OFFICE OF THE OFFICIAL SECRETARY TO THE GOVERNOR-GENERAL

WORKPLACE BEHAVIOURS POLICY

July 2026

(For review July 2028)

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1. Introduction

The Office is committed to providing a safe and respectful working environment. The Office expects all employees to uphold the highest standards of ethical and accountable conduct, consistent with the Office's Values and Code of Conduct, APS Standards and relevant legislation.

Policy Details

Policy owner

This Policy is owned and updated by the People and Culture team.

Release and review history

Version	Approved by	Description	Date
1.0	Director, People and Culture Management Committee	Created in consultation with OOSGG staff including the Workplace Consultative Committee.	July 2026
1.1	Deputy Official Secretary	Endorsed in final	July 2026

Purpose

This Policy provides guidance to employees on expected workplace behaviour, including how to identify, manage and respond to unacceptable behaviour.

Workplace harassment and bullying are unacceptable and will not be tolerated under any circumstances. All employees have a responsibility to behave in a manner that promotes a safe, respectful, and inclusive workplace and supports the health, safety, and wellbeing of others. Employees are also expected, where it is safe and appropriate to do so, to intervene or report unacceptable behaviour that they witness or become aware of, particularly where such behaviour may cause offence, distress, or harm to others.

All reports of unacceptable behaviour will be taken seriously. Individuals who make reports, as well as others involved in the process, will be treated respectfully and provided with appropriate support. Matters will be managed promptly and in accordance with the principles of procedural fairness and natural justice.

The Office will not tolerate any form of reprisal or detriment against a person who makes a report of unacceptable behaviour. Reports that are not made in good faith, or that are found to be frivolous or vexatious, will be addressed in accordance with legislation and this Policy.

Where allegations of unacceptable behaviour are substantiated, the matter may be dealt with as a disciplinary issue and breach of the Office's Code of Conduct. Depending on the nature and seriousness of the behaviour, disciplinary action may include sanctions up to and including termination of employment.

In some circumstances, unacceptable behaviour may also constitute a breach of relevant Commonwealth legislation or amount to a criminal offence, and may therefore result in serious legal and disciplinary consequences.

Scope

This Policy applies to all employees of the Office, and non-employees including:

- labour-hire contractors;
- employees and sub-contractors of companies engaged in contracts with the Office;
- secondees, volunteers, work experience students
- visitors; and
- where non-employees are engaged by or perform work on behalf of the Office, they are expected to behave in a manner consistent with this Policy and any applicable contractual or legislative requirements.

This Policy applies to circumstances both inside and outside the workplace. For example, at a work function offsite or representing the Office outside of work hours.

While every care has been taken to ensure the relevance and accuracy of this Policy, in the event of any discrepancy between the Policy and any relevant legislation, or with the entitlement in the Office Enterprise Agreement, then the spirit and intent of the latter two sources apply.

Relevant Legislation and Resources

- *Age Discrimination Act 2004*
- *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Fair Work Act 2009*
- *Privacy Act 1988*
- *Public Interest Disclosure Act 2013*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Work Health and Safety Act 2011*

The following resources may also be of assistance:

- Australian Privacy Principles
- APS Values and Code of Conduct in practice - APSC
- Bullying - Safe Work Australia
- Bullying, sexual harassment and discrimination at work - Fair Work Ombudsman
- Handling Misconduct guide - Australian Public Service Commission
- Managing Psychosocial Hazards at Work - Comcare
- Work Health and Safety (Managing Psychosocial Hazards at Work) Code of Practice 2024
- Workplace sexual harassment resources - Australian Human Rights Commission

Monitoring and review

This policy will be reviewed every two years or as required to reflect changes in the broader Australian Government legislative and regulatory environment, best practices standards, and to ensure currency and relevancy to the business of the Office.

2. Values and Code of Conduct

The Office Values and Code of Conduct outline how all employees are expected to conduct themselves in the workplace. They set clear standards of behaviour and support a culture of respect, fairness, and accountability.

In addition, the Office has established internal behavioural expectations that further define the specific behaviours required of employees and which complement the Office Values and Code of Conduct.

The Office Values, Code of Conduct, and behavioural expectations collectively form part of each employee's annual performance agreement and adhering to these expectations is a condition of employment with the Office.

Values

Impartial – the Office is apolitical and provides the Government with advice that is frank, honest, timely and based on the best available evidence.

Committed to Service – the Office is professional, objective, innovative and efficient and works collaboratively to achieve the best results for the Australian Community and the Government.

Accountable – the Office is open and accountable to the Australian community under the law and to Government and the Parliament.

Respectful – the Office respects all people, including their rights and heritage.

Ethical – the Office demonstrates leadership, is trustworthy, and acts with integrity, in all that it does.

Stewardship – the Office builds its capability and institutional knowledge and supports the public interest now and into the future, by understanding the long-term impacts of what it does.

Code of Conduct

Employees of the Office must:

a) behave honestly and with integrity

b) act with due care and diligence

c) treat everyone with respect and courtesy and without harassment of any kind

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 Office who has authority to give the direction

f) comply with all policies and guidelines issued by the Official Secretary for the operations of the Office

g) maintain appropriate confidentiality in all matters regarding Australian honours and awards and the Governor-General, their family, guests and visitors

h) disclose and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with their employment

i) use Commonwealth resources in a proper manner

j) 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 any other person'

k) at all times present and behave in a way that upholds the high integrity and good reputation of the Office

l) while on duty interstate or overseas behave at all times in a way that upholds the good reputation of Australia and the Office, and

m) comply with all applicable Australian laws. For this purpose, Australian law means:

   (i) any Act or any instrument made under and Act; or

   (ii) any law of a State or Territory including any instrument made under such a law.

