Code of Conduct

November 2024

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Acknowledgement of Country

TAFE NSW acknowledges the Aboriginal people as the Traditional Custodians of the lands on which our campuses are located and where we live, learn and work. We pay our respects to past, present, and emerging Elders, and we are committed to honouring Australian Aboriginal and Torres Strait Islander Peoples' unique cultural and spiritual relationships to the land, waters, and seas, as well as their rich contribution to society.

We recognise that Aboriginal cultures and communities form the foundation of cultural diversity within New South Wales. Hundreds of cultures, languages, and kinship structures have long been embedded in the lands of Aboriginal Countries throughout the state. We acknowledge and celebrate these diverse traditions, customs, and cultures that have existed for more than 60,000 years.

TAFE NSW is committed to support Closing the Gap targets for Aboriginal and Torres Strait Islander Peoples, by identifying opportunities to increase their learning potential and by helping them to achieve their goals and flourish.

TAFE NSW will continue to value Aboriginal and Torres Strait Islander Cultures and promote their rights and interests. In doing so, we acknowledge the wrongs of the past, respect the Cultural diversity of Aboriginal and Torres Strait Islander Peoples, and commit to embedding equality and equity throughout all areas of TAFE NSW by integrating inclusive and innovative opportunities that will result in stronger relationships built on respect and trust.

Disclaimer: For the purposes of this document, use of the term 'Aboriginal' is inclusive of Torres Strait Islander Peoples.

Message from the Managing Director

TAFE NSW employees hold a unique responsibility as public officials, supporting our vision to be the leading provider of lifelong learning and to meet the needs of industry and students in communities across New South Wales. The people of NSW expect us to act with integrity, fairness and respect. Our decisions must follow the law, serve the public interest and protect public resources.

The TAFE NSW values of Integrity, Excellence, Collaboration and Customer Focus are our north star of how we behave and seek to deliver for and with communities across NSW. They underpin our actions, shape our culture and support our ongoing success.

Integrity is the foundation of everything we do. It is reflected not only in major decisions, but also in the small choices we make every day. When situations are unclear, we must pause and apply sound judgement guided by our values, policies and the Code of Conduct.

The TAFE NSW Code of Conduct sets out the standards of behaviour expected of all employees. It helps us understand what is expected and guides the decisions and actions we take each day.

What this means for you:

- Read and follow this Code and use it to guide everyday decisions and actions. If you are unsure, speak to your line manager or People Group Business Partner.
- Act with integrity in the small things as well as the big things. Apply sound judgement that reflects our values, policies and the Code of Conduct.
- Speak up early if something doesn't seem right. Raising concerns helps prevent small issues from becoming more serious.
- Help create a workplace where people feel safe to ask questions, share ideas and respectfully challenge decisions without fear of unfair treatment.
- Value the diversity of others and ensure an inclusive environment where everyone feels they belong and every voice can be heard.
- Follow agreed policies and processes, manage conflicts of interest openly, declare gifts and benefits appropriately, and document decisions clearly in the public interest.
- Understand that breaches of this Code are taken seriously and may result in disciplinary action.

Above all, we must always act in the public interest when serving the people of New South Wales, free from partisanship and personal interest.

I'm proud to work at TAFE NSW, and I want all employees to feel that same pride. Each of us has a role to play in creating a respectful, professional and inclusive workplace where integrity is reflected in what we do every day.

Chloe Read, Managing Director, TAFE NSW

Code of Ethics and Conduct for NSW Government Sector Employees

Introduction

When you work in the NSW government sector, you have an important role to play in maintaining confidence in our systems of government.

As government sector employees, the work we do makes a difference in the lives of millions of people across NSW. The communities we serve both expect and need us to act ethically, fairly and comply with the law. We must spend public money wisely and maintain trust in our systems and institutions now and into the future.

The *Code of Ethics and Conduct for NSW Government Sector Employees* (**the Code**) sets out the minimum expected standards of behaviour that we must meet.

The Code provides a framework to guide our decisions and behaviour, no matter our level or our job.

Application

This Code is adopted under section 8A of the *Government Sector Employment Act 2013* (NSW) (**GSE Act**) and applies to all NSW government sector employees.[1]

The Code identifies mandatory requirements for all government sector employees that are consistent with Part 2 of the GSE Act (the Ethical Framework for the government sector).

