



CODE OF CONDUCT POLICY

PURPOSE: The Department of Fire and Emergency Services (DFES) Code of Conduct explains the expected standards of behaviour, conduct and integrity of its members in the daily performance of their duty.

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Applies to	<ul style="list-style-type: none">• DFES employees• Contractors• Secondees• Temporary Staff• Bush Fire Service (BFS) under the control of DFES• Volunteer Fire and Rescue Service (VFRS)• State Emergency Service (SES)• Marine Rescue Service (MRS)• Volunteer Fire and Emergency Service (VFES)• FES Units (non-VFES)		
Topic/Sub topic	Code of Conduct, Behaviour, Conduct, Integrity, the Code, Misconduct		
Command	Office of Commissioner		
Directorate	Professional Standards		
Responsible Branch/Officer	Director Professional Standards		
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Approved by	DARREN KLEMM AFSM COMMISSIONER 17 June 2020		

OVERVIEW

The *Public Sector Management Act 1994 (PSM Act)* provides the principles of conduct that must be observed by all public sector bodies and employees. These include compliance with any legislation governing conduct, Public Sector Commissioner's Instructions, Public Sector Standards and Code of Ethics.

The DFES Code of Conduct prescribes mandatory standards of behaviour, conduct and integrity expected of all DFES members in the performance of their daily duties. The Code of Conduct places an obligation on all DFES members to take responsibility for their own behaviours, conduct and integrity, to work cooperatively with other DFES members and the community, and to establish a safe and healthy work place and culture.

The DFES Code of Conduct is a core element of the DFES Integrity Framework.

RESPONSIBILITIES

The Commissioner is responsible for:

- ensuring DFES develops and complies with the Code of Conduct
- providing training to DFES members.

Managers are responsible for:

- implementing the DFES Code of Conduct and the Public Sector Commissioner's Code of Ethics
- inducting employees, including relief staff on the DFES Code of Conduct
- integrating the DFES values and Code of Conduct into performance management systems for employees
- advising and assisting members facing ethical or conduct issues during their duties
- responding to complaints or suspected breaches of the Code of Conduct or the Public Sector Commission Code of Ethics promptly and according to the relevant procedures.

DFES Members are responsible for making themselves aware of, and complying with, the DFES Code of Conduct.

Professional Standards are responsible for:

- providing training and awareness of the Code of Conduct
- providing advice to DFES members on ethical issues
- assessing and investigating, where appropriate, suspected breaches of the Code of Conduct.

COMPLIANCE

Breaches of the DFES Code of Conduct may result in disciplinary action according to [Policy No 46 – Conduct and Discipline](#).

LEGISLATION

- *Corruption, Crime and Misconduct Act 2003*
- *Criminal Code Act Compilation Act 1913*
- *Equal Opportunity Act 1984*
- *Financial Management Act 2006*
- *Fire Brigades Act 1942*
- *Fire and Emergency Services Act 1998*
- *Freedom of Information Act 1992*
- *Industrial Relations Act 1979*
- *Occupational Safety and Health Act 1984*
- *Public Interest Disclosure Act 2003*
- *Public Sector Management Act 1994*
- *State Records Act 2000*
- *State Supply Commission Act 1991*
- *Workers' Compensation and Injury Management Act 1981*
- *Working with Children (Criminal Record Checking) Act 2004*

REFERENCES

- Alcohol and Other Drugs Policy
- Child Safe Child Friendly Organisation Policy
- Commissioner's Instruction No. 7: Code of Ethics
- Conduct and Discipline Policy
- Conflict of Interest Policy
- Corporate Travel Policy
- Criminal History Checks Policy
- Customer Feedback Policy
- Delegations, Authorities and Approvals
- DFES Performance Management Guidelines
- Facility Security Policy
- Fatigue Management Policy
- Fleet Policy
- Freedom of Information Policy
- Gifts, Benefits and Hospitality Policy
- Grievance Policies
- Health and Safety Policy
- Information and Communications Technology: Acceptable Use Policy
- Intellectual Property Policy
- Media Policy
- Pregnant Employee and Volunteers
- Prevention of Bullying, Discrimination and Harassment at Work
- Privacy and Personal Information Protection
- Procurement Policy
- Public Interest Disclosure Policy
- Purchasing Card Policy
- Records Management Policy
- Release of Operational Information Policy
- Secondary Employment Policy
- Social Media Policy
- Sponsorship and Donations Policy
- Substandard Performance

