

Senate Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Treasury Portfolio
Supplementary Budget Estimates
2014 - 2015

Department/Agency: CEFC

Question: SBT2221-2222

Topic: Departmental Staff - Misconduct

Reference: written - 30 October 2014

Senator: Ludwig, Joe

Question:

Since Budget Estimates in June, 2014:

2221. Please provide a copy of the departmental staff code of conduct.

2222. 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:

2221. The CEFC is not a Department of State. If the intention was to seek a copy of the departmental staff code of conduct then this question should be referred to the Department of Treasury. If the intention was to seek a copy of the CEFC staff code of conduct, the CEFC Code of Conduct & Ethics is as below:

Code of Conduct & Ethics

The CEFC is in a position of trust being responsible for investing and managing public money in an efficiently and effectively. The board of directors, the executive and all employees of the CEFC share this responsibility.

To earn and retain this trust, the CEFC must employ the highest ethical standards and its conduct must be beyond reproach. Accordingly, this *Code of Conduct & Ethics* binds all staff.

Code of Conduct

The CEFC code of conduct reflects the Australian Public Service (APS) code of conduct and requires all employees and contractors to behave at all times in a manner that upholds the CEFC's values and supports this code of conduct by:

- Behaving honestly and with integrity;
- Acting with due care, skill and diligence;
- Treating everyone with respect and courtesy and without harassment;
- Complying with all applicable Australian laws;
- Complying with any lawful and reasonable direction given by someone in the CEFC who has authority to give the direction;
- Disclosing and taking reasonable steps to avoid, any conflict of interest (real or apparent) in connection with their CEFC employment;

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- Using the CEFC's resources in a proper and appropriate manner;
- Not providing false or misleading information in response to a request for information that is made for official purposes in connection with the employees employment;
- Not making 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; and
- At all times behaving in a manner that upholds the CEFC's values and the integrity and good reputation of the CEFC.

A breach of this Code of Conduct may result in disciplinary action including dismissal where reasonable evidence demonstrates the existence of a serious contravention.

Code of Ethics

This Code of Ethics provides guidance on the core values and principles of ethical conduct to which employees must adhere. It is not an exhaustive statement of the obligations and responsibilities of the CEFC employees who continue to be bound by the terms and conditions of their employment, the CEFC's policies and the law.

All employees should use their common sense and act honestly. In choosing between competing actions, the CEFC employees should be guided by four simple questions:

1. Would the CEFC and I be justified, proud and not embarrassed by my decision if it became public knowledge?
2. Do I think it's right?
3. Am I willing to be held personally accountable for it?
4. Is it legal (within the law and CEFC's policies and procedures)?

For detailed guidance, staff should continue to refer to the *Code of Conduct* and statements of policy pronounced by the board. If uncertain about any ethical issue, employees should ask a member of the Executive or a senior manager for assistance.

The CEFC employees should conduct themselves and the affairs of the organisation and its stakeholders in accordance with the CEFC's *Code of Conduct* (above) and this *Code of Ethics* and should at all times:

- Act in the best interests of the CEFC and not allow personal interests to influence decision making or actions;
- While noting the requirements of the Freedom of Information Act, preserve client and corporate confidentiality at all times;
- Respect and protect the intellectual property rights of others;
- Pay due attention to the integrity of the markets in which the CEFC operates;
- Avoid misleading or deceiving others;
- Comply with the policies, practices and procedures of the CEFC and the requirements of the relevant law; and
- Protect the reputation and public image of the CEFC and its stakeholders.

2222. There have been no identified breaches of the CEFC Code of Conduct and Ethics by CEFC staff members.

(a) to (d) Not applicable.