This Code applies at all times when government sector employees are acting in the course of, or in connection with, NSW government sector employment. The Code also extends to conduct outside of work hours where that conduct may affect your employment. This includes conduct that is undertaken in a private capacity, but is inconsistent with your ability (or could reasonably be perceived to inconsistent with your ability) to fulfil your duties in your government sector role.

This Code does not apply to individuals who are not NSW government sector employees.[2]

Departments and agencies may supplement this Code – but not alter or subtract from it – with requirements specific to their organisation's operating environment and business risks. This material may be incorporated into this Code to form a single consolidated document, or published separately.

Commencement date

The Code applies from 1 November 2024. Conduct that occurred prior to that date while the code set out in section 2.2 of the document entitled *Behaving Ethically: A Guide for NSW government sector employees* was taken to have been adopted for the purposes of section 8A, remains in effect as if it had not been revoked and replaced.

[1] *Government sector employee* means a person employed in ongoing, term, temporary, casual or other employment, or on secondment, in a NSW government sector agency.

[2] Heads of government sector agencies are not personally covered by the Code if they are not a government sector employee. Statutory officeholders, including heads of Separate Public Service Agencies who are statutory officeholders and do not hold office in the Public Service (see GSE Act, Schedule 1, Part 3), are not personally covered by the Code since they are not government sector employees. Nevertheless, those heads of government sector agencies who are not personally covered by the Code are encouraged to conduct themselves in accordance with the requirements of this Code voluntarily, with any necessary modifications having regard to their statutory role and status.

The Ethical Framework for the Government Sector

All NSW government sector employees are required and expected to act ethically, lawfully and in the public interest. This can be achieved by adhering to the government sector core values of Integrity, Trust, Accountability and Service. These core values are underpinned by 18 principles, which will help you put the values into action. Our core values and principles are collectively prescribed by the GSE Act as the Ethical Framework for the government sector (**the Ethical Framework**), and are all of equal importance.

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.

Trust

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

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.

Accountability

- Recruit and promote employees 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.

Roles and Responsibilities

All government sector employees must act in a way that is consistent with the Ethical Framework and must comply with this Code. Each of us has a responsibility to conduct ourselves in a manner that reflects our core values in action. This includes the responsibility to speak up when we see any behaviour that we believe does not live up to the Ethical Framework and the general principles and requirements in this Code.

You should follow your agency's policies for reporting wrongdoing where you believe this has occurred.

Managerial behaviour sets the tone for the conduct of all employees. Managers (including senior executives, senior managers, supervisors and others holding senior positions) play a critical role in promoting a culture that values high ethical standards and ethical behaviour. In addition to their responsibilities as government sector employees, all managers are required to model and promote this Code, and ensure that workplace culture, practices and systems operate consistently with the Ethical Framework.

In addition to having the responsibilities of managers, Departmental Secretaries, heads of agencies and senior executives are required to oversee implementation of this Code and the Ethical Framework.

Minimum expected standards of behaviour

All government sector employees are expected to know and act in accordance with the Ethical Framework for the government sector and the general principles and requirements set out in this Code.

The minimum expected standards of behaviour outlined below are not an exhaustive list of what to do in every aspect of your work. Rather, they are general principles and requirements to apply when carrying out your work and should be applied to decide on an appropriate course of action when faced with an ethical issue or professional decision.

If in doubt, you should talk to your manager, internal ethics advisor (where available), human resources team, the relevant member of your agency's executive, or your agency's team responsible for advising on Code compliance.

- Act lawfully
- Bullying, unlawful discrimination and harassment in the workplace
- Conflicts of interest
- Lobbying
- Recruitment
- Secondary employment
- Workplace health and safety
- Acting in the public interest
- Confidentiality, privacy and records management
- Gifts, benefits and hospitality
- Making public comment
- Risk management
- Use of public resources

Acting in the public interest

You should treat all people you interact with in the course of your work:

- equally without prejudice or favour
- with honesty, consistency, impartiality and respect.

You should always:

- place the public interest over personal interest
- uphold the law, institutions of government and democratic principles
- provide apolitical and non-partisan advice
- provide transparency to enable public scrutiny
- be fiscally responsible and use resources efficiently, effectively and prudently.