Refer to the [DFES Policy Register](#) to view DFES policies.

DEFINITIONS

DFES Members

Includes DFES employees, contractors and volunteers to whom this policy applies or relates.

PROCEDURES

- DFES Code of Conduct – Appendix 1
- Behavioural Guidelines for Conduct at Meetings, Workshops, Forums and similar activities – Appendix 2

DFES Code of Conduct





COMMISSIONER'S FOREWORD

The Department of Fire and Emergency Services' success hinges on our dedicated team of valued staff and volunteers, and the collaborative way we operate and work together to protect the community.

This Code of Conduct provides all of us with a blueprint of the appropriate standards of conduct, ethical behaviour and safe work practices.

It is a clear set of principles to ensure that all our members follow the standards and integrity the community expects. It is a core element of our Integrity Framework.

We all have an important role to play in supporting our diverse organisation and the principles that underpin it. This Code of Conduct identifies these values and translates them into everyday actions in the way we relate to each other and to our community.

The Code of Conduct prescribes mandatory standards of behaviour, conduct and integrity expected of all DFES members in the performance of their daily duties. The Code of Conduct places an obligation on all of us as DFES members to take responsibility for our own behaviours, conduct and integrity; to work cooperatively with DFES members and the community; and to establish a safe and healthy work place and culture.



Handwritten signature of Darren Klemm AFSM.

Darren Klemm AFSM
Commissioner
Fire and Emergency Services

May 2020



THE DFES CODE OF CONDUCT

The Code of Conduct covers all DFES members, regardless of rank, status, position (paid or unpaid) and can apply to what we do outside of working for DFES, especially in situations that might cause damage to the trust and confidence that DFES holds with the WA community.

The Code of Conduct cannot cover every possible situation or scenario you come across. It requires all DFES members to be personally responsible and accountable for their conduct, behaviour and actions, to ensure professionalism is always maintained.





LEGISLATION AND RESPONSIBILITIES

The Public Sector Management Act 1994 provides the principles of conduct that must be observed by all public sector bodies and members. These include compliance with any legislation governing conduct, Public Sector Commissioner's Instructions, Public Sector Standards and Code of Ethics.

By choosing to work or volunteer for DFES or its volunteer Brigades, Groups or Units (BGU) you have agreed to abide by DFES' Values, Code of Conduct and any legislation governing conduct, Public Sector Commissioner's Instructions, Public Sector Standards and Code of Ethics.

The below S.E.L.F test tool may assist DFES members in making all the right decisions.

S	Scrutiny	Will your decision or behaviour withstand scrutiny from the community, DFES, your peers, the Police, the Public Sector Commission, the Corruption and Crime Commission, the Government or the media?
E	Ethical	Does your decision or behaviour comply with the Code of Conduct, DFES Values, policies and procedures?
L	Lawful	Does your decision or behaviour comply with policy, procedure and legislation?
F	Fair	Is your decision or behaviour fair for DFES, the Community, your colleagues and yourself?

What you can expect us to do:

If you raise a conduct matter, DFES will take prompt and appropriate action to deal with it efficiently and effectively. Any matter raised will be carefully assessed and, where possible, be dealt with using internal mechanisms such as training or counselling, grievance processes and / or disciplinary action. DFES also has a statutory obligation to report certain types of behaviour to an oversight body or Western Australia Police.