Breach of the Code of Conduct

The Code of Conduct requires employees, at all times, to behave in a manner that upholds the integrity and good reputation of the Office and the Commonwealth. Employees must also comply with all lawful and reasonable directions issued by the Office.

Misconduct refers to any action or behaviour by an employee that is determined to breach the Code of Conduct. This may include, but is not limited to, criminal or otherwise unlawful behaviour, harassment, bullying and discrimination, fraud, and corrupt actions.

Misconduct may also extend to behaviour occurring outside of the workplace, including conduct on social media, where such behaviour has a connection to employment or may adversely impact the Office, its employees, or its reputation. Not all instances of unacceptable behaviour will constitute misconduct. Matters may be addressed through performance management or other appropriate processes, depending on the circumstances.

Employees who engage in unacceptable behaviour will be assessed to determine whether the behaviour constitutes misconduct.

Where there is a breach or suspected breach of the Office Code of Conduct, the *Procedures for determining breaches of the Office Code of Conduct and the imposition of sanctions* as set out in Attachment A apply.

Internal behavioural expectations

Supporting the Office

- motivation for work
- live our values
- display resilience and adaptability

Working together

- collaborate with others
- communicate effectively
- influence and negotiate
- support inclusion and diversity
- manage self

Focus on Achieving

- plan and prioritise
- think and solve problems

- demonstrate accountability
- support wellbeing
- champion innovation and change

Leadership

- inspire direction and purpose
- manage and develop people
- model the way

3. Responsibilities

All employees

The prevention of unacceptable behaviours requires all employees to:

- take reasonable care for their own health and safety at work, and ensure that their acts or omissions do not adversely affect the health and safety of others
- treat others with respect and ensure their behaviour meets acceptable standards in accordance with the Office Values, Code of Conduct and behavioural expectations, and all applicable legislation
- be aware of and identify unacceptable behaviour and take reasonable steps to prevent or stop further instances of such behaviour
- where safe and appropriate, and if the employee feels able to do so, raise concerns directly with the person engaging in the behaviour, or intervene in a manner that is comfortable and safe, including redirecting the conversation or addressing the behaviour respectfully
- maintain accurate records of incidents, including dates, times, details of what occurred, the nature of the behaviour, and the names of any witnesses, where appropriate
- report incidents of unacceptable behaviour to an appropriate person in accordance with this Policy
- support affected persons, including by checking on their safety and wellbeing where appropriate, and
- cooperate fully with any inquiries, reviews, or investigations relating to reported incidents and maintain the confidentiality of all information related to the incident or process, except where disclosure is required or permitted by law.

Managers

All managers are responsible for the prevention and resolution of unacceptable behaviour within their teams. They must take appropriate action when they become aware of unacceptable behaviour, including in circumstances where no formal complaint has been made.

To prevent unacceptable behaviour, managers are expected to:

- model the Office Values, Code of Conduct, and behavioural expectations through their own conduct, leadership, and decision-making
- demonstrate leadership by actively promoting and reinforcing positive workplace behaviours within their work area, including fostering a safe and inclusive workplace environment that encourages employees to speak up about, or report, unacceptable behaviour without fear of reprisal

- speak up and take appropriate action when they observe, become aware of, or reasonably anticipate the likelihood of unacceptable behaviour, and identify, address, and challenge behaviours that enable, excuse, or condone such behaviour
- prioritise the care, safety, and wellbeing of individuals impacted by unacceptable behaviour when responding to matters that are raised or observed
- provide appropriate support to affected individuals and, where appropriate and practicable, take into account their views and preferences regarding how the issue is managed
- respond promptly, sensitively, and confidentially to all matters where unacceptable behaviour is alleged or identified
- act fairly, impartially, and consistently to assist in resolving matters in accordance with this Policy, and
- ensure all reports are taken seriously and managed in accordance with relevant policies, procedures, and legislative obligations.

Senior Leadership team

Under the *Work Health and Safety Act 2011,* senior leaders are required to exercise due diligence to ensure the Office complies with its health and safety duties and obligations. This includes taking reasonable steps to ensure the Office has, and uses, appropriate resources, systems, and processes to eliminate or minimise risks associated with workplace bullying, harassment, discrimination, and other inappropriate or unreasonable behaviours.

In addition to the responsibilities of all employees and managers, senior leaders are expected to:

- ensure the prevention of unacceptable behaviour and early intervention where required, and that effective systems, controls, and reporting mechanisms are in place to support these objectives
- demonstrate accountability and transparency, including supporting appropriate external transparency where incidents of unacceptable behaviour involve senior managers or influential stakeholders and where there is a legitimate public or stakeholder interest; and
- prioritise the care, safety, and support of individuals impacted by unacceptable behaviour in the Office's approach to prevention, response, and resolution.