Acting in the public interest requires leadership, courage and innovation to develop practical recommendations and actions that are consistent with the core values.

For those departments and other agencies that are subject to Ministerial direction and control, acting in the public interest requires you to help your agency to deliver the policies, programs and stated outcomes of the Government of the day.

However, acting in ways which are expedient or convenient, but which are inconsistent with the government sector core values, is not in the public interest.

Act lawfully

You must always act lawfully and uphold the law.

You must comply with this Code as well as any department or agency code of conduct which applies to you, any relevant legislative, industrial and administrative requirements and any lawful direction made by a person with the authority to give such a direction.

Bullying, unlawful discrimination and harassment in the workplace

Everyone is entitled to be treated fairly and with courtesy and to feel safe and respected.

Bullying, unlawful discrimination, and all forms of harassment (including sexual harassment) are not acceptable under any circumstances and not tolerated in our workplaces.

You must not bully, unlawfully discriminate against or harass anyone in your dealings with them.

Public Service Commissioner Direction 1 of 2023 requires departments and agencies to have in place a policy in relation to workplace sexual harassment.

You should ensure you understand and adhere to your legal obligations and your agency's policies in relation to workplace sexual harassment, as well as additional policies (if any) relating to bullying, unlawful discrimination and other forms of harassment.

Managers play a critical role in actively preventing and responding to bullying, unlawful discrimination and other forms of harassment (including sexual harassment), and should familiarise themselves with these obligations. You should refer to your agency's policies (if any) for more information.

Confidentiality, privacy and records management

Confidentiality

Government sector agencies hold and manage large amounts of information. This information needs to be managed in accordance with relevant legislative obligations and agency policies (if any).

Unless otherwise authorised, you must maintain the confidentiality of all official information (including confidential, personal and other sensitive information or documents) held by your agency that is not publicly available, that has not been published or that you are not authorised to disclose.

You may only disclose official confidential information when you are authorised to do so, including when permitted or required by law or legal process to do so.

You must not disclose, access or use official information in an unauthorised way, including for your or anyone else's personal benefit or advantage.

Misuse of information acquired in the course of your employment may amount to misconduct, an offence under applicable criminal, privacy, information access, or State Records legislation and/or serious wrongdoing.

Privacy

You must protect personal information and health information, and comply with applicable privacy obligations and your agency's privacy and data breach policies.

The *Privacy and Personal Information Protection Act 1998* (NSW) (**PPIP Act**) outlines how NSW public sector agencies are required to manage personal information. The *Health Records and Information Privacy Act 2002* (NSW) (**HRIP Act**) outlines how NSW public sector agencies are required to manage health information.

Records management

You must comply with record-keeping obligations that apply to your role and your agency's records management policy (if any). You must not destroy records without proper authority.

Conflicts of interest

A conflict of interest exists when a reasonable person might perceive that your personal interest(s) could be favoured over your public duties.

A conflict may arise from a range of factors, including:

- personal relationships
- secondary employment
- membership of special interest groups
- your ownership of, or financial interest, in property, shares or companies.

Conflicts of interest may also arise due to your personal beliefs or attitudes that could influence, or be perceived to influence, your impartiality or decision-making. It is your responsibility to identify and declare conflicts of interest.

To determine if a conflict of interest exists, ask yourself:

- Do I have a personal interest?
- Do I have a public duty?
- Is there a connection between my personal interest and my public duty?
- Could a reasonable person perceive that my personal interest might be favoured?

It is not necessarily unethical to have a conflict of interest. However, you should avoid placing yourself in conflicting situations wherever possible. Failing to disclose and manage a conflict appropriately may amount to misconduct and/or serious wrongdoing.

Where you have a conflict of interest, you must:

- always disclose the conflict of interest in accordance with this Code and your agency's conflicts of interest policy (if any) as soon as you become aware of the conflict
- work with the appropriate person with responsibility for managing the conflict to resolve any conflicts in the public interest, rather than your own or another person's personal interest.

Managers or those responsible for managing a conflict of interest should:

- ensure the conflict is appropriately documented
- consider whether the circumstances warrant removing the employee from the duties that are in conflict with their private interests
- approve a management plan to eliminate or manage the conflict in the public interest
- monitor the situation to ensure compliance with the agreed management plan.

