NTIS Athlete Code of Conduct

Attachment B - NTIS Code of Conduct for Employees

NTIS ATHLETE CODE OF CONDUCT

Athlete Responsibilities

As an NTIS athlete I will:

- Behave in a dignified manner when representing the NTIS relating to language, manner, temper and punctuality.
- Work effectively in my studies and/or occupation.
- Co-operate with coaches, NTIS staff and service providers in complying with all reasonable directions.
- Abide by the rules of my sport and respect the decision of the referee/umpire/judge, make all appeals using the formal process and respect the final decision.
- Wear the official Institute uniform designated for my sport at training and when in competition and at other official functions.
- Not consume alcohol while in NTIS uniform or representing the NTIS.
- Work 100% at training and competition in my chosen sport for myself and my team.
- Comply with the rehabilitation and game recommendations as laid down by the doctor, physiotherapist, and/or NTIS Sports Medicine Coordinator.
- Accept and respond in a positive manner to the feedback, advice and recommendations of the NTIS Head coach or club coach.
- Be honest to all staff, coaches and service providers, especially in the nature of all aspects in my training and competition.
- Attend all appointments, training, testing sessions and meetings on time and phone to cancel as soon as I become aware I can not attend.
- Maintain personal habits of health conducive to sporting excellence.
- Care and respect the equipment provided to me as part of my program scholarship.

Specific examples of breaches to the code of conduct are:

- Failure to notify coach of non-attendance at training.
- Failure to adhere to Sports Medicine Coordinator recommendations post treatment.
- Failure to notify the physiotherapist of non-attendance of appointment and failure to make payment of physiotherapy fees.
- Demanding and rude to NTIS service providers eg. Doctor's receptionists.

Please Note:

- The NTIS strongly recommends that all athletes are non-smokers and, if over 18 years of age, when consuming alcohol, that athletes do so in moderation.

As of October 2004



Northern
Territory
Government

NTIS Code of Conduct

Code of Conduct

For NTIS Employees

Northern Territory Public Sector (NTPS) – Principles and Code of Conduct Public Sector Employment and Management Act

NTIS CODE OF CONDUCT

INTRODUCTION

The Principles of Public Administration and Management, Human Resource Management, and Conduct, together with the Code of Conduct, are intrinsic elements of the employment arrangements established by the *Public Sector Employment and Management Act* (the Act).

Whilst the Principles are expressed in general terms, they establish a philosophical framework that informs employees of their obligations and rights. At a different level, the Principles also constitute a set of standards against which new agency policies, procedures and other initiatives can be measured.

On the other hand, the Code of Conduct provides more specific guidance on a range of ethical and moral issues that may affect employees from time to time. Northern Territory Public Sector employees are in a rare position of trust requiring standards of behaviour that reflect community expectations. Wherever possible the Code of Conduct provides practical guidelines on how these ethical standards can be maintained and enhanced.

The Principles and Code of Conduct are part of the terms and conditions of the employment relationship. As such they are binding on all employees and must be observed by all, including Chief Executive Officers and the Commissioner for Public Employment.

Chief Executive Officers may issue an agency-specific code of conduct, which is consistent with the Act, Regulations, By-laws or Employment Instructions and any other legislation. The Chief Executive Officer of the Department of Local Government, Housing and Sport (DLGHS) has issued this agency-specific code of conduct in respect of employees of the Northern Territory Institute of Sport (NTIS), being this NTIS Code of Conduct. Failure to comply with this NTIS Code of Conduct may be in breach of provisions under the *Public Sector Employment and Management Act* and such a breach may be the subject of disciplinary action.

This NTIS-specific Code of Conduct document should be read in conjunction with the full NTPS Code of Conduct.

[You can find the full NTPS Code of Conduct by clicking here.](#)

Principles of Conduct

The following Principles of Conduct shall be observed by all employees:

- a) Employees shall perform their official duties with skill, impartiality, professionalism and integrity;
- b) Employees shall disclose their private financial and other interests where those interests may, or may appear to conflict with their official duties, and shall take all reasonable steps to prevent such conflict;
- c) Employees who are responsible for incurring or authorising expenditure shall exercise due economy and ensure the efficient and economical use of government resources and facilities;
- d) Employees shall not take advantage of their official duties, status, powers or authority in order to seek or obtain a benefit for themselves or for any other person or body;
- e) Employees shall exercise proper courtesy, consideration and sensitivity and shall act with fairness and equity in all their dealings with members of the public and with other employees;
- f) Employees shall not engage in improper conduct, in their official capacity or otherwise, that adversely affects the performance of their duties or brings the Public Sector into disrepute.