People and Culture team

The People and Culture team are responsible for:

- developing, maintaining, and reviewing this Policy, and providing advice and guidance on Office policies and procedures, including the provision of relevant resources to support respectful workplace behaviours for all employees
- supporting the prevention and management of harmful behaviours by assisting in the identification of psychosocial hazards and the implementation of controls to manage WHS risks associated with bullying, harassment, and discrimination
- providing impartial information, guidance, and support to all parties involved, including maintaining confidentiality and protecting the privacy of individuals in accordance with legislative and policy requirements
- facilitating appropriate resolution mechanisms, including providing information on external conflict resolution resources and mediation services, facilitating access to appropriate supports such as the Employee Assistance Program (EAP), and assisting to source or arrange independent mediation support where appropriate, and

- monitoring, reporting, and advising the Official Secretary and Deputy Official Secretary and broader Senior Leadership Team where appropriate, including identifying and reporting incidents involving unacceptable behaviour, advising on safety concerns, and providing insights into emerging trends or systemic risks.

Workplace Harassment Contact Officers

Workplace Harassment Contact Officers (WHCOs) are a workplace support function established under clause 22 of the Enterprise Agreement with set Terms of Reference. WHCOs undertake specialist training and act as confidential points of contact for employees who are, or believe they may be, experiencing harassment in the workplace.

The role of a WHCO is to provide support, guidance, and information to individuals affected by harassment in a manner that reflects the Office's Values and Code of Conduct. WHCOs perform their role in accordance with the principles of confidentiality, impartiality, and neutrality.

WHCOs operate in an advisory capacity. They are not advocates, do not assess or determine the validity of harassment allegations, and do not have a role in formal Code of Conduct or disciplinary processes. Their role is to assist employees to understand their options, access appropriate support services, and become informed about available formal and informal avenues for resolution and the processes that may apply.

4. Unacceptable behaviours

Bullying

Workplace bullying is defined as repeated and unreasonable behaviour directed towards an employee or group of employees that creates a risk to health and safety.

The behaviour may take a range of forms and does not need to be the same on each occasion. Bullying may involve a series of different behaviours over time, such as verbal abuse, social isolation, or the deliberate damage of personal property.

While a single incident of the behaviours described below may not meet the definition of workplace bullying, the Office does not condone such conduct and will not ignore it. Where such incidents are reported, the Office will take appropriate and proactive steps to address the behaviour and resolve any issues.

Examples of bullying may include:

- aggressive or intimidating conduct, including shouting or deliberately standing over someone
- belittling, demeaning, or humiliating comments directed at a person, made behind the person's back, or in front of others, including in meetings
- victimisation, such as treating a person less favourably because they have made a complaint, supported a colleague, or exercised a workplace right
- teasing, mocking, or engaging in practical jokes that cause offence or distress
- unjustified or excessive criticism or complaints
- deliberately excluding a person from work-related activities or information
- ostracism, including physical or social isolation, not acknowledging or responding to a person's presence or contributions, or leaving a room when a person enters
- deliberately withholding information or resources necessary for a person to perform their role effectively
- setting unreasonable timelines or repeatedly changing deadlines without justification

- assigning tasks that are unreasonably below or beyond a person's level of competence
- spreading misinformation, gossip, or malicious rumours, and/or
- changing work arrangements, such as rosters, duties, or leave, in order to deliberately inconvenience or disadvantage a particular employee.

Discrimination

Workplace discrimination occurs when a person is treated unfairly or adversely because of a personal attribute. Discrimination can be a single instance or incident.

Attributes that are protected by law include:

- race, colour, descent or national or ethnic origin
- sex, pregnancy and potential pregnancy, breastfeeding, marital or relationships status, family or carer's responsibilities
- sexual orientation, gender identity or intersex variation
- disability
- age
- religion
- political opinion
- social origin, or
- experiencing family and domestic violence.

Discrimination can be direct such as:

- denying promotion or career opportunities because an employee is considered too old or is pregnant.

or indirect such as:

- failing to reasonably accommodate requirements relating to a person's race, religion, or cultural practices - such as time away from desks for prayer or not allowing religious dress because it doesn't fit within a specific dress code.
- applying policies or rules that appear neutral but have an unreasonable or disproportionate impact on people with particular attributes - such as scheduling mandatory meetings at times that disadvantage employees with caring responsibilities.

The Office is committed to providing a workplace that upholds the principles of Equal Employment Opportunity (EEO) and is free from all forms of unlawful discrimination, harassment and victimisation. It is expected that all employees are treated fairly, with dignity and respect, and have equitable access to employment opportunities, development, and progression based on merit.

Harassment

Workplace harassment may involve unwelcome, unsolicited, and unreasonable behaviour that offends, humiliates, or intimidates another person. Harassment can be a single instance or incident.

Harassment may include:

- behaviour that is unwelcome, unsolicited, unreciprocated, and often repeated
- telling insulting or offensive jokes about particular racial, cultural, or other groups

- sending or displaying explicit, offensive, or sexually suggestive electronic material, including emails, text messages, or social media content
- making derogatory comments or taunts about a person's disability; and/or
- asking intrusive or inappropriate questions about a person's personal life and circumstances, including their sexual orientation or relationships.

Workplace sexual harassment is a specific form of harassment and is any unwelcome conduct of a sexual nature that a reasonable person would anticipate could offend, humiliate, or intimidate. Sexual harassment is not interaction, flirtation or friendship which is mutual or consensual.