Gifts, benefits and hospitality

In the course of your work, you – or, occasionally, your family, relations, friends or associates – might be offered gifts, benefits and/or hospitality by customers, clients, applicants, suppliers, or other persons or organisations.

Where a gift, benefit or hospitality of token value is offered simply as a memento or a small token of appreciation, accepting it is unlikely to be inconsistent with your obligations under the Ethical Framework for the government sector (unless your agency policy prohibits you from accepting any form of gift or benefit).

However, you should always be aware that gifts, benefits and/or hospitality might be offered to influence you when making a decision, or to provide a favour which will advance the interests of the giver, either now or in the future.

You should never:

- solicit gifts, benefits and/or hospitality from anyone
- accept any gifts, benefits and/or hospitality offered to you that is intended, or likely, to cause you to act in a certain way
- accept any gift, benefit and/or hospitality where there could be a perception that it has been offered as an inducement or incentive to act in a certain way
- accept any gift, benefit and/or hospitality for a family member, relation, friend or associate that is intended as, or could reasonably be perceived to be, an inducement or incentive to act in a certain way
- accept any gift, benefit and/or hospitality where you currently, or may in the future, exercise discretion in the making of a decision affecting the giver.

You should ensure you understand and adhere to your agency's policies relating to the declaration and management of gifts, benefits and/or hospitality.

You must refuse bribes or inducements and report them in line with your agency's policy.

Making public comment

Public comment is any comment made where it is expected that it will be seen or heard by members of the public. It includes:

- profiles or activities on social media
- comments on internet sites or broadcast by electronic means
- public speaking engagements
- comments to radio, television or print reporters (including letters to the editor)
- comments in books, journals or notices
- appearances before Parliamentary Committees.

You must not make any public comment on behalf of your agency or in the course of your work unless authorised to do so. When making an authorised public comment for official duties, you should:

- only state the facts
- avoid expressing opinions on government policies or government decisions, unless you are authorised to do so or this is part of your agency's role
- only disclose information that is publicly available or has been published or is information that you are authorised to disclose.

You are able to participate in public debate on political and social issues in a private capacity, including on social media. In making public comments in a private capacity you should ensure your comments:

- are clearly identified and understood to be your personal views
- do not discuss or disclose information concerning your work or workplace that is not publicly available
- are lawful – do not post material that is defamatory, bullying, harassing, breaches privacy, is in contempt of court, breaches intellectual property rights or is otherwise unlawful.

You must not act in a way that casts doubt on your ability, or the ability of your agency, to act impartially, apolitically and professionally.

Lobbying

NSW public sector officials are required to act impartially in the public interest when carrying out their public duties, including when being lobbied, or making decisions after being lobbied, by lobbyists.

You must comply with the values, principles and requirements in this Code and Premier's Memorandum M2019-02 *NSW Lobbyists Code of Conduct*. The *Lobbying for Government Officials Act 2011* (NSW) restricts lobbying of Government officials by lobbyists, and requires lobbyists to comply with ethical standards of conduct and other requirements set out in the Lobbyists Code of Conduct. It is important for public confidence in the integrity of government that lobbying is carried out with appropriate probity and transparency.

Recruitment

If you are involved in any recruitment, you must comply with the Ethical Framework requirement to recruit and promote employees on merit, and comply with applicable legislative requirements concerning the recruitment process.

You must also promptly declare any conflict of interest as required by this Code and/or your agency's policies (if any). Where applicable, you must work with the appropriate person with responsibility for managing the conflict to resolve any conflicts in the public interest, rather than your own or another person's personal interest.

Risk management

When carrying out your work or contributing to the making of decisions, you have a duty to objectively identify any risks and report them to your manager or the relevant decision maker, so they can be assessed and appropriately managed in a lawful way. Risks must be managed in accordance with your agency's risk management policy (if any) and applicable mandatory NSW Treasury policies.

Use of public resources

You must use public resources in an efficient, effective and prudent way.

You must not use public resources – including such things as money, property, equipment or consumables – for an unauthorised purpose. You must not use your position, or access to government resources and information, for personal gain or the gain of another person.