NTIS CODE OF CONDUCT

Overview

The NTIS is the branch of the Division of Sport and Recreation, within the DLGHS, charged with specific responsibility for developing and assisting high performance Northern Territory (NT) athletes and coaches.

Employee responsibilities at the NTIS are important, helping NTIS athletes to achieve success at state, national and international levels. NTIS employees need to understand the NTIS goals and the vital role they play in making them a reality. Employee attitude and professionalism are important factors in selection for employment. Employees are responsible for carrying out all duties diligently, impartially and conscientiously, and to the best of their abilities.

NTIS Values

The success of the NTIS can only be achieved by providing a high quality service. The NTIS is guided by the DLGHS corporate values in the provision of programs and services to sport in the NT. These include:

- ◆ **Innovative**
- ◆ **Initiative**
- ◆ **Professionalism**
- ◆ **Integrated**
- ◆ **Engaged**
- ◆ **Respectful**

Employees are expected to understand these values and how they affect individual roles.

The **NTIS Code of Conduct** has been developed to set out standards of professional behaviour expected of all staff, volunteers and anyone else who represents the NTIS. It is essential that all employees act in a way that supports the NTIS values and this Code is designed to assist staff in clarifying responsibilities in carrying out their work. An important purpose of this Code is to foster a spirit of cooperation and collaboration amongst all employees that promotes equal treatment and contributes to the efficiency and effectiveness of the NTIS.

The Code seeks to promote the highest standards and commitment to fairness in carrying out employee responsibilities. Staff should not read this Code as a series of rules, but rather as a practical guide, based on a common sense approach, to help make decisions in line with the NTIS values. It outlines the behaviour expected of all staff and challenges employees to reflect on their own behaviour.

The emphasis is on taking personal responsibility for individual actions and using the Code as a guide to assist employees when faced with an unfamiliar or ambiguous situation. Staff should familiarise themselves with this NTIS Code of Conduct so that it serves as the framework upon which day-to-day duties are based.

General Principles

As a representative of the NTIS employees should, at all times, be aware of:

- The NTIS values and commitment to them.
- The importance of personal and professional behaviour.
- The community's sensitivity to offensive language and conduct.
- The potential for conflicts of interest to occur and what action staff need to take.
- The risks in accepting gifts and benefits.
- The need to be fair and have respect for all people.
- The importance of ensuring effective and efficient use of public resources.
- The need to respect the security and confidentiality of official information.
- The appropriateness of public comment.
- The conditions for accepting outside employment (either paid or voluntary).
- The appropriateness of political and community participation.
- The importance of reporting behaviour that does not support the NTIS values.
- The need to act at all times with the public interest in mind.
- The importance of ensuring that an allocated uniform is always worn in a clean and neat manner, worn at appropriate times and replaced when required.
- The Northern Territory Public Sector (NTPS) Principles of Public Administration and Management, Human Resource Management, and Conduct, together with the NTPS Code of Conduct.

PERSONAL AND PROFESSIONAL BEHAVIOUR

Overview

Staff at the NTIS are employed by the Northern Territory Government with the primary objective of developing and assisting high performance sport in the NT. To maintain public confidence in the reputation and professionalism of the NTIS, it is essential that employees exhibit the highest ethical and professional standards in carrying out their duties. The public has high expectations of NTG Agencies and employees and staff must be seen to deliver these standards. The work of the NTIS must be open to public scrutiny and be professional and fair. Employees have a responsibility to carry out their duties diligently, impartially, conscientiously and to the best of their abilities.