Sexual harassment may include:

- unnecessary familiarity, such as deliberately brushing against a person
- unwelcome physical contact or touching
- sexual advances, requests for sexual favours, or invitations to go on dates
- sexually suggestive staring or leering
- suggestive or sexually explicit comments, jokes, or gestures
- insults, taunts, or comments based on sex or gender
- intrusive questions about a person's body or private life
- displaying or circulating sexually explicit images or material, or sending indecent or sexually suggestive messages, including via SMS, email, social media, or emojis with sexual connotations; and/or
- conduct of a sexual nature that occurs online or via digital platforms, including during virtual meetings.

Other inappropriate behaviours

Some behaviours may be subtle, less severe, or not immediately obvious, and as a result may be overlooked or minimised. However, such behaviours are still inappropriate. Examples of less overt but unacceptable behaviours may include eye-rolling, sneering, or name-calling including the use of nicknames that an employee is not comfortable with, deliberately talking over others in meetings, or blaming others for mistakes or failures. This is sometimes referred to as "throwing someone under the bus".

Workplace violence is where a person is abused, threatened or assaulted in circumstances arising out of or in the course of their employment. Allegations of workplace violence, sexual assault and other criminal matters will be reported immediately to the police.

Employees are expected to reflect on their own actions and behaviours and to consider whether they align with the Office's Values, Code of Conduct, and behavioural expectations.

Intent

It is important to recognise that behaviour that may appear acceptable or inoffensive to one person may be perceived differently by another. In assessing behaviour, the impact on others will be a primary consideration. A person's intent or perception may be taken into account but will not be determinative in assessing whether behaviour is appropriate.

A person's failure to object to behaviour at the time it occurs does not mean that the behaviour is welcome or that it is acceptable for the behaviour to continue at any other time.

Behaviour described as a "one-off", or attributed to circumstances such as alcohol consumption, stress, or copying others is also not an excuse.

Some behaviours may constitute criminal offences, in which case context or intent is irrelevant and the matter may have serious legal consequences.

Impact of inappropriate behaviours

Harmful workplace behaviours can result in both physical and psychological harm to the individuals who are subjected to the behaviour, as well as those who witness it. Such exposure may contribute to feeling unsafe, heightened stress, or have adverse impacts on physical and mental health.

Individuals may become hostile, withdrawn, experience reduced self-esteem and self-confidence, work performance may be negatively affected and, in some cases, develop symptoms of anxiety or depression.

For the Office, the impacts of harmful behaviours may include an unsafe work environment, reduced morale, and decreased productivity and efficiency. If left unaddressed, such behaviours can contribute to a culture of hostility, increase employee turnover, and negatively affect the Office's reputation and its ability to uphold the values and standards expected in service to the Australian public.

Reasonable direction and non-inappropriate behaviours

Not all behaviour in the workplace will amount to bullying, harassment, or discrimination. Respectful, work-related interpersonal differences, including occasional disagreements or differences of opinion, are a normal part of working relationships and do not, of themselves, constitute unacceptable behaviour.

Reasonable management direction and work-related discussions are also not considered bullying or harassment when carried out in a reasonable and respectful manner. This includes, but is not limited to:

- setting realistic and achievable performance goals, standards, and deadlines
- providing instruction, guidance, or feedback relating to work performance or conduct
- raising reasonable concerns about work outcomes, quality, or behaviour in an honest, fair, and constructive manner
- transferring an employee to another role or area for operational reasons
- deciding not to select an employee for promotion after following a fair and transparent process
- exercising appropriate managerial authority in accordance with organisational delegations and policies
- making decisions relating to work allocation, prioritisation, or operational requirements
- engaging in robust but respectful discussion where differing views are expressed; and/or
- taking disciplinary action, including suspension or termination of employment, where appropriate and justified in the circumstances.

5. Reporting unacceptable behaviours

All employees have the right and are encouraged to report unacceptable behaviour. Reports may be made either in writing or through discussion with an appropriate person, including a manager, director, a WHCO, a member of the People and Culture Team, or the Deputy Official Secretary.

When making a report, employees may indicate their preferred approach; however, the Office will determine the appropriate process based on the nature and seriousness of the matter.

All reports of unacceptable behaviour will be treated seriously, promptly, and confidentially.

Reports will be assessed and, where appropriate, investigated in an impartial manner. Where unacceptable behaviour is substantiated, appropriate action will be taken. This may include disciplinary or other sanctions against any employee who is found to have:

- engaged in, contributed to, or participated in unacceptable behaviour; or
- victimised, retaliated against, or subjected to reprisal an employee for making a report of unacceptable behaviour.

The Office will not tolerate reprisal action against any employee who makes a report of unacceptable behaviour in good faith.

Other internal reporting

A public interest disclosure is a disclosure of information made by a current or former public official about suspected wrongdoing (referred to as *disclosable conduct*) that is alleged to have occurred within a Commonwealth agency. Further information about public interest disclosures, including how to make a disclosure, is available in the Office's Public Interest Disclosure policy.

Instances of suspected systemic fraud or corruption must be reported without delay. Further information about fraud and corruption controls within the Office, including reporting obligations and processes, is available in the Office's Fraud and Corruption Control Plan.

External reporting

Employees may choose to report matters internally or externally. The Office encourages internal resolution where appropriate but recognises that external reporting may be necessary in some circumstances.