When procuring goods and services for your employer, you must ensure you:

- declare any conflicts of interest in accordance with your agency's conflicts of interest policy (if any)
- work with the appropriate person with responsibility for managing any conflict to resolve any conflicts in the public interest, rather than your own or another person's personal interest
- comply with applicable NSW Procurement Board policies and directions as well as your agency's procurement policies (if any)
- comply with the principles of probity and fairness
- take reasonable steps to ensure the goods and services are not the product of modern slavery
- obtain value for money.

You are required to comply with this Code, your legislative obligations, the NSW Government Procurement Policy Framework, and your agency's policies and procedures (if any).

Secondary employment

You may for various reasons wish to undertake either paid or unpaid work in addition to your role within the government sector.

You are required to comply with applicable legislative requirements and follow your agency's policies (if any) concerning secondary employment. For Public Service employees, see clause 7 of the *Government Sector Employment Regulation 2014* (NSW).

Taking on additional work may give rise to a conflict of interest, or reasonably perceived conflict, between your primary and secondary employment.

If this occurs you should declare the conflict in accordance with this Code and your agency's conflict of interest policy (if any) and resolve any conflicts in the public interest, rather than your own or another person's personal interest.

Workplace health and safety

We all have a role to play in ensuring the safety of ourselves and others in the workplace.

You must take reasonable care for your own health and safety and not do anything that adversely affects the health and safety of others. You should report risks to health and safety in accordance with your duties under the *Work Health and Safety Act 2011* (NSW) and your agency's policies (if any), and familiarise yourself with the work, health and safety arrangements in your workplace.

Managers may have more substantial obligations involving the safety of those under their supervision or attending work locations, and should familiarise themselves with these obligations. You should refer to your agency's policies (if any) for more information.

Behaviour contrary to the Code

Behaviour contrary to this Code or to the Ethical Framework for the government sector can create an unsafe workspace, bring individuals into disrepute, undermine productive relationships with colleagues and the public, and damage public trust in your agency or the broader government sector.

A contravention of this Code may be misconduct for the purposes of section 69 of the GSE Act, or other legislation governing the conduct of government sector employees in the Teaching Service, Police Force, Health Service, Transport Service and other services of the Crown.

If you are unsure of what is appropriate conduct in a particular situation, you can discuss the matter with your manager, internal ethics advisor (where available), human resources team, the relevant member of your agency's executive, or your agency's team responsible for advising on Code compliance. Your agency may have additional options available to discuss any concerns you have. Heads of government sector agencies may also contact the Public Service Commissioner.

If you see someone act in ways that are contrary to this Code, you should raise your concerns in accordance with your agency's policy framework for reporting wrongdoing.

How to report serious wrongdoing

The *Public Interest Disclosures Act 2022* (NSW) (**PID Act**) establishes a framework to encourage people who work in the public sector to report serious wrongdoing. Serious wrongdoing means one or more of the following:

- corrupt conduct
- serious maladministration
- a government information contravention (other than a trivial failure)
- a local government pecuniary interest contravention
- a privacy contravention (other than a trivial failure)
- a serious and substantial waste of public money.

If you become aware of serious wrongdoing, you can report your concerns in accordance with your agency's Public Interest Disclosure policy. You can also contact the relevant integrity agency body (such as the Ombudsman, Independent Commission Against Corruption, Auditor-General, or Law Enforcement Conduct Commission).

If you believe conduct may be illegal or constitute a criminal offence, you should follow your agency's policies for reporting wrongdoing or, if appropriate, report the matter to NSW Police Force.

Under the PID Act, it is both a criminal offence and misconduct to take detrimental action against a person who makes, or is suspected of making, a public interest disclosure. The PID Act provides a range of additional protections against detrimental action.

When a public official (as defined in the PID Act) reports suspected or possible wrongdoing in the public sector, their report will be a public interest disclosure (PID) if it has certain features which are set out in the PID Act. PIDs must be managed in accordance with the PID Act.

Further information about public interest disclosures is available on the NSW Ombudsman's website.

Actions when allegations of misconduct are made

For employees of Public Service agencies, the GSE Act and *Government Sector Employment (General) Rules 2014* (**GSE Rules**) set out how allegations of misconduct are to be dealt with, which include:

- requirements that the relevant employee be advised of the detail of the allegation
- the action that may be taken against the relevant employee if there is a finding of misconduct
- the process to be undertaken to investigate and resolve the matter
- that the relevant employee be provided a reasonable opportunity to respond to the allegations and the proposed action to be taken.

