



Government of Western Australia
Department of Racing, Gaming & Liquor

CODE OF CONDUCT

June 2014

Code of Conduct

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MESSAGE FROM THE CORPORATE EXECUTIVE

The Department of Racing, Gaming and Liquor plays a unique role in the Western Australian community and there is a high expectation that we will deliver our services with integrity. To do this, we must be committed to the highest standards of integrity, professionalism and accountability in the provision of our services.

As part of our commitment to providing all staff with the best opportunity to make appropriate and ethical decisions, a Code of Conduct (the Code) has now been approved.

It is the responsibility of all us to familiarise ourselves with the Code and to adopt the ethical standards described within it. The Code addresses the broader issue of ethical responsibility and encourages greater transparency and accountability. The Code is not intended to be read as a series of rules, but as a set of broad guidelines to appropriate and ethical behaviour. The Code does this by providing an ethical framework to guide actions, but also by highlighting the existing requirements for staff behaviour so that staff are aware of the standards expected of them.

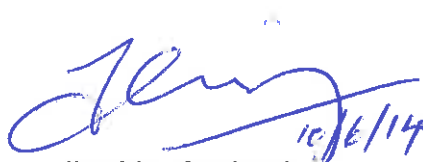
We believe that careful adherence to this Code will help us to consistently make ethical decisions and thereby protect and enhance the position of trust we hold within the Western Australian community.



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Director General



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10/6/14

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MISSION, VISION AND VALUES OF THE DEPARTMENT

Our Mission

To regulate the liquor and gambling industries in Western Australia.

Our Vision

Lawful liquor and gambling activities are provided for the benefit of the public of Western Australia.

Our Values

- Demonstrating **Respect** for each other and our customers by preserving individual dignity;
- Conducting ourselves in a **Professional**, appropriate manner to deliver the highest quality services;
- Showing **Innovation** by a commitment to creativity, learning, initiative and sharing of knowledge;
- Representing **Excellence** by encouraging staff to develop, achieve and embrace change for the better in delivering quality regulatory outcomes;
- Demonstrating **Accountability** through consistency and transparency in our decisions and actions; and
- Working together **Collaboratively**, fulfilling our commitments and taking ownership of outcomes for the benefits of stakeholders.

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The Code clarifies the standards of behaviour that are expected of officers of the Department in the performance of their duties. It gives guidance in areas where officers need to make personal and ethical decisions.

The Code is the practical application of the Department's values and describes how these values translate into action.

We are all responsible for our conduct in the workplace. We aim to encourage each other to uphold the principles and responsibilities outlined in our Code and ensure that our behaviour is above reproach and able to withstand public scrutiny.

Who does the Code of Conduct apply to?

This Code of Conduct applies to all Departmental officers - permanent, temporary, full-time, part-time, contract or casual.

Our responsibilities under the Code of Conduct

As officers of the Department, we are all responsible for ensuring that our behaviour reflects the standards of conduct embodied in the Code.

Managers have a special responsibility to support officers in achieving these goals, by leading by example and assisting officers to understand the Code. Managers also have

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a duty to investigate and act accordingly where allegations of breaches of the Code are raised.

What happens if there is a breach of the Code of Conduct?

The Code is not intended to be, and must not be, used to intimidate or threaten a colleague.

It is every officer's responsibility to disclose suspected improper, unethical or unlawful behaviour. Disciplinary action will be taken against any officer who attempts to intimidate, coerce or take reprisal against an officer who has disclosed suspected improper, unlawful or unethical behaviour.

Allegations of breaches of the Code should be forwarded in the first instance to a manager. Allegations will be dealt with in line with the disciplinary process outlined in the *Public Sector Management Act 1994*. If you are considering making an allegation that the Code has been breached, it is recommended that you consult the Department's *Disciplinary Action Policy* and the Public Sector Commission [Guide to the disciplinary provisions contained in Part 5 of the PSM Act](#) before doing so.

Commissioner's Instruction No.7 – Code of Ethics

This [instruction](#) sets out the minimum standards of conduct and integrity to be complied with by all public sector bodies and employees. It repeals and replaces the *Western Australian Public Sector Code of Ethics* previously issued on 1 February 2008 by the former Commissioner for Public Sector Standards.

Under section 9 of the *Public Sector Management Act 1994*, all public sector bodies and employees must comply with the instruction and their own codes of conduct.

The Code of Ethics can help us to understand what appropriate behaviour is and help build respect and trust within the community.

The standards of conduct and integrity that all public sector officers must comply with are expressed in the following principles:

- **Personal integrity:** We act with care and diligence and make decisions that are fair, honest, impartial and timely, and consider all relevant information.
- **Relationships with others:** We treat people with respect, courtesy and sensitivity and recognise their interests, rights, safety and welfare.
- **Accountability:** We use the resources of the State in a responsible and accountable manner that ensures the efficient, effective and appropriate use of human, natural, financial and physical resources, property and information.