This includes applying to the Fair Work Commission to stop bullying or sexual harassment. More information is available of the Fair Work Commission's website.

What to expect when reporting inappropriate behaviour

The Office will seek to address reports of inappropriate behaviour through early and informal resolution wherever possible.

Once a report is received, and where appropriate, the Office will appoint a decision maker, which may be a relevant Director, Deputy Official Secretary, or an independent person to determine what action should be taken in relation to reported inappropriate behaviours. This may occur even in the absence of a formal complaint, where the Office becomes aware of concerning behaviour.

The appointed decision maker may request meetings with the reporter to discuss the report or to obtain further information. They will also seek written reports from the parties involved and, where appropriate, obtain witness statements to ensure a full and balanced understanding of the matter.

All investigations or inquiries, whether informal or formal, will be conducted in a fair, objective, and timely manner.

Affected parties will be appropriately informed of the process and the outcome, consistent with confidentiality, procedural fairness, and privacy obligations.

6. Resolution

Informal resolution

The purpose of informal resolution is to stop unacceptable behaviour, restore and maintain effective working relationships, and, where possible, support reconciliation between the parties involved.

Informal resolution processes are intended to resolve matters promptly and with minimal disruption.

In many cases, early and respectful discussion of the issue, particularly where the person engaging in the behaviour is made aware of the impact of their actions, may be sufficient to resolve the matter. This may result in an apology, a shared understanding, and a change in behaviour.

Employees may address the behaviour directly with the person involved or seek assistance from another person to act on their behalf. In some cases, this approach may resolve the issue. Where the behaviour continues, or where a direct approach is not appropriate or safe, employees are encouraged to keep a record of relevant incidents, including dates, details, and the impact of the behaviour.

Once the matter has been appropriately assessed, agreed actions have been implemented, and the parties consider the issue to be resolved, the informal process will be regarded as complete.

Possible informal resolution outcomes may include, but are not limited to:

- the resolution process enabling the employee to gain a clearer understanding of the situation, resulting in their concerns being addressed
- one or more parties being directed to take specific actions considered appropriate to resolve the issues identified; or
- the respondent being directed to apologise to the reporter and to avoid similar conduct in the future.

If the matter cannot be resolved through informal means, or the behaviours continue, it may proceed to conciliation or mediation, or be managed through a formal process in accordance with this Policy.

Conciliation or Mediation

Conciliation or mediation is a confidential process involving only the individuals concerned and the appointed conciliator or mediator. Individuals participating in conciliation or mediation may have a support person present during meetings, where appropriate.

The purpose of conciliation or mediation is to provide a timely and constructive response to workplace issues by facilitating open and respectful discussion with the assistance of an impartial and suitably skilled conciliator or mediator. Where appropriate, a senior manager or another suitable person within the Office may act in this role. The Office may also engage an external conciliator or mediator to ensure independence, avoid any real or perceived bias, and support open communication between the parties. Wherever practicable, conciliation or mediation should be facilitated by a person who is independent of the work area/s of the individuals involved.

Both the reporter and the respondent must be comfortable with the person appointed to act as the conciliator or mediator. The appointed person must not have a real or perceived conflict of interest, and there must be no reasonable perception of bias.

The conciliator or mediator will assist the parties to clarify their perspectives, understand the impact of the behaviour, and identify desired outcomes. The role of the conciliator or mediator is not to determine fault or assess culpability, but to support the parties to reach a mutually acceptable resolution that addresses the issues raised and promotes respectful, safe, and effective working relationships.

Formal investigation

A formal investigation may be required if the informal or conciliation procedures are not successful, or in situations where the allegations are more serious.

Where a formal investigation is required, the *Procedures for determining breaches of the Office Code of Conduct and the imposition of sanctions* as set out in Attachment A apply.

Principles of procedural fairness

The Office is committed to ensuring that all matters are managed in accordance with the principles of natural justice and procedural fairness. These principles include, but are not limited to, the following:

- decision-makers must not be involved in, or personally affected by, the matter being considered
- decision-makers must act fairly and without actual, potential, or perceived bias
- individuals affected by a matter must be given a reasonable opportunity to present their views before any decision is made, and
- individuals must be provided with a reasonable opportunity to respond to any information or material that may adversely affect a decision concerning them.

Findings will be based on evidence that is relevant, reliable, and logically capable of supporting the conclusions reached.

Any recommendations or actions arising from a matter will be proportionate to, and consistent with, the seriousness of the issues that formed the basis of the report.

Decision and monitoring period

For both informal and formal resolution processes, the delegate will determine the matter after considering any responses from the parties involved, including any actions to be taken in response to the allegations. The outcome will be communicated to the relevant parties.

Following the decision, the Office will monitor the resolution of the matter and the ongoing wellbeing of both the reporter and the respondent for an appropriate period. This is to ensure that the actions taken have been effective in addressing the issues raised and preventing any recurrence of unacceptable behaviour.

Privacy and confidentiality

All allegations, the identities of all parties involved including the reporter, respondent, and any individuals involved in managing or resolving the matter, and all related records will be handled confidentially and in accordance with the *Privacy Act 1988*.

The Office may disclose information where disclosure is required or authorised by law, or where disclosure is necessary to protect the life, health, or safety of an employee or another person.