Responsibilities

Rather than listing numerous examples of expected behaviour, a number of broad principles have been adopted. It is each staff members responsibility to use personal judgment to ensure that their behaviour reflects these principles as well as the NTIS values. The principles are as follows:

1. Be professional in the manner in which duties are conducted and take personal pride in personal work and presentation. The standard of work and manner in which it is conducted should always reflect favourably on the individual, as well as on the NTIS.
2. Be familiar with the NTIS and DLGHS corporate values, as these should guide personal behaviour. Ensure that behaviour reflects and supports these at all times.
3. Maintain the integrity of the NTIS by displaying the highest standards of honesty and avoiding any situation that could give rise to a conflict or perceived conflict between personal interests and public duty.
4. Follow all NTG and NTIS policies and procedures.
5. Take responsibility for the decisions made and be prepared to account for decisions and actions.

If an employee is uncertain about the appropriateness of personal behaviour or has a genuine conflict of personal interest, they should always seek guidance from their supervisor or from a higher level of management.

CONFLICTS OF INTEREST

Overview

The community has a right to expect that, as employees of the NTIS, duties will be performed in a fair and unbiased way, in the public's best interests, and that self-interest or personal gain will not be an influence. It is an employee's responsibility to be aware of the potential for conflicts of interest, to consider how others may perceive these and to know how to deal with them when they occur. The following guidelines should be followed when presented with a conflict of interest.

What is a conflict of interest?

A conflict of interest is any situation that allows personal interests to interfere with the performance of duties. It is understood that employees have interests that are personal to them, or someone close to them, and that sometimes these may conflict with work responsibilities. Having these interests is not necessarily a problem; it is how they are dealt with that is important.

Likely Potential Conflict of Interest

When an employee becomes aware that a potential conflict, whether real or apparent, has arisen or is likely to arise, the employee must immediately inform the NTIS Director. This is any situation that may allow, or could be perceived by others as allowing, personal interests to interfere with the performance of duties. The matter should then be dealt with as outlined in section 12 of Employment Instruction No. 13 – NTPS Code of Conduct and in the NTIS Outside Employment and Conflict of Interest Approval Procedure.

Depending on the significance of the conflict, it may be most appropriate for the employee to stop participating in the activity or withdraw from duties giving rise to the conflict of interest. All staff are responsible for the NTIS reputation for integrity.

Examples of conflicts of interest

Some examples of potential conflicts at the NTIS are given below, but this should not be regarded as an exhaustive list:

- ❑ Where close personal relationships may result in potential conflicts of interest. For example, if an employee is on a recruitment panel, allocating grants or funds, or involved with assessing tenders/suppliers and realises that they have a close relationship with one of the people involved.
- ❑ The NTIS employee has approved outside employment (paid or voluntary) and realises that their ability to be impartial in their work with the NTIS is under threat.
- ❑ The employee sits on a Board for an organisation or club and an issue comes up that may be in conflict with the values or policies of the NTIS.
- ❑ The employee is offered a gift or benefit from a supplier or customer. (See separate section on Acceptance of Gifts and Benefits.)
- ❑ The employee performs volunteer work such as committee work, refereeing etc. for a sport that is covered by an NTIS Sporting Agreement.
- ❑ The employee is asked to provide professional services (paid or unpaid) for a sport that is covered by an NTIS Sporting Agreement.

General Principles

Employees should use integrity, judgment and common sense when faced with a conflict of interest. Each instance should be looked at individually, taking into account the following guiding principles.

- ❑ If a staff member encounters a situation where they feel a conflict of interest could arise, they must take action.
- ❑ If a staff member encounters a situation where they feel that other people may believe there is a conflict of interest, they must also take action. *The perception of a conflict of interest can be as damaging as an actual conflict because it undermines public confidence in the organisation and the individual.*
- ❑ If a staff member becomes aware of a potential conflict between personal interest and/or views and official duties, they must bring the matter to the attention of their supervisor. The most appropriate course of action can then be determined.

As a general rule, it is always better to disclose a potential conflict to the NTIS Director. It is confidential and can do no harm, whereas a great deal of damage can be done if it is not disclosed. This system is to protect employee interests and reputation as much as the interests and reputation of the NTIS. Remember, it's up to the employee.