PERSONAL BEHAVIOUR

Personal behaviour in and outside the workplace can affect our relationships with colleagues and members of the public and can positively or negatively affect morale and productivity. It is important our personal behaviour supports and demonstrates the values of our organisation.

We must:

- act ethically, with integrity and comply with this Code of Conduct, DFES policies and procedures, and relevant legislation at all times when performing our duties
- treat all people with respect, courtesy and fairness
- not engage, either directly or indirectly, in any form of harassment, bullying or discrimination against work colleagues, volunteers, stakeholders or the public
- not discriminate, either directly or indirectly, on the basis of age, breastfeeding, family status and responsibility, gender history, fines enforcement, impairment, marital status, political conviction, pregnancy, race, religion, sex and sexual orientation, or spent conviction
- comply with any lawful and reasonable direction given by someone who has authority to give such direction
- ensure our professional behaviour, work performance or working relationships are not compromised by any use of alcohol or other drugs, either during or outside work hours
- dress appropriately for the work place and comply with dress standards
- ensure a safe and secure working environment for ourselves and others
- report to DFES if we are the subject of any criminal charge and/or conviction.

OUR SUPPORTING POLICIES

Alcohol and Other Drugs	Grievance
Child Safe Child Friendly Organisation	Information and Communications Technology: Acceptable Use
Conflict of Interest	Media
Corporate Travel	Prevention of Bullying, Discrimination and Harassment at work
Criminal History Checks	Procurement
Customer Feedback	Purchasing Card
Equal Opportunity	Health and Safety
Fleet	Secondary Employment
Gifts, Benefits and Hospitality	Sponsorship and Donations



COMMUNICATION AND OFFICIAL INFORMATION

DFES members are obliged to maintain appropriate confidentiality about dealings we may have in the course of our work including the use and disclosure of private and official information.

We must:

- maintain appropriate confidentiality and privacy of all official information
- not use official information, documents or intellectual property for personal or commercial gain
- only disclose official information and documents as required by law, or in the course of official duties, within our level of authorisation
- adhere to policies regarding communication and protocols with ministers, ministerial staff and lobbyists
- not contact or communicate with any Federal or State Members of Parliament regarding Departmental business; or invite or allow them onto any DFES premises unless authorised
- not respond to any media enquiries unless authorised
- avoid making critical comment or disclosing confidential information about the workplace, colleagues, employees and volunteers in electronic media and social networks.

OUR SUPPORTING POLICIES

Conflict of Interest	Media
Delegations, Authorities and Approvals	Privacy and Personal Information Protection
Freedom of Information	Records Management
Information and Communications Technology – Acceptable Use	Release of Operational Information
Intellectual Property	Social Media



FRAUDULENT AND CORRUPT BEHAVIOUR

Community confidence can be lost when criminal activity such as fraudulent or corrupt behaviour occurs within a public sector body. Fraudulent behaviour is a dishonest act that causes actual or potential loss to any person or organisation. Corrupt behaviour occurs if we use or attempt to use our position for personal advantage or to cause a detriment to others.

DFES members must act in a professional, honest and ethical manner at all times.

We must:

- not accept or engage in fraudulent or corrupt behaviour
- not use, or attempt to use, our official position for personal gain, whether financial or otherwise
- report any information about actual or potentially fraudulent, corrupt or illegal activities through appropriate means.

OUR SUPPORTING POLICIES

Conflict of Interest	Procurement
Enterprise Risk Management	Purchasing Card
Gifts, Benefits and Hospitality	



USE OF PUBLIC RESOURCES

We have access to, and use, a range of public resources to carry out our duties. These resources are public property purchased with public money. They are not for commercial purposes, financial gain, personal benefit whether pecuniary or otherwise and/or party-political work. Public resources include, but are not limited to, motor vehicles; computers; mobile telephones; equipment (ladders, lights, trailers, tools etc); laptops; internet bandwidth; photocopiers; purchasing cards and our work hours.