The Office will take all reasonable steps to protect the identities of individuals who report inappropriate behaviour and those who provide witness statements. However, while confidentiality will be maintained as far as reasonably practicable, the Office cannot guarantee complete confidentiality in all circumstances.

Support and Wellbeing

Internal

The Office has numerous avenues of providing support to employees who have experienced, witnessed, or have been accused of inappropriate behaviour. Where appropriate, employees can raise concerns and seek information, advice or support from their manager, their director, the People and Culture team or the Deputy Official Secretary.

Employees can also talk to one of the Office's WHCO's.

External

Employees may also access the Office's Employee Assistance Program (EAP), which provides confidential, external, and free counselling and coaching services to employees and their family members.

Managers may access EAP Manager Assist for support in managing workplace issues.

Vexatious reports

Some allegations of misconduct may be misconceived, without substance, or made vexatiously. Frivolous or vexatious reports are those that are not made in good faith and are often intended to harass, annoy, or cause distress to another person rather than to raise a genuine concern. Such reports may be characterised as malicious, repetitive, trivial, lacking a reasonable factual basis, wasting resources or disrupting processes.

Where it is determined that a report has been made vexatiously or not in good faith, the matter may be referred for further assessment and may result in investigation and disciplinary action in accordance with this Policy.

7. Representing the Office

In addition to complying with the Office's Values, Code of Conduct, and behavioural expectations, employees are expected to meet certain standards of conduct as part of their responsibility to represent the Office appropriately.

Employees should be mindful that their conduct, both within and outside the workplace where they are representing the Office, reflects on the Office and may impact its reputation.

If an employee has a personal relationship with another employee, they are to disclose details to the People and Culture team, for the purposes of identifying any potential conflicts of interest.

Failure to maintain appropriate standards of representation may result in disciplinary action.

Events and Official functions

Employees representing the Office at official events, functions, or activities involving visitors, including Open Days and similar events, must conduct themselves in a manner that reflects the Office's Values and standards.

Employees should be aware that their behaviour at such events is visible to members of the public and stakeholders and contributes to perceptions of the Office. Employees are expected to consider how their actions and behaviour may be perceived and ensure they are representing the Office in a professional and appropriate manner at all times.

Employees are also encouraged to familiarise themselves with, and comply with, the Office's Social Media Policy.

Phone, email and meeting etiquette

Employees are expected to communicate respectfully and courteously when using Office communication channels, including telephone calls, email, Microsoft Teams, and during in-person or virtual meetings.

This includes being mindful of others' time, roles, perspectives, and workloads, and communicating in a professional, considerate, and constructive manner.

Employees are expected to demonstrate appropriate self-awareness and professionalism, including:

- being punctual and prepared for meetings
- being mindful of the space and meeting room bookings
- participating appropriately and respectfully in discussions
- using mute functions appropriately during virtual meetings, and
- avoiding disruptive behaviour when not speaking or being addressed.

Alcohol and other drugs

Employees must always carry out their duties and responsibilities in a safe and effective manner. This includes not being under the influence of alcohol or other drugs while undertaking work for the Office, whether on Office premises or elsewhere, and during designated working hours.

If anyone suspects another employee may be impaired by, or under the influence of, alcohol or other drugs while at work, they must report the matter immediately to their manager, Director, or to the People and Culture Team.

Where the Office reasonably believes that an employee's ability to perform work safely may be affected by alcohol or other drugs, the Office may take appropriate action in accordance with this Policy and other relevant procedures.

Alcohol

Employees must maintain a zero blood alcohol concentration while undertaking work for the Office, whether on Office premises or elsewhere, and when driving or otherwise in control of:

- any Office vehicle, or
- any vehicle used on Office business, including travel to and from work, and during working hours.

Reasonable consumption of alcohol is permitted only in limited circumstances when representing the Office, including:

- as an accompaniment to an evening meal while on official travel, or
- while attending an approved Office function.

In these circumstances, employees are expected to maintain appropriate, responsible, and lawful behaviour for the duration of the activity. Alcohol consumption must be limited to no more than one standard drink, and employees must comply with the reasonable directions of those responsible for the service of alcohol.

Where alcohol is supplied at an official Office function or event

- non-alcoholic options must be available, and
- the responsible service and consumption of alcohol must be promoted and monitored in accordance with applicable State or Territory legislation.

Smoking and vaping

The Office is a smoke-free workplace. Smoking and vaping are only permitted in designated areas.

Employees who choose to smoke or vape must comply with the Work Health and Safety (WHS) Policy and any relevant legislation.

Smoking and vaping breaks are unpaid and employees should ensure breaks are managed in consultation with their manager and do not impact operational requirements.

Employees are expected to manage the timing and frequency of such breaks so they do not disrupt work requirements, or productivity.

Employees must take reasonable steps to minimise the smell of smoke or vapour on their clothing or person when returning to the workplace, to avoid discomfort to colleagues and potential exposure to second-hand smoke or vapour.

Prescription and pharmacy drugs

Where an employee is taking prescription or pharmacy drugs for medical purposes, they are not required to disclose this to their manager. However, where such medication may have side effects that could affect work performance or safety, for example, drowsiness or impaired concentration, employees should advise their manager.