It is important that the DLGHS is aware of any potential for conflict of interest that may arise. Consequently, to manage potential conflicts of interest within the NTIS, a Register of Potential Conflict of Interest has been set up. Employees are required to declare on an annual basis any activity or potential activity outside of work undertaken by yourself or your immediate family that:

- ❑ Involves a sport covered by an NTIS Sporting Agreement.
- ❑ Is to do with NTIS individual scholarships.
- ❑ Has the potential to involve a conflict or perceived conflict of interest.

Employees should refer to the NTIS Outside Employment and Conflict of Interest Approval Procedure for how and when such declarations should be made.

If a potential for conflict of interest comes up during the year and is not covered by the annual declaration, employees are required to declare that interest immediately in the manner outlined in the NTIS Outside Employment and Conflict of Interest Approval Procedure.

Formal approval is required by the Chief Executive Officer or delegate for all potential conflict of interest situations.

A range of options is available for resolving a conflict depending on the significance of the situation. These options include:

- ❑ Noting down the details of the disclosure, at a local level, and then taking no further action. This would be in cases where the potential for conflict is minimal or can be eliminated by disclosure or effective supervision.
- ❑ Allowing the staff member to have limited involvement in the problematic situation. For example, providing support to a tender process but not having any power to select the tender.
- ❑ Completely removing the employee from the project. For example, removing the staff member from a recruitment selection panel.
- ❑ Giving up the personal interest. For example, standing down from a Board.

Any changes to an employee's working operations in order to deal with potential or actual conflicts of interest will be discussed with the staff member prior to implementation to enable the best possible outcome for all parties concerned.

All staff are responsible for maintaining the NTIS' reputation and for providing the best service possible.

ACCEPTANCE OF GIFTS AND BENEFITS

Overview

A reputation for professionalism can only be achieved if the community is confident that NTIS employees are not influenced by gifts, benefits or other inducements. There may be times when staff are offered a gift in appreciation for their work. In the majority of cases such offers would be genuine expressions of gratitude and thanks. However employees should think carefully before accepting a gift, and consider how accepting the gift could be perceived by others. Following are some factors which should be considered in accepting a gift.

General Principles

Employees should use integrity, judgment and common sense when offered any kind of gift or benefit.

Employees should never accept a gift or benefit if:

- ❑ The feeling is that it is being offered to influence the way work is conducted (such as securing a favour) or to compromise the staff member in any way; or
- ❑ It could be perceived by other people as being offered as a way of influencing employee performance or affecting any work-related decisions made. *The perception of a compromise can be as damaging as an actual compromise, because it undermines public confidence in the organisation and the individual.*
- ❑ Where there is no real (or perceived) conflict in accepting the gift or benefit, the employee may, in certain instances, accept a gift if it is essentially token, including moderate acts of hospitality.
- ❑ Where the employee is uncertain whether or not to accept the gift, they should discuss the matter with the NTIS Director, and determine the best course of action.
- ❑ Employees should also take all reasonable steps to ensure that their spouse, children or dependants, or other staff members, are not the recipients of benefits, which could give the appearance of an indirect attempt to secure the influence or favour of an employee.

What to do when offered a gift

1. First determine whether the gift is being offered as a way of influencing performance or could be perceived as such.
2. If the belief is the gift is being offered to influence the employee in any way, it should not be accepted, and the employee should notify the NTIS Director that a gift was offered and by whom.
3. If the gift is of a token nature and not being offered to compromise performance in any way, the gift may be accepted.
4. If invited to a social event sponsored by a supplier, sponsor or business contact, the employee should use their judgment in determining whether or not attendance at the function could compromise their position.
5. If a sponsor offers an employee a gift or benefit, the staff member should also use their judgment in accepting the gift.
6. If the gift is not of a token nature, but the belief is it is not being offered to compromise performance in any way, the gift can only be accepted with the specific permission of the Chief Executive Officer (approved in writing in advance).

'Token' gifts and moderate acts of hospitality

Employees should use their own judgment, and the guiding principles above, when determining whether or not to accept a gift. To help with this, token gifts and moderate acts of hospitality could include:

- ❑ Promotional material such as pens and T-shirts;
- ❑ Small gifts such as diaries, chocolates, flowers and small amounts of beverages.
- ❑ Modest lunches offered to a working group of which the employee may be member.
- ❑ Gifts being offered as part of a formal exchange of gifts between two or more organisations. In such a case, the gift would usually be considered property of the NTIS and should be declared to NTIS Director.

