

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Additional Estimates Hearings February 2016
Communications Portfolio
Australian Film Television and Radio School

Question No: 212(h)

Australian Film Television and Radio School

Hansard Ref: Written, 19/02/2016

Topic: AFTRS - Departmental Staff Misconduct

Senator Ludwig, Joe asked:

Since the change of Prime Minister on 14 September, 2015:

1. Please provide a copy of the departmental staff code of conduct.
2. Have there been any identified breaches of this code of conduct by departmental staff?
 - (a) If yes, list the breaches identified, broken by staffing classification level.
 - (b) If yes, what remedy was put in place to manage the breach? If no remedy has been put in place, why not?
 - (c) If yes, when was the breach identified? By whom? When was the Minister made aware?
 - (d) If yes, were there any legal ramifications for the department or staff member? Please detail.

Answer:

1. See attachment.
2. No

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AFTRS Code of Conduct & General Duties of Officials

This applies to members of the AFTRS Council, the Chief Executive Officer, and all AFTRS employees.

AFTRS Code of Conduct (AFTRS Enterprise Agreement 2011)

All employees, contractors and volunteers will behave honestly and with integrity, without discrimination, and act with care and diligence.

In particular they will:

- a) treat everyone with respect and courtesy and without coercion, bullying or harassment of any kind;
- b) comply with all applicable laws and any instrument made under such laws;
- c) maintain appropriate confidentiality about dealings that the staff member has with any person during the course of their employment and comply with Privacy legislation;
- d) not provide false or misleading information in response to a request for information that is made for official purposes;
- e) comply with any lawful and reasonable direction given by someone in the AFTRS who has authority to give the direction;
- f) disclose and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment;
- g) use AFTRS resources in a proper manner;
- h) not make improper use of inside information, or their duties, status, power or authority in order to gain or seek to gain a benefit or advantage for themselves or another person;
- i) at all times behave in a way that upholds the AFTRS Values and the integrity and good reputation of the AFTRS, and
- j) not consume alcohol, legal drugs or other substances to the extent that they adversely affect performance during working hours.

A breach of any element of the Code of Conduct may result in an allegation of misconduct except clause (i) in the instance of "whistleblowing" unless the complainant is aware at the time that it is not grounded in fact.

Additional General Duties of AFTRS Officials (Public Governance, Performance and Accountability Act 2013 – PGPA Act)

AFTRS Officials are required to adhere to the Code of Conduct. In addition Officials are specifically required to:

- exercise their powers, perform their functions and discharge their duties in good faith and for a proper purpose (the efficient, effective, economical and ethical means of achieving AFTRS' objectives and performing AFTRS functions);
- not improperly use their position or information they obtain as a result of their position to cause detriment to AFTRS, the Commonwealth or any other person, and
- to ensure they disclose the details of any material personal interest they have that relates to the affairs of AFTRS to the Chief Executive Officer via their Divisional Director, the Chief Financial Officer, or the Head of Human Resources.