

**Senate Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Treasury Portfolio**  
Additional Estimates  
2015 - 2016

**Department/Agency: ASIC**

**Question: AET 2879**

**Topic: Departmental Staff Misconduct**

**Reference: written - 19 February 2016**

**Senator: Ludwig, Joe**

**Question:**

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

2879. Please provide a copy of the departmental staff code of conduct.

2880. 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:**

**2879. Please provide a copy of the departmental staff code of conduct.**

Refer attached ASIC Code of Conduct Policy 2014.

**2880. 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.**

An ASIC 2 staff member was found to have breached elements (2) and (11) of the Code of Conduct.

An SES staff member was found to have breached elements (3) and (11) of the Code of Conduct

- b) If yes, what remedy was put in place to manage the breach? If no remedy has been put in place, why not?**

Disciplinary outcomes have been put in place to manage the breaches.

- c) If yes, when was the breach identified? By whom? When was the Minister made aware?**

The breach for ASIC 2 staff member was identified on 7 October 2015 by a colleague.

The breach for the SES staff member was identified on 4 November 2015 by a party external to ASIC.

The Minister was not made aware.

- d) If yes, were there any legal ramifications for the department or staff member?  
Please detail.**

No ramifications.