The Department's Code of Conduct has been developed to complement these principles.

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CODE OF CONDUCT PROVISIONS

Conflicts of Interest

A conflict of interest arises when you have a private or personal interest that could inappropriately influence, or appear to inappropriately influence, how you use your authority or decision-making power.

It is important to identify, declare and manage potential conflicts fairly and transparently. A conflict of interest would be evident if you possess, either directly or indirectly, an interest that conflicts or might be seen to conflict with your public duty and may have an improper influence on your ability to undertake your duties.

As an officer of the Department, you are responsible for:

- being aware of actual or perceived conflicts of interest;
- avoiding, where possible, conflicts of interest;
- disclosing conflicts of interest; and
- cooperating with us in managing and resolving conflicts of interest in a way that upholds the public interest.

Relevant policy: *Conflicts of Interest Policy*.

Gifts and Hospitality

Giving or receiving gifts or hospitality could result in decision-making being, or appearing to be, improperly influenced. You must not accept any gift, gratuity or hospitality offered in connection with your duties (except as permitted by our policies), or ask for any remuneration or benefit for doing your duties

Relevant policy: *Gifts and Hospitality Policy*.

Secondary Employment

As an officer of the Department, secondary (or outside) employment could:

- involve a conflict between your private interests and your duty to the Department;
- impede how you perform your duties (for example, cause undue tiredness); and
- cause the Department to lose confidence that you would operate in its interests when on departmental business.

If any of these circumstances arise because of secondary employment, you should manage the situation as you would any conflict of interest.

Relevant departmental policy: *Secondary Employment Policy*.

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Visiting the Casino

Section 23(2) of the *Casino Control Act 1984* provides that if you are a member of the Gaming and Wagering Commission, the Chief Casino Officer, a Government Inspector or an authorised officer appointed under section 9(1) of the Act, you are not permitted to participate in gaming at the Casino.

Our Code of Conduct prohibits officers who have in the previous six months held a position as detailed above from gambling at the Casino. Furthermore, if you are a member of Club Burswood or “members- only” gaming areas (such as the Pearl Room), you must cancel/suspend your membership during the period that you hold such a position.

If you are not an authorised officer you can attend the Casino and participate in gaming activities.

Lobbyists Register

As a representative of the Department, you are not allowed to have any contact with a lobbyist who is not on the Register of Lobbyists (maintained by the Public Sector Commission). The Government believes it is important for government officials to know precisely who a lobbyist represents when they have dealings with that lobbyist. This is particularly useful in helping to avoid conflicts of interest.

Further information on the Lobbyists Register and the Lobbyists Code can be found on the Public Sector Commissioner’s website at <https://www.lobbyists.wa.gov.au/Pages/Default.aspx>

Customer Service

We are committed to providing a reliable, efficient and effective service to our customers and stakeholders. Customers must be treated with respect, courtesy, honesty and fairness. It is important that customers are dealt with in a manner that instills confidence in the impartiality and decision making of the Department.

Relevant policy: *Customer Complaint Handling Policy and Procedure.*

PERSONAL BEHAVIOUR

Alcohol, Drugs and Smoking

It is essential that you attend work in a fit condition that allows you to perform your duties safely and diligently. The consumption of illegal drugs whilst on duty is prohibited. You must ensure that your personal choices, including the consumption of alcohol, do not affect work performance or endanger the health and safety of others. Where alcohol is available at official functions, you must act professionally and responsibly.

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Smoking is not permitted in any work area or vehicle. Smoking is banned within 5 metres of any Government building entrance and within 10 metres of any air intake ventilation equipment.

Driving departmental vehicles must be consistent with departmental policy.

Relevant policies: *Occupational Health and Safety Policy and Plan, Alcohol, Drugs and Smoking Policy, Driver Safety Policy and Motor Vehicle Fleet Policy.*

Dress Standards

Dress standards are important in maintaining a professional image with members of the public, industry contacts and peers. Clothing and appearance should be consistent with generally accepted standards of business dress.

Relevant policies: *Dress Standards Policy and Casual Dress Day Policy.*

Discrimination

We are committed to the principles of fair and equitable treatment of others. You have a responsibility to interact with fellow officers, customers and the community in a non-discriminatory way. It is against the law to discriminate against a person on the grounds of:

- sex (gender)
- sexual orientation
- race
- impairment
- pregnancy
- parental status
- political activity or beliefs
- trade union activity
- religion
- age
- marital status

Relevant policies: *Equal Employment Opportunity Policy and Harassment and Bullying Free Workplace Policy.*

Harassment and Bullying

Bullying can be defined as a number of incidents over a long period comprising constant unjustified and unsubstantiated criticism. Definitions of harassment and bullying vary but there is much overlap. Bullying is behaviour that:

- is unwelcome and unsolicited;
- the officer considers offensive, intimidating, humiliating or threatening; and
- a 'reasonable person' would also consider offensive, intimidating, humiliating or threatening.