Any private use of resources must be in line with specific policies or acceptable use guidelines. Government resources must be used in a responsible and accountable manner.

We must:

- not use DFES resources for private, financial or other beneficial gain, including computers, telephones, office/work facilities, vehicles, equipment, purchasing cards and cab charge vouchers
- safeguard these resources while undertaking our official duties
- use Information Communication Technology (ICT) resources appropriately in carrying out our duties and activities and only use ICT for personal use in accordance with DFES policy
- make ethical decisions in the procurement and disposal of goods and services and engage contractors/suppliers in accordance with DFES policies
- be scrupulous in our use of public finances and accountable for our official expenditure.
- not use work hours, DFES resources or intellectual property for private interests or financial gain.

OUR SUPPORTING POLICIES

Leased Fleet

Sponsorship and Donations

Information and Communication Technology – Acceptable Use

Procurement

Intellectual Property

Purchasing Card



RECORD KEEPING AND USE OF INFORMATION

Correspondence and documents created or received in the course of official business are government records. Under the State Records Act 2000, we are responsible for creating and managing government records appropriately.

We need to take particular care in the way information is recorded and handled, including confidential and sensitive information.

All government information must be appropriately recorded, managed and maintained.

We must:

- record our actions and decisions to ensure openness and transparency
- ensure personal information is accurate and not misleading
- ensure public records are managed and stored in accordance with regulatory requirements
- provide documents and information in accordance with the appropriate legislative requirements.

OUR SUPPORTING POLICIES

Freedom of Information

Records Management

Privacy and Personal Information Protection

Release of Operational Information



CONFLICTS OF INTEREST, GIFTS AND BENEFITS

Our stakeholders have a right to expect that we will perform our duties in the public interest, not for personal gain or to cause detriment to others. We must not allow our private interests to influence our decisions or actions. This includes appropriately identifying, declaring and managing any conflicts of interest.

We must:

- identify, declare and appropriately manage conflicts of interest between our personal interests and our public duty
- not engage in commercial, political or other outside activities that may conflict with our official duties and responsibilities
- declare all gifts, benefits and hospitality accepted or given (other than minor tokens) for endorsement and inclusion on the gift register
- seek permission from the Commissioner before undertaking secondary employment or accepting appointments outside DFES ensuring full and honest consideration of any potential, perceived or actual conflict of interest.

OUR SUPPORTING POLICIES

Conflict of Interest

Secondary Employment

Gifts, Benefits and Hospitality



REPORTING BREACHES OF THE CODE OF CONDUCT

Breaches of this Code of Conduct may result in disciplinary action (see Conduct and Discipline Policy).

All DFES members have a responsibility to report suspected breaches of the Code of Conduct in a timely manner. This contributes to the integrity of DFES.

We must:

- familiarise ourselves with the available reporting mechanisms
- report suspected breaches of the Code of Conduct
- report any suspected misconduct, fraudulent or corrupt behaviour in the workplace to DFES or external agency
- understand there are consequences for breaching the Code of Conduct.

All DFES members have a responsibility to report suspected misconduct by other members in a timely manner. Reports of misconduct can be made to:

- Line management: Members may make a confidential report to their line manager. Line managers must report suspected misconduct to Professional Standards.
- Professional Standards: Members may make a confidential report directly to Professional Standards by telephone 93959309 / 9883 / 9753 or email professional.standards@dfes.wa.gov.au

- Corruption and Crime Commission: Members may report directly to the Corruption and Crime Commission (CCC) online via https://www.ccc.wa.gov.au/report_misconduct; or by emailing info@ccc.wa.gov.au; or telephone 1800 803 186.
- Public Sector Commission (PSC): Members may report directly to the Public Sector Commission (PSC) online via <https://publicsector.wa.gov.au/report-misconduct-online> or by emailing minormisconduct@psc.wa.gov.au
- Public Interest Disclosure: Members may make a Public Interest Disclosure (PID) to a PID officer within DFES pidofficer@dfes.wa.gov.au or the PSC. For further information, refer to Public Interest Disclosure Policy.