'Non-token' gifts and benefits

Gifts or benefits of significance will need to be declared and approved in writing in advance. Some examples of such benefits include:

- ❑ Where an employee is accompanying a sporting team on a trip and they receive assistance such as travel costs, accommodation or meal and entertainment costs from anyone outside the NTIS.
- ❑ Where an employee is invited to attend a formal dinner function free of charge and other attendees are required to pay a substantial amount.

When travelling as part of NTIS duties, employees should refer to the Competition Support Staff Travel Guidelines.

If uncertain whether or not a gift should be accepted, always refer the matter to the NTIS Director.

FAIRNESS

Overview

One of the NTIS' key values is fairness and equity. NTIS values are underpinned by equity principles, which guide the way staff treat each other.

All employees need to take the lead in fairness in NTIS business activities and in the way they deal with each other, and be seen by the community to do so.

General Principles

Everyone likes to be treated fairly, with courtesy, consideration and dignity. Personal feelings, bias or friendships should never influence work behaviour.

To carry out duties fairly, in line with the NTIS vision, employees should:

- ❑ Not discriminate against or harass any member of the public or employee for any reason whatsoever.
- ❑ Deal with every situation consistently, promptly, fairly, without discrimination and with courtesy.
- ❑ Be consistent in all areas, including providing services, dealing with people or making decisions. People must know that they will receive the same treatment regardless of their culture, background, disability, age, gender, sexual orientation, political beliefs, physical features or religion.
- ❑ Be flexible in dealings with the public and other staff and in response to situations that require prompt action.
- ❑ Ensure conduct never results in people feeling threatened, uncomfortable or unable to cope in their work environment. This may include sexual advances or comments, racial or religious 'jokes' or slurs, or any other conduct that is intimidating or offensive.
- ❑ Have a good understanding of relevant legislation such as NT *Anti-Discrimination Act*.
- ❑ If possible, try to do something to stop unfair or discriminatory behaviour witnessed.
- ❑ Report any unfair or discriminatory behaviour to the NTIS Director or other senior staff member.

CHILD PROTECTION AND INTERVENTION

Overview

Working in the area of elite sport, NTIS employees may come into regular contact with children. It is essential that the community is confident that staff are committed to the protection and safety of all children under NTIS care. All staff need to take the lead in child protection and intervention by providing a safe environment for all children and to recognise and report suspected child abuse and neglect.

General Principles

All staff have a duty of care and should:

- ❑ Ensure children's safety, welfare and well-being is maintained.
- ❑ Report any suspected cases of child abuse or neglect or cases where it is believed a child is at risk of being abused or assaulted either to the NTIS Director or senior officer if it is in a work situation.
- ❑ Be aware of how personal actions and behaviour may be perceived by others and ensure that personal behaviour at all times is professional and is in no way threatening to children.

All staff are obliged by the *Care and Protection of Children Act* to report, as soon as possible, if they believe, on reasonable grounds, that a child has suffered or is likely to suffer harm or exploitation, whether by a parent or otherwise. It is an offence not to do so. Employees should refer to the NTIS Member Protection Policy for how and when such declarations should be made.

USE OF PUBLIC RESOURCES

Overview

Working for the Government and therefore utilising public funds, employees have a special responsibility to ensure that all resources are used efficiently and economically. It is essential that public resources are used properly, and any possible negative perceptions the public may have on NTIS behaviour must be taken into account.

Public resources are any items paid for by the NTG/NTIS and include official facilities and equipment such as motor vehicles, appliances, laboratory materials, telephones, facsimiles, photocopiers, computers, email services, internet etc.

General Principles

Employees have a responsibility for ensuring that resources are used efficiently and economically without unnecessary extravagance or waste. Employees have a responsibility to care for and maintain resources in their charge or for which they are accountable. For example, if equipment in a staff member's care needs servicing or special care, it is that staff member's responsibility to ensure this is done on a timely and efficient basis.