An employee will not breach this Policy by attending work while taking prescription or pharmacy drugs, provided that the employee:

- takes the medication strictly in accordance with medical advice and usage directions
- does not misuse or abuse prescription or pharmacy drugs
- is able to perform their duties effectively, competently, and safely
- is aware of, and manages appropriately, any interaction between alcohol and prescribed or pharmacy drugs; and
- seeks advice from their medical practitioner or pharmacist regarding the effects of the medication on driving, operating machinery, or performing work safely.

Where medication carries a warning that a person should not drive or operate machinery, the employee must not drive an Office vehicle or operate machinery unless specific written medical advice states otherwise.

If an employee believes that their medication affects their ability to safely drive, operate machinery, or perform their duties, they must not undertake those activities and must notify their manager or supervisor immediately so that alternative arrangements may be discussed.

Where there is any uncertainty, employees are encouraged to consult their medical practitioner and discuss the matter with their manager, Director or the People and Culture Team.

Illegal drugs

Illegal drugs must not be brought onto or consumed on Office premises. Employees who are found to be in possession of, or under the influence of, illegal drugs while at work may be subject to disciplinary action for a potential breach of the Code of Conduct and may also face criminal charges.

Meaning of Reasonable

Reasonable grounds for suspecting that an employee is under the influence of alcohol or other drugs may include, but are not limited to, circumstances where the employee:

- has difficulty coordinating their actions
- has red or bloodshot eyes, or dilated pupils
- smells of alcohol
- behaves in a manner inconsistent with their usual conduct
- has a blood alcohol level above zero while in control of a vehicle
- is not behaving in a professional or competent manner consistent with the Office's Values and the Code of Conduct; or
- otherwise appears to be impaired or adversely affected by alcohol or other drugs.

Standards of Dress

Employees are expected to present themselves in a neat, professional, and appropriate manner at all times. Dress should be suitable for the type of work being performed, particularly for public-facing roles, roles involving external stakeholders, or roles with physical or safety requirements.

For most employees within the Office, business smart or business casual attire will be appropriate. Employees should exercise good judgement and consider the nature of their duties, their professional image, and the context in which they are representing the Office when choosing what to wear.

Examples of attire that may be considered inappropriate for the workplace include, but are not limited to:

- clothing displaying messages or slogans that are political, commercial, or that may reasonably be considered offensive or inappropriate
- sporting, leisurewear, or otherwise overly casual clothing
- clothing that is torn, excessively worn, or has rips
- short or revealing clothing; and
- clothing, footwear, or accessories that pose a potential work health and safety risk or are otherwise unsuitable for the workplace.

Employees should adjust their attire to suit their daily activities. For example, while more casual clothing may be appropriate on a day without meetings or external engagement, a higher standard of dress is expected when meeting with external stakeholders or representing the Office publicly.

Where an employee’s attire does not meet the expected standards, a manager may direct the employee to return home to change. Any time taken to do so will generally be at the employee’s own time/expense.

Employees are also expected to maintain good personal hygiene and a neat, clean, and professional appearance.

The Office recognises and respects religious, cultural, and national dress practices. Where required, reasonable adjustments will be implemented to ensure that these practices can be accommodated while meeting task-specific work health and safety requirements.

Household and Property employees

Household and Property employees are required to wear the uniforms prescribed in the Uniform Guidelines.

Due to the physical and safety-critical nature of their duties, Household and Property employees must maintain a higher level of safe dress. This includes the following requirements:

- Employees must wear covered or steel-cap footwear at all times, ensure that long hair is securely tied back, and refrain from wearing fake nails or long/loose jewellery.
- All employees must wear high-visibility clothing when performing duties such as directing vehicles or undertaking any tasks requiring increased visibility for safety.
- While uniforms are provided by the Office, employees are responsible for maintaining their cleanliness and general upkeep. If a uniform becomes ripped or damaged, employees should request a replacement in accordance with the Uniform Guidelines.

Attachment A: Procedures for determining breaches of the Office Code of Conduct and the imposition of sanctions

1. Office Commitment

Where allegations of wrongdoing are considered under these Procedures for determining breaches of the Office Code of Conduct and the imposition of sanctions (the Procedures), the principles of natural justice and procedural fairness are fundamental.

2. Application of procedures

These Procedures apply to determining:

a) whether an employee of the Office, or a former employee who was employed by the Office at the time of the suspected misconduct, has breached the Office's Code of Conduct as outlined in clause 5.1 of the Office's Enterprise Agreement (the EA); and
b) any sanction to be imposed on an employee, in accordance with subclause 5.2 of the EA, where a breach of the Code has been found.

Not all suspected breaches of the Code of Conduct are required to be dealt with under these Procedures. Depending on the nature of the matter, alternative actions may be more appropriate, including:

a) referral of suspected corrupt conduct, within the meaning of section 8 of the *National Anti-Corruption Commission Act 2022*, to the National Anti-Corruption Commission; and
b) referral of suspected serious or complex criminal conduct to the Australian Federal Police.

In considering how a matter should be addressed, the Review Officer should also consider any relationship between the suspected misconduct and other issues, such as performance or behaviour. In some cases, a less formal process may be more appropriate and effective.

All persons involved in determining a breach under these Procedures must, as far as practicable, maintain the confidentiality of all parties.

The Office will take reasonable steps to ensure that the Review Officer and the sanction delegate are, and appear to be, independent and unbiased. Given the size of the Office, it may be appropriate to engage an external party, such as a legal firm specialising in workplace matters, to assist with an investigation.