Failure to report suspected breaches of the Code of Conduct may result in disciplinary action.

OUR SUPPORTING POLICIES

Conduct and Discipline

Enterprise Risk Management

Public Interest Disclosure

CODE OF CONDUCT IN REVIEW

As a DFES member we expect you to always:

- Work in accordance with legislation, policies and procedures
- Act with courtesy and respect
- Behave honestly and with integrity
- Avoid conflicts of interest or manage them appropriately
- Maintain confidentiality
- Use resources in a responsible manner
- Report any suspected breaches of the Code of Conduct.

If you have any concerns or would like further advice, please contact your manager or Professional Standards.



Behavioural Guidelines for Conduct at Meetings, Workshops, Forums and similar activities

Behavioural Guidelines

This document has been developed as a guide for all DFES members attending any meetings, workshops, forums, presentations or similar activities where DFES members may be present. It also provides guidance for conducting meetings or similar activities and highlights the expected behavioural standards of all attendees. These behavioural standards are reinforced by the following Public Sector and DFES policies, guidelines and publications:

- Public Sector Ethics
- DFES Values
- DFES Prevention of bullying, discrimination and harassment at work policy
- DFES Code of Conduct Policy
- DFES Conduct and Discipline Policy
- DFES Equal Opportunity Policy
- DFES Performance Management Guidelines

This guideline provides advice on strategies to mitigate the potential for harm to personnel from exposure to unacceptable behaviour by applying structured formats and processes for various meeting activities. It also outlines the actions to be taken should there be incidents of unacceptable behaviour.

Application

This document forms part of the DEFS Code of Conduct Policy and applies to all DFES members including volunteers.

Definition of Unacceptable Behaviour

Unacceptable behaviour at DFES is any workplace behaviour that creates or has the potential to create a risk to the physical or mental health and well-being of DFES personnel. Examples of unacceptable behaviour include but are not limited to abusive, insulting, demeaning or intimidating behaviour. It can include language that frightens, humiliates, belittles, degrades or personally criticises an individual. It also includes threats of, or actual physical harm, shouting or invading the personal space of an individual in an aggressive manner.

Expectations

All DFES members, regardless of rank or position, are expected to take immediate action if they witness any unacceptable behaviour. DFES members will be held accountable if no

action is taken. Appropriate training and support will be provided to DFES members to ensure these behavioural guidelines are consistently practiced and behaviour reinforced.

Purpose

It is incumbent on employers to provide *psychological safety* to all personnel. *Psychological safety* is defined as “being able to show and employ one’s self without fear of negative consequences of self-image, status or career” (Kahn 1990, p708). Psychological safety is a group-level phenomenon (Edmondson, 2014) and studies have shown that psychological safety plays an important role in workplace effectiveness as it encourages groups, teams and organisations to learn, innovate and thrive.

In psychologically safe environments, communication is non-judgemental, respectful, and encouraging. There is an absence of verbal or non-verbal cues that suggest ridicule, power struggles and competing agendas. Psychological safety helps to galvanise collective thinking and motivates individuals to contribute, rather than leaving individuals feeling disenfranchised or disempowered.

Psychological safety tends to emanate from leaders and it is therefore the responsibility of all leaders to create environments that empower all members where they can make positive contributions and perform to the best of their ability.

Operating Procedures & Protocols

Standard operating procedures and rules of engagement are prescribed to ensure consistency in application and reduce the risk of harm to all DFES members by unacceptable behaviour at meetings, workshops, forums and similar activities.