Government sector agencies that are not part of the Public Service (that is, the Teaching Service, Police Force, Health Service, Transport Service and other services of the Crown) are not bound by the misconduct provisions in the GSE Act and GSE Rules unless so prescribed. Non-Public Service agencies have their own legislative, policy and/or industrial instrument requirements for dealing with allegations of misconduct.

Declaring private interests as a senior executive

A senior executive (including an acting senior executive) must make a written declaration of private financial, business, personal or other interests or relationships that have the potential to influence, or could reasonably be perceived to influence, the senior executive's duties, including decisions made, or advice given by the senior executive.[3]

[3] Government sector agency heads who are statutory officeholders and not subject to this Code may wish to provide a voluntary declaration of interests. They can do so to the person exercising employer functions in relation to the statutory officeholder, to the extent that this is possible. For example, statutory officers whose employment is governed by a contract of employment with a Minister, or who are subject to Ministerial direction or control in respect of some or all of their functions, could make their voluntary declaration to that Minister. Where this is not possible or appropriate in the circumstances, voluntary declarations may be made to the Secretary of the Premier's Department.

Where a senior executive has no such private interests to declare, they must declare a ‘nil return’.

After a senior executive makes an initial declaration, a fresh declaration must be made:

- as soon as practicable, following any relevant change in the senior executive’s private interests
- as soon as practicable, following the senior executive’s assignment to a new role or responsibilities
- at least annually.

A template form for making a private interests declaration is available on the PSC’s website. The form may be used ‘as is’, or augmented by a department/agency to reflect the operating environment and/or business risks which are specific to the department/agency.

An acting senior executive is not required to make a fresh declaration on each ‘acting’ occasion and may rely on their most recent declaration, provided:

- that declaration is brought to the attention of their current manager
- there are no additional undeclared private financial, business, personal or other interests or relationships that have the potential to influence, or could be perceived to influence, decisions made, or advice given by the senior executive whilst they are acting.

A senior executive must provide their declaration to:

- in a department, the Secretary
- in an executive agency related to a department, the agency head
- in a separate Public Service agency, the agency head
- in the Teaching Service, NSW Police Force, NSW Health Service, Transport Service of NSW and any other service of the Crown, the head of the service.

A Department Secretary must provide their declaration to the Secretary of the Premier’s Department.

The Secretary of the Premier’s Department must provide their declaration to the Public Service Commissioner.

A head of an executive agency related to a department must provide their declaration to the Department Secretary.

A head of a transport-related service must provide their declaration to the Secretary of the Department of Transport.

A head of any other service of the Crown must provide their declaration to the Secretary of the Premier’s Department.

Responsibilities of person receiving declaration

Government sector agency heads are responsible for ensuring that procedures are in place to require that:

- senior executives complete declarations
- handling and storage of declarations comply with the requirements of the PPIP Act
- declared conflicts of interest are managed and monitored.

Code of Ethics and Conduct for NSW Government Sector Employees

Public Service Commission

Level 4, 255 George Street
Sydney NSW 2000

+61 2 9272 6000

enquiries-psc@psc.nsw.gov.au

psc.ns

Supplementary TAFE NSW Requirements

Teaching and Learning

At TAFE NSW we exist to create stand-out learner experiences and to provide our customers with personalised and quality services that allow them to achieve their goals.

What this means for you:

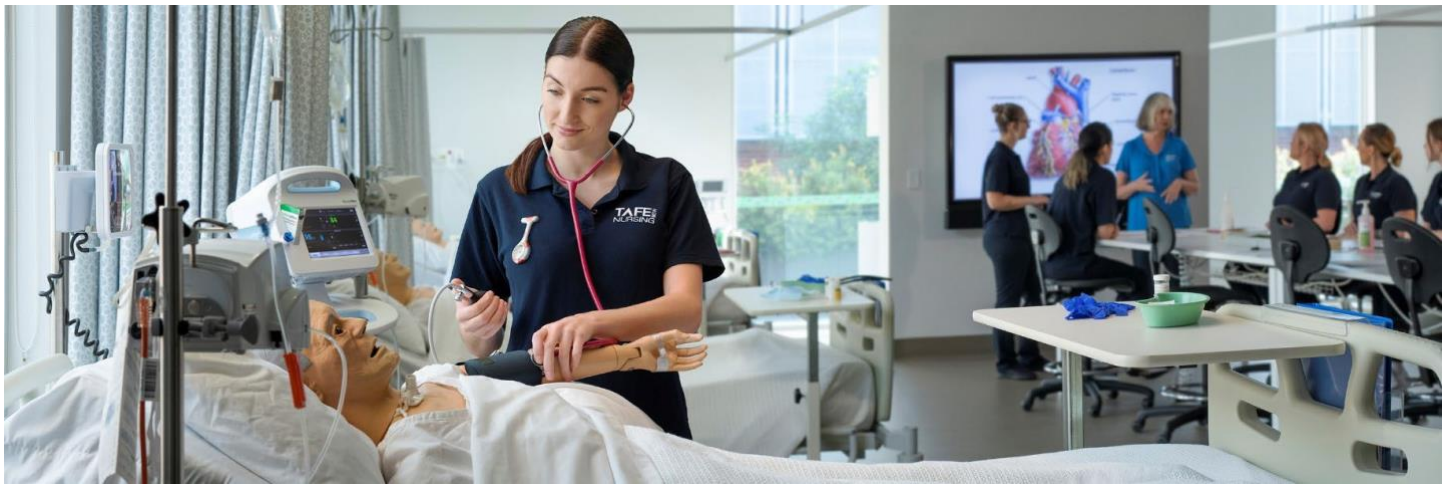
- Take proactive steps to ensure our students and customers have a positive experience.
- Always act in a manner which promotes confidence in the integrity of TAFE NSW as a provider of vocational education and training.
- Complete all required training and competency requirements, and maintain all current qualifications and accreditations required for your role.
- At TAFE NSW, we have an obligation to the NSW Government to serve the people and communities of NSW. We work respectfully with community stakeholders to identify and address barriers to education and employment.
- Understand and support TAFE NSW's commitment to helping vulnerable and disadvantaged people and communities.
- Understand that TAFE NSW has an obligation to provide an accessible and inclusive environment for all students and staff.
- We partner with industry to deliver the best outcomes.

An inclusive and safe organisation

At TAFE NSW we're committed to providing an environment where dignity, trust, fairness, respect and the promotion of diversity and inclusion are valued. We foster an inclusive environment in which all people feel they belong.

What this means for you:

- Respect the traditions and cultures of the communities in which we operate.
- Work in a way that respects the rights, including the right of self-determination, of Aboriginal and Torres Strait Islander Peoples.
- We are inclusive and embrace all peoples' lived experiences, cultural backgrounds, abilities and intersecting identities.
- Don't engage in, or support (whether by action or inaction), any unacceptable behaviour, including any form of racism, harassment, discrimination, intimidation, victimisation or bullying.



Working at TAFE NSW

We act professionally with honesty and transparency.

We act with purpose.

We are accountable for our actions and can be trusted to deliver in times of change.

What this means for you:

- Comply with all relevant TAFE NSW policies, procedures, guidelines and delegations.
- Comply with all lawful and reasonable directions given by or on behalf of TAFE NSW.
- Ensure that your personal and professional behaviour doesn't damage, or have the potential to damage, TAFE NSW's reputation or financial security.
- Cooperate as directed by TAFE NSW with any investigation, enquiry, claim or litigation related to TAFE NSW's business.
- Act in the best interests of TAFE NSW at all times.
- Positively and proactively disclose any changes to your licenses, qualifications, certifications, or professional accreditations which may impact, or prevent you from performing, the inherent requirements of your role.
- Never act in a manner which may cause serious or imminent risk to the health or safety of yourself or others.
- Immediately report any accidents, injuries, incidents (including near misses), unsafe conditions, hazards or environmental spills.
- Only report matters that you honestly believe to be true and not mere speculation or for malicious intent. Don't take reprisal action against any person who makes a report, irrespective of the merits of the report.
- Don't make any public announcements or statements about TAFE NSW, or speak to the media on behalf of TAFE NSW, unless you are authorised to do so.
- Don't establish any TAFE NSW social media account or presence unless you are authorised to do so.
- Don't use TAFE NSW social media channels or TAFE NSW email addresses for personal use.
- Ensure that your personal use of social media doesn't interfere with your duties at TAFE NSW.
- Don't make any comment or post any material that could damage TAFE NSW's reputation or bring TAFE NSW into disrepute.
- TAFE NSW's Intellectual Property (IP) and brand are valuable assets and we act in ways that protect and promote our IP and brand. We also respect the IP rights of others, including the rights of Aboriginal and Torres Strait Islander Peoples to maintain, control, and protect their knowledge and culture as well as data that relates to them as individuals or their communities.
- Manage TAFE NSW's IP rights and respect the IP rights of others in accordance with relevant policies and procedures. This includes protecting it and not misusing it.
- Understand that any IP created by you in the course of your employment is owned by TAFE NSW.
- Before using, copying or sharing any third-party IP (including any material downloaded from the internet), ensure that you are not infringing that third party's IP rights.
- Only use a third party's IP as permitted in writing by that party or as otherwise permitted by law.
- Only access and use TAFE NSW systems, information and resources relevant to your duties and to which you are authorised to access and use.

Supporting the environment

At TAFE NSW we're committed to protecting the environment in which we operate and aim to operate in an environmentally sustainable way in accordance with all relevant environmental laws and regulations.

What this means for you:

- Use and manage resources in an environmentally sustainable way.
- Actively take steps to avoid and minimise environmental impacts associated with your work.

Professional relationship with students

At TAFE NSW, employees hold a unique position of influence and trust with students that must not be breached or compromised. TAFE NSW follows mandatory reporting guidelines for minors and young people and we expect everyone at TAFE NSW to always behave ethically and in ways that promote the safety and wellbeing of our students.

What this means for you:

- Complying with all relevant legislation in relation to child protection and mandatory reporting.
- Positively and proactively disclosing any changes to your National Criminal History Check or Working With Children Check that may impact your ability to undertake the inherent requirements of your role, or which may pose a risk to children and young people.
- Maintain professional boundaries with students at all times, whether at work or outside of work, and avoid socialising with students online.
- Don't enter into a personal, sexual or romantic relationship with any student, and declare any pre-existing relationships.
- Understand and comply with all reporting and disclosure obligations (including mandatory reporting) relating to the protection of children from harm or abuse.
- Always treat students respectfully, equitably and fairly, and don't engage in any bias or favouritism.
- Don't take unfair advantage of, or exploit any relationship with, students in any way.
- Take appropriate measures to protect the safety of TAFE NSW employees and students, including providing a safe working and learning environment free of sexual harassment and violence.

Alcohol or substance misuse

All TAFE NSW staff have a responsibility for ensuring the health and safety of themselves and others. In particular, be responsible for ensuring that they do not, by consumption of alcohol or other drugs, endanger their own safety or the safety of any other person, including students and customers, in the workplace.

What this means for you:

- Do not attend work under the influence of alcohol, illegal drugs and/or restricted substances.
- Do not endanger my own safety or the safety of any other person in the workplace by consuming alcohol, illegal drugs or non-prescribed and/or restricted substances.
- Take action to resolve any alcohol or other drug-related problems that I have (remember that I have access to confidential counselling support from the Employee Assistance Program.
- Immediately notify my leader if I am concerned about working with other staff who may be affected by drugs or alcohol.
- Do not purchase alcohol, tobacco or drugs for, or give alcohol, tobacco or drugs including e-cigarettes, to any student, child or young person.
- Do not encourage or condone the use of alcohol by any student, child or young person during educational or community activities unless prescribed by the curriculum[4] and supervised.
- Do not smoke or permit smoking, including e-cigarettes, in any TAFE NSW buildings, enclosed area or on TAFE NSW grounds. This includes all buildings, gardens, open areas, cars and car parks, except where there are clearly defined designated smoking areas.
- Notify my leader if I am aware that my work performance or conduct could be adversely impacted as a result of the effect of a prescribed drug.

[4] Students 18 years or older may consume minimum amounts of alcohol responsibility under supervision to complete TAFE NSW Hospitality courses where it is prescribed by the curriculum.

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