As a general rule, resources should only be used for work purposes and staff should not use work time or work resources for private purposes. However, there are some reasonable exceptions to this rule.

It is recognised that employees may need to contact someone during working hours for private purposes. In recognition of balancing work and external commitments and unless otherwise directed, staff may make telephone calls for private use or send emails, provided the use is minimal and the phone calls are local, short, infrequent and do not interfere with work responsibilities.

Under no circumstances should employees use the telephone, send or store emails or access the internet in relation to offensive, annoying, illegal or pornographic nature. For guidance in this regard or more information, employees should consult NTG Policy on the use of Information and Communications Technology (ICT) services.

Employees may use general NTIS equipment and facilities for private purposes provided it is not at the expense of public or client use, is in their own time and has the support of their supervisor. If these privileges are abused they may be taken away.

NTIS vehicles are not to be used for private purposes unless prior approval is given by the delegated officer. In emergency circumstances an NTIS vehicle may be used, subject to supervisor approval. Please refer to the DLGHS Motor Vehicle Policy and NT Fleet Driver's Handbook.

It is impossible to provide a definitive list of allowable or inappropriate private use of NTG/NTIS facilities and equipment. If there is any doubt seek supervisor advice.

Employees should be aware that much equipment is shared by a number of different employees all with different priorities.

Employees should ensure that use of resources does not needlessly limit access by others and staff should not assume that their work has priority simply because they are in a hurry or in a more senior position.

USE OF CONFIDENTIAL INFORMATION

Overview

Many employees, in the course of work, have access to confidential information. For example, personnel records, financial records, funding recommendations and so on. Employees are granted access to this information only to enable work to be done. A reputation for integrity and credibility can only be achieved if the community is confident that employees are able to keep information secure and utilise it for its required purpose. The following guidelines should be followed when dealing with confidential information.

General Principles

Information must be handled in accordance with the *Information Act* and, in respect of personal information, in accordance with the Information Privacy Principles.

Employees should not disclose any confidential information gained whilst at work unless proper authority is given or they are required to do so by law.

As a general rule, if information is collected for a specific purpose, it should only be used for that purpose and should only be disclosed to people who need it for the same purpose.

Employees must never use confidential information for their own private gain.

Employees have a responsibility to ensure that confidential information in their care or for which they are accountable is kept secure and cannot be accessed by unauthorised people. For example:

- Confidential files such as recommendations for funding should be stored in a secure place and should never be left lying around.
- If an organisation requests information, it must prove the legitimacy of its inquiry and provide proof of identity.
- If uncertain whether information is confidential or is public knowledge, employees should always treat it as confidential.
- Employees must follow the above guidelines, even in emergency cases.

If uncertain whether or not to disclose information, employees should discuss the matter with their supervisor.

PUBLIC COMMENT

Overview

“Public comment” includes public speaking engagements (including comments on radio and television), interviews with journalists or reporters, expressing views in a letter to the press or in books or in notices or where it is reasonably foreseeable that publication or circulation of the comment will flow to the community at large.

The following guidelines should be followed when making public comment.

Public Comment - personal

As a community member, employees have a right to make public comment and enter into public debate on political and social issues. However, in all cases, employees should make it clear that that the comment is their own personal view and that they are not making comment on behalf of the NTIS, the DLGHS or the Government.

There are however, some circumstances where employees must not make public comment:

- If it could be perceived by other people that the staff member is expressing the view of the NTIS.
- If employee views could be perceived by others as making them unable or unwilling to carry out their duties in line with the policy of the Government of the day.
- If the public comment is defamatory.

Public Comment on behalf of the NTIS

There may be occasions where, as part of job responsibilities, employees are required to make public comment on behalf of the NTIS. Prior to making any public comment employees should ensure that they have the approval of the Executive Director Sport and Recreation, via the Communications Officer, except in the case of coaches who do not require prior approval to discuss the progress results of their squads/athletes in the training and competition environment. As a general rule, employees should only disclose information that is normally given to members of the public seeking that information. Except where required by law, or as authorised by the Chief Executive Officer, an employee must not make public comment on Government matters in an official capacity.

When speaking on behalf of the NTIS, employees should have a good knowledge of the values, priorities and policies of the NTIS and of the Government. Employee comment should always be positive and supportive and enhance the image of the NTIS.