Workplace harassment or bullying does not include management taking reasonable action, in an appropriate way, in connection with an officer's employment.

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Relevant policies: *Equal Employment Opportunity Policy, Harassment and Bullying Free Workplace Policy, Occupational Safety and Health Policy and Plan and Acceptable Use of Internet and Email Policy.*

Inappropriate Material

Material, whether pictorial, written, electronically stored or otherwise accessible, which will cause embarrassment to a 'reasonable person', or is inconsistent with the principles of the *Equal Employment Opportunity Act 1984*, must not be held in any facility which is controlled by the Department. Departmental resources must not be utilised for the production or reproduction of such material.

Relevant policy: *Acceptable Use of Internet and Email Policy.*

Treatment of Colleagues

Keeping your personal conduct and behaviour in line with the Code means respecting fellow officers. When dealing with fellow officers be honest and courteous.

Relevant policies: *Equal Employment Opportunity Policy, Harassment and Bullying Free Workplace Policy and Acceptable Use of Internet and Email Policy.*

Public Comment

The two broad areas in which you, as an officer, may make public comment are: in an official capacity as part of your duties, and as a private citizen according to your common law rights.

As a private citizen, you have a right to make public statements, but you cannot make public statements using official departmental information without authorisation. You must also ensure that you do not give the appearance of formally representing the Department.

If you are speaking as a workplace representative or official of a trade union or professional association, you need to make it clear that your comment is not on behalf of the Department.

No officer to make comments to the media without the approval of the Director General.

All media inquiries are to be referred to the Media and Communications Coordinator 94251812.

Relevant policy: *Media Policy.*

Use and Release of Information

Departmental information is an important resource to help you perform your duties. You are responsible for storing and using that information appropriately. You can disclose departmental information in accordance with your duties or to comply with the law (such

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as the *Freedom of Information Act 1992*), but unauthorised disclosure, loss, compromise, modification or misuse of information is not allowed.

Relevant policy: *FOI Information Statement, Records Management Policy, Security Management Policy and Procedures and Privacy Policy.*

Confidentiality

If you have access to sensitive, confidential and commercially significant information not available to the public. It is essential that you respect the confidentiality of information and not use it for personal gain. You must take care to maintain the integrity and security of official documents or information for which you are responsible.

Confidential information has some or all of the following characteristics:

- the law defines it as confidential;
- it is by nature confidential;
- the Department decides it is confidential; and/or
- the officer knows, or should reasonably know, it is confidential.

Officers need to be aware of the confidentiality provisions of administered legislation.

Relevant policy: *Records Management Policy, Security Management Policy and Procedures and Privacy Policy.*

Privacy

You must be sure that your actions do not compromise the privacy rights of others. Personal information about any person must be used only for the purposes for which it is gathered, unless authorised by the person concerned or by legislative requirements.

Relevant policies: *Privacy Policy and Records Management Policy.*

Use of Public Resources

You must be conscientious in how you use the Department's property and services and you should not allow others to misuse them. The Department's assets are to be used for official purposes only (unless personal use is authorised by a relevant officer) and the unauthorised use or removal of assets is prohibited.

The Department's corporate resources include, but are not limited to, motor vehicles, mobile phones, computers, iPads, credit cards, internet and email, and travel.

Relevant policies: *Acceptable Use of Internet and Email Policy, Intellectual Property Policy, Mobile Phone (Appropriate Use and Management) Policy, Motor Vehicle Fleet Policy, Travel Payment Policy and Procedure, Procurement Policy and Procedure, and Purchasing Card Policy.*

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FURTHER INFORMATION

Accessing Policies

The Department's policies are located on the Department's intranet at <http://www.intranet.rgj.wa.gov.au>

If You Have a Query

If you have any questions about the Code, you should contact your manager or the Organisation Development Branch in the first instance. Managers with queries should contact the Executive Director Governance and Strategy or the Organisation Development Branch.

Advice and support is also available to you through internal support networks. These include occupational safety and health officers, public interest disclosure (PID) officers and the Employee Assistance Program.

Continuous Improvement

To maintain continuous improvement in the development of the Code of Conduct, please refer any feedback to G&S Policy Officer.

For enquiries contact:	Executive Director Governance and Strategy
Relevant policies/guidelines:	Please see references under 'Relevant policies' in the Code of Conduct.
Original Code implemented:	1995
Reviewed:	1996, 1997, 2002, 2005, 2006, 2009, 2012; 2014
Next Review:	February 2016
Code updated on the intranet:	Yes

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ACKNOWLEDGEMENT SLIP

I (insert name):..... hereby acknowledge that I have read and understood the Department's Code of Conduct, and I agree to uphold the ethical standards described within it. Failure to do so could result in disciplinary action.

Signature:..... **Date:**/...../ 201....