While the Office is not an APS agency, it will, where appropriate, have regard to Part 7 of the Australian Public Service Commissioner's Directions 2022 (the Directions), 'Handling suspected breaches of the Code of Conduct' to promote procedural fairness and consistency across the Commonwealth.

3. Decision Maker

Review Officer

As soon as practicable after a suspected breach of the Code of Conduct is identified, the delegate will decide whether the matter is to be investigated under these Procedures.

Where a decision is made to investigate, the delegate will appoint a Review Officer, or may appoint themselves as the Review Officer.

The Review Officer:

a) must be, and appear to be, independent and unbiased
b) should not, where practicable, also be the suspension decision maker or sanction delegate
c) where appropriate, act in accordance with Part 7 of the Directions, and
d) may conduct the investigation personally or engage an investigator, who may be external to the Office, to investigate the alleged breach, gather evidence, and provide a report of recommended findings of fact.

Suspension delegate

The delegate will decide, having regard to the risk to the Office, whether to appoint a Suspension delegate.

The Suspension delegate:

a) must be, and appear to be, independent and unbiased
b) should not, where practicable, also be the Review Officer or Sanction delegate, and
c) may consider alternatives to suspension, including temporary reassignment of duties.

Sanction delegate

Where a breach of the Code of Conduct has been determined, the delegate will appoint a Sanction delegate.

The Sanction delegate:

a) must be, and appear to be, independent and unbiased
b) where appropriate, act in accordance with Part 7 of the Directions, and
c) should not, where practicable, also be the Review Officer or Suspension delegate.

The Sanction delegate will consider the findings from the Review Officer to make a final decision on imposing a sanction.

4. The determination process

The process for determining whether an employee has breached the Code of Conduct must be carried out with as little formality, and with as much expedition, as proper consideration of the matter allows.

The process must be consistent with the principles of procedural fairness.

Before making a determination, the Office must take reasonable steps to:

a) inform the employee of:
    - the details of the suspected breach of the Code, including any subsequent variations, and
    - the possible sanctions that may be imposed under 5.2 of the EA, and
b) provide the employee with a reasonable opportunity to make a written or oral statement in response.

Once evidence has been gathered, and before reaching a determination, the Review Officer must provide the employee with a copy of the material on which the Review Officer proposes to rely and give the employee a reasonable opportunity to comment.

The Office will seek to keep the identity of individuals who report inappropriate behaviour and those who provide witness statements confidential as far as reasonably practicable, but cannot give a guarantee of confidentiality. The Review Officer must take reasonable steps to assess whether complaints or statements are vexatious.

Where the Suspension delegate reasonably believes an employee may have breached the Code of Conduct, the employee may be:

- temporarily reassigned to other duties
- suspended from the workplace with pay, or
- suspended from the workplace without pay.

5. Sanction/s

The process for imposing a sanction must be consistent with the principles of procedural fairness.

Where it is determined that a current employee has breached the Code of Conduct, a sanction may only be imposed after reasonable steps have been taken to:

a) Inform the employee of:
    - the determination
    - the sanction or sanctions under consideration in accordance with subclause 5.2 of the EA, and
    - the factors being considered in determining the sanction.

b) provide the employee with a reasonable opportunity to make a statement in relation to the proposed sanction/s.

The following sanctions may be imposed under subclause 5.2 of the EA:

- a reprimand
- reduction in salary
- return of the employee to their home department (where the employee is on leave without pay from another Commonwealth agency)
- re-assignment of duties
- reduction in classification, or
- termination of employment.

6. Employee support

An employee under investigation may be accompanied by a support person at formal meetings. The support person may provide support and assistance but must not advocate or speak on the employee's behalf. The employee should advise the investigator or Review Officer of the support person's identity prior to the meeting.

A support person should not be someone involved in the investigation, such as a witness. While reasonable efforts will be made to accommodate the support person's availability, their unavailability will not generally delay the investigation.

Employees may also access the Office's Employee Assistance Program (EAP), which provides confidential and free counselling and coaching services to employees and their family members. Managers may access EAP Manager Assist for support in managing workplace issues.

7. Record of determination and sanction

Where a determination is made, a written record must be created of:

- the suspected breach
- the determination

- any sanction imposed (current employees only)
- any statement of reasons provided to the employee, and
- any discussions held between the Review Officer and the employee.

The employee will be provided with a copy of the record.

The *Archives Act 1983* and the *Privacy Act 1988* apply to records made under this clause.

8. SES employees

Where a Senior Executive Service (SES) employee is suspected of breaching the Code of Conduct, the Office may engage external legal support and/or seek advice from the APS Commissioner regarding the determination process and the imposition of any sanction.

9. Review of decisions

Where a determination has been made that a current or former non-SES employee has breached the Code, the employee may be eligible to seek a review of the action in accordance with clause 92 of the EA.

Where the sanction of termination of employment is imposed, the employee is not entitled to seek review under clause 92 of the EA, however may be eligible to seek review under the *Fair Work Act 2009.*

If, at any stage of the process, the employee genuinely believes that procedural fairness is not being followed or that the appointed decision-makers are not acting impartially, they must immediately advise one of the Managers in the People and Culture team. This ensures the integrity of the process and allows concerns to be addressed promptly before the matter progresses further.