In regard to routine program matters, media are encouraged to interview specialist staff as this develops local interest and Department profiles. Staff must at all times acknowledge their association with the NTIS and should not express personal views or opinions.

Please refer to the DLGHS-NTIS Media Protocols Policy.

OUTSIDE EMPLOYMENT

Overview

The Community expects high levels of performance from NTIS employees. It is important that the public are confident that NTIS staff always give priority to duties with the NTIS and do not use Government time, resources or information to do work for another organisation. To be able to deliver this, employees must treat work with the NTIS as the main work priority. When considering secondary employment the following should be considered.

General Principles

If an employee wishes to undertake outside employment (including employment, work or service for which payment is made by way of pay, salary, honorarium, commission, fee, allowance or other reward) they must first gain approval, in writing, from the Chief Executive Officer. This covers paid or unpaid work and permanent or temporary staff.

Employees should consider the following if they are thinking about outside employment:

- Employment at the NTIS must take priority.
- Employees must avoid situations that give rise to, or could be seen to give rise to, a conflict of interest between their role with the NTIS and private interests.
- Employees must not use their position with the NTIS to solicit work for a private enterprise.

As a general rule, provided the following conditions are met, employees will be given permission to undertake outside employment where:

- There is no actual or perceived conflict of interest.
- The outside employment does not affect ability to carry out duties with the NTIS.
- The outside employment is carried out in the staff member's own time using their own facilities and resources.

Employment Outside the Public Sector

Employees shall obtain written permission from the Chief Executive Officer before engaging in any employment outside the Public Sector. Such permission must be renewed by the employee annually unless otherwise determined by the Chief Executive Officer. Section 61 of the *Public Sector Employment and Management Act* details the legislative provisions regarding outside employment. Outside employment should not affect in any way the efficiency or performance of the employee in their Public Sector job.

Voluntary or Unpaid Activities

In general, it is not necessary for employees to obtain permission to involve themselves in voluntary or unpaid activities where such activities have no connection with the functions of the DLGHS. However, where there is a potential for a conflict of interest to arise between these activities and official responsibilities, employees must seek the approval of the Chief Executive Officer and accept his or her decision on whether the employee can continue in that activity. Activities that NTIS employees would need to seek approval for include activities in relation to sporting organisations or participation in sporting events. This does not necessarily mean that staff will not be allowed to undertake these activities. As outlined in the Section on Conflict of Interest, however, it is necessary and in the best interests of both the employee and the DLGHS for such potential conflicts of interest to be managed. The process for applying for approval to engage in outside employment or volunteer work and activities that have a potential for conflict of interest is outlined in the NTIS Outside Employment and Conflict of Interest Approval Procedure.

Outside Employment in Employee's Private Time

Any permitted outside employment or voluntary work shall be performed wholly in the employee's private time. Except in the case of voluntary work, private time does not include an employee's normal working hours during periods of paid leave. This means that you are not allowed to undertake paid, outside employment whilst on paid leave. Only the Commissioner for Public Employment has the authority to approve an employee to undertake paid employment on paid leave and such approval is unlikely and should not be presumed.

It is the employee's responsibility to seek approval from the Chief Executive Officer if considering undertaking outside employment. If work is done without approval, the employee could face disciplinary action.

POLITICAL AND COMMUNITY PARTICIPATION

Overview

NTIS employees have a public duty to perform duties in a fair and unbiased way and to provide a service that is impartial and serves the Government of the day in a politically neutral manner. The NTIS understands that employees may have interests in political or community organisations, and that sometimes these may conflict with work responsibilities. Having these interests is not necessarily a problem; it is how they are dealt with that is important.

General Principles

The following guidelines should be followed in relation to political or community participation. As such, employees should:

- Ensure that participation in any political or community matter does not conflict, or could reasonably be perceived to conflict, with professional responsibilities. This may include being a member of a political party or sitting on a Board of an organisation.
- Be aware of the potential for a conflict of interest and ensure that political or community activities are kept separate from employment with the NTIS.
- Immediately notify the NTIS Director when a potential conflict has arisen. The most appropriate course of action can then be determined. More serious situations may require withdrawal from the political arena or public sector employment.

