

**Senate Committee: Education and Employment**

**QUESTION ON NOTICE  
Additional Estimates 2015 - 2016**

**Outcome: Agency: ASQA**

**Department of Education and Training Question No. SQ16-000636**

Senator Ludwig, Joe provided in writing

***ASQA: Departmental Staff Misconduct***

**Question**

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**

The Australian Skills Quality Authority (ASQA) has provided the following response.

1. ASQA does not have an Agency specific staff code of conduct. ASQA employees are bound by the APS Code of Conduct. The Performance and Conduct document outlining the code is attached.
2. There have not been any identified breaches of the code of conduct during this period.



# Performance and Conduct

## APS Code of Conduct

Version number: 2  
Version date: 11 November 2014  
Document owner: Human Resources

### Background

As an employee of the Australian Public Service you must be aware of your rights and responsibilities under the Code of Conduct (Code) and APS Values (Values) as prescribed in sections 10 and 13 of the Public Service Act 1999.

The [APS Values and Principles](#) and Code are designed to create a fair and equitable environment that has the capability to support and protect staff and promote honesty, integrity and respect.

### APS Code of Conduct

1. An APS employee must behave honestly and with integrity in the course of APS employment.
2. An APS employee must act with care and diligence in the course of APS employment.
3. An APS employee, when acting in the course of APS employment, must treat everyone with respect and courtesy, and without harassment.
4. An APS employee, when acting in the course of APS employment, must comply with all applicable Australian laws. For this purpose, Australian law means: any Act (including this Act), or any instrument made under an Act; or any law of a State or Territory, including any instrument made under such a law.
5. An APS employee must comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction.
6. An APS employee must maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff.
7. An APS employee must:
  - a) Take reasonable steps to avoid any conflict of interest (real or apparent) in connection with the employee's APS employment; and

- b) Disclose details of any material personal interest of the employee in connection with the employee's APS employment.
8. An APS employee must use Commonwealth resources in a proper manner and for a proper purpose.
  9. An APS employee must not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment.
  10. An APS employee must not improperly use inside information or the employee's duties, status, power or authority:
    - a) to gain, or seek to gain, a benefit or advantage for the employee or any other person; or
    - b) to cause, or seek to cause, detriment to the employee's Agency, the Commonwealth or any other person.
  11. An APS employee must at all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS.
  12. An APS employee on duty overseas must at all times behave in a way that upholds the good reputation of Australia.
  13. An APS employee must comply with any other conduct requirement that is prescribed by the regulations