Operating Procedures & Rules of Engagement

Standing Meetings/Ad Hoc Working Groups/ Committees	
Purpose	<ul style="list-style-type: none"> ▪ To share useful information for planning, facilitating decision making, and generating action
Structure	<ul style="list-style-type: none"> ▪ Terms of Reference (TOR) developed to describe purpose, membership, roles, responsibilities, and operating procedures ▪ Agendas for each meeting to be created and distributed ▪ Minutes, decisions and actions to be recorded ▪ Chair to summarise status of agenda items, address outstanding issues, confirm decisions and actions and ensure meeting notes are distributed ▪ Where required regular quality assurance review of the groups effectiveness to be undertaken
Chair's Responsibilities	<ul style="list-style-type: none"> ▪ Lead and manage the activity ▪ Set the ground rules for conduct of the activity at the opening ▪ Ensure all attendees have an equal opportunity to contribute, and encourage expression of diversity of opinion ▪ Control proceedings to ensure key agenda items are covered, and limit introduction of side-issues that do not progress meeting goals ▪ Ensure attendees do not hijack a meeting to promote their own agenda ▪ Enforce behavioural expectations and maintain safety of attendees ▪ Follow-up and hold attendees to account for actions arising from the meeting
Attendee Behaviour	<ul style="list-style-type: none"> ▪ Represent the best interests of DFES at all times ▪ Participate actively and constructively ▪ Prepare adequately, including reading agenda papers, undertaking any necessary research and completing any assigned tasks from prior meetings ▪ Treat other attendees with professionalism, courtesy and respect in accordance with DFES Values/Code of Conduct
Action for Unacceptable Behaviour	<ul style="list-style-type: none"> ▪ Any behaviour that jeopardises the safety of attendees will be deemed as unacceptable behaviour ▪ The Chair will identify and request that any unacceptable behaviour ceases immediately ▪ If unacceptable behaviour persists, the Chair will close the meeting and report the unacceptable behaviour to the Manager Workforce Services and both will determine the correct course of action ▪ If the Chair does not take action to correct unacceptable behaviour, attendees should lodge a formal written complaint regarding the unacceptable behaviour, addressed to the manager one removed and Manager Workforce Services for further action ▪ If the Chair does not take action to stop the unacceptable behaviour, the Chair's failure to act will be investigated by Workforce Services

Workshops/Presentations and Other Activities	
Purpose	<ul style="list-style-type: none"> ▪ To provide attendees with specific information; or ▪ To provide an interactive environment where participants can learn and share information
Structure	<ul style="list-style-type: none"> ▪ Are finite in nature and can span several hours to several days ▪ Must be structured in line with adult learning principles to ensure learning and information sharing can occur ▪ For workshops, expected outcomes should be well defined in advance as this will determine the processes and activities used ▪ Convenor outcomes will vary according to the activity
Convenor's Responsibilities	<ul style="list-style-type: none"> ▪ Lead and manage the activity ▪ Set the ground rules for conduct of the activity at the opening ▪ Set expectations regarding the purpose, how participants will work together, confidentiality and the time allocated ▪ Create a positive environment where participants can share experiences, learn from each other and explore new opportunities and concepts ▪ Manage group dynamics by observing participant interactions and redirecting behaviour that is repeatedly disruptive or negative
Attendee Behaviour	<ul style="list-style-type: none"> ▪ Actively participate in workshop activities with a learning mindset ▪ Be mindful of how their behaviour impacts other participants ▪ Treat other attendees with professionalism, courtesy and respect in accordance with DFES Values/Code of Conduct ▪ Report repeated disruptive behaviour of other attendees to the Convenor so that immediate action can be taken
Action for Unacceptable Behaviour	<ul style="list-style-type: none"> ▪ In the first instance the Convenor should endeavour to redirect any disruptive behaviour ▪ If the Convenor's efforts are unsuccessful, senior personnel participating in the workshop should intervene, by requesting that the disruptive behaviour cease immediately ▪ If the behaviour continues, the offending member should be asked to leave, with the unacceptable behaviour reported in writing to the Manager Workforce Services who will determine the correct course of action ▪ Where senior personnel are present and fail to act, they should be reported to their manager once removed. The manager and Manager Workforce Services will determine a correct course of action