Awareness of Potential Conflict of Interest

Employees involved in the political arena, whether as an independent parliamentary candidate, as spokesperson, representative, fundraiser or parliamentary candidate for a political party, cause or movement must be aware of the potential for conflict of interest.

REPORTING INAPPROPRIATE BEHAVIOUR

Overview

The reputation of both the NTIS and employees as individuals depends on personal conduct and willingness to act against inappropriate behaviour. It is expected that staff would report any instance of inappropriate behaviour committed by any other employee that is observed.

General Principles

Inappropriate behaviour is any action that is inconsistent with the values of the NTIS and the principles of behaviour as outlined in this Code or the NTPS Code of Conduct. Reporting inappropriate behaviour is encouraged, as the reputation of the NTIS and the Department in general depends on all employees being ethical and supporting the NTIS values.

To enhance the operations of the NTIS, staff are encouraged to report suspected or corrupt conduct, maladministration, serious and substantial waste or unethical behaviour. This would include the following, but this should not be seen as an exhaustive list:

- Duties carried out dishonestly or unfairly.
- Any action or behaviour that has a detrimental effect on our public duty.
- Any breach of public trust.
- Misusing information or material obtained in the course of your duties.
- Undeclared Conflicts of Interest.

Reports and Comment by Employees

When required to give references for, or make reports on, other Public Sector employees or on persons outside the Public Sector, employees have a duty to provide frank and accurate comment. Employees should also take care to avoid making statements which could be regarded as malicious or defamatory. Situations in which a report potentially could be regarded as having been made with malice include:

- Where the employee knowingly includes false or doubtful allegations in a report.

- ❑ Where the language of the report is excessively strong or weak, in a manner which might unreasonably mislead the recipient of the report or misrepresent the employee who is the subject of the report.
- ❑ Where extraneous material is deliberately introduced or where omissions are deliberately made so as to create a misleading impression.

Section 64A of the *Public Sector Employment and Management Act* provides protection from legal proceedings for employees who provide reports in good faith.

If an employee supervises staff, they have a responsibility to be supportive of staff that make or intend to make a disclosure of inappropriate behaviour.

Fraud and Corruption: DON'T IGNORE IT! REPORT IT!

CONCLUSION

Overview

It is essential that employees take the time to understand this NTIS Code of Conduct and how it impacts on their day-to-day duties. It is an employee's responsibility to ensure they are working in a manner consistent with this Code and in a way that supports the NTIS values. It is intended to be a practical and useful document, which will help staff to resolve some of the many dilemmas that might confront them in their employment with the NTIS. It will be reviewed and monitored on an ongoing basis to take account of new or changed circumstances.

The NTIS also has specific policies which deal, in more detail, with some of the matters covered by the NTIS Code of Conduct. Whilst the emphasis is on taking personal responsibility for actions and using the Code as a guide to assist staff when they are faced with an unfamiliar or ambiguous situation, the employee's supervisor is also there to offer guidance and support. If unsure about any aspects of this NTIS Code of Conduct, or further information is required, staff please speak to the NTIS Director or their supervisor.

Relevant legislation

The main legislation that applies to NT government employees is the *Public Sector Employment Management Act*, including the Principles of Public Administration and Management, Human Resource Management, and Conduct, together with the Code of Conduct.

The following legislation is also relevant:

- ❑ The Northern Territory *Anti-Discrimination Act* and in particular section 20.
- ❑ The Commonwealth *Sex Discrimination Act* and *Racial Discrimination Act*.
- ❑ The Northern Territory *Information Act* and in particular the Information Privacy Principles.
- ❑ The Northern Territory *Care and Protection of Children Act*.
- ❑ The Northern Territory Criminal Code particularly sections 76- 85, 92, 121, 122 and 222.

Relevant NTIS Policies and Procedures:

- ❑ Outside Employment and Conflict of Interest Approval Procedure.
- ❑ Anti-Doping Policy.
- ❑ Member Protection Policy.
- ❑ Competition Support Staff Attendance/Travel Guidelines.
- ❑ Media Protocols Policy.

Legislation

