

Victoria Police Manual – Policy Rules

Professional and ethical standards

Context

Purpose

The Victoria Police mission is to provide a safe, secure and orderly society by serving the community and the law. Our members have a duty to preserve the peace, protect life and property, prevent offences, detect and apprehend offenders and help those in need of assistance. Because of this mission and the important role that Victoria Police plays in the community, employees are entrusted with considerable authority and responsibility. In turn, the community expects Victoria Police employees to use this authority professionally, fairly and with the highest level of integrity.

Your conduct on or off duty reflects on the reputation of Victoria Police. In taking on the authority and responsibility that comes with being a Victoria Police employee, you are held to a higher standard of conduct in both your public and private lives and are more open to public scrutiny than many other members of the public.

Our Professional and Ethical Standards are provided to support you in meeting these expectations and outlines what the organisation considers to be professional and appropriate behaviour. These Standards reflect and reinforce the tenets of the Code of Ethics and Organisational Values.

Code of Ethics

Victoria Police employees are expected to commit to the highest ethical standards, as espoused in the code of ethics.

I uphold the right in my role within Victoria Police by acting impartially, with integrity and by providing service excellence to everyone.

Organisational Values

The Organisational Values underpin Victoria Police’s policies, procedures and practices and how employees interact with the community and each other.

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| Safety | <ul style="list-style-type: none"> • The health, safety and wellbeing of our people, and ensuring healthy, safe and respectful workplaces, are integral to the success of Victoria Police • A strong safety culture, driven by an understanding and acceptance that the responsibility of health, safety and wellbeing rests with all Victoria Police employees • Our managers, supervisors and employees will focus on healthy and safe behaviours and practices in the workplace and the community in which they serve |
| Integrity | <ul style="list-style-type: none"> • Act with honesty, respecting the right of fair process for all • Maintain confidentiality and respect those we deal with • Demonstrate moral strength and courage • Behave with honour and impartiality |
| Leadership | <ul style="list-style-type: none"> • Are approachable and consistent when dealing with colleagues, partners and the community • Apply fair process • Strongly commit to the values of the organisation • Guide, trust, develop and empower colleagues • Make timely decisions that are guided by both values and evidence • Inspire participation and commitment through a shared vision |
| Flexibility | <ul style="list-style-type: none"> • Are open minded and adaptive to change • Adopt an attitude of continuous improvement • Encourage creativity • Build partnerships with our community • Welcome difference • Practise tolerance |
| Respect | <ul style="list-style-type: none"> • Accept diversity with tolerance and understanding • Listen with patience, value opinions and provide feedback • Are appreciative of and acknowledge the efforts of others • Consider our internal and external customers • Inspire confidence through ethical and fair treatment of others ensuring that our actions are not unlawfully discriminatory |
| Support | <ul style="list-style-type: none"> • Recognise and reward service of employees • Provide empathy in a timely and genuine manner • Promote professional and career development • Care for the wellbeing of colleagues |

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| Professionalism | <ul style="list-style-type: none"> • Accept responsibility, show commitment and lead by example • Achieve and contribute to the professional knowledge pool • Are accountable to both our internal and external customers • Maintain high personal standards, taking pride in our appearance and conduct • Communicate openly, honestly and consistently • Are transparent in our delivery and strive for service excellence |
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Application

The Professional and Ethical Standards provide the minimum standards that all employees must apply. Non-compliance with or a departure from the Professional Standards and Conduct may subject an employee to management or disciplinary action.

VPS employees must also comply with the **Code of Conduct for Victorian Public Sector Employees of Special Bodies**.

Professional and ethical decision making

As a Victoria Police employee you will encounter many, varied and complex situations. Whatever the circumstances, you need to be able to make lawful, informed, professional and ethical decisions. While legislation and organisational policy rules and guidelines will direct or inform how to deal with certain matters, they cannot prescribe every situation or experience.

Using a decision making framework that has regard to ethics, organisational values and human rights will help you make decisions that reflect organisational standards and community expectations. When interpreting and applying legislation, policy rules and guidelines, or when there is an absence of policy direction:

- use the organisational values to inform your behaviour and decision making
- use the SELF test to help make ethical decisions; consider
 - **Scrutiny** – will your decision withstand public scrutiny by the community, Victoria Police, the Independent Broad-based Anti-corruption Commission and other relevant parties?
 - **Ethical** – is your decision ethical and in compliance with Victoria Police policies, practices or procedures? Does your decision comply with our Code of Ethics and our professional and ethical standards?
 - **Lawful** – is your decision lawful having regard to the law, regulations and Victoria Police instructions? Does your decision properly consider human rights?

- **Fair** – is your decision fair on the community, your colleagues, your family, yourself and others? Does it support the community’s expectation of the individual’s right to equality?
- ensure that you properly consider human rights set out in the *Charter of Human Rights and Responsibilities Act 2006* when making a decision
- ensure that your decisions are compatible with human rights and that any limits on human rights are reasonable, justified and as least restrictive as possible
- seek advice from a supervisor or subject matter expert if you are unsure about how to deal with the situation
- monitor and review your decision, and be flexible in your approach to the situation.

Responsibilities of managers and supervisors

Managers and supervisors play an influential role in creating an environment that upholds the professional and ethical standards and values of the organisation. They do this through their own behaviour and through how they lead and support their employees.

If you are a manager or supervisor you are expected to:

- personally demonstrate ethical and professional behaviour, and reinforce these standards in your workplace
- take action at the earliest opportunity if you believe an employee is not upholding the professional and ethical standards of the organisation
- provide your employees with adequate supervision and support, as is appropriate to their training, experience and duties
- encourage employees to make lawful, professional and ethical decisions, and support these decisions. Supervisors are responsible for the actions and decisions of employees when they are under their management or supervision, especially regarding matters of integrity and ethical standards.
- acknowledge and reward good work performed by your employees
- manage and support the performance and professional development of their employees. Address performance issues promptly and directly
- create a working environment that fosters open and honest communication and the use of initiative

- demonstrate a commitment to Victoria Police policies and strategies and communicate new policies or practices to employees
- contribute to the development of the organisation by identifying and implementing improvements to policy and practice and encouraging your employees to do the same
- be proactive in your attitude, behaviour and performance to act against harassment, bullying and discriminatory activities and/or language; you must take all reasonable precautions to prevent such behaviour. For further details see **VPMP Bullying, discrimination and harassment**
- delegate responsibility for particular functions or activities to other employees; however, you are still accountable for the decisions and actions of those employees within the scope of the delegation.

Managers and supervisors are also required to comply with the additional responsibilities provided in the **VPMP Workplace management and supervision**.

Employee's responsibilities

Performance and conduct

As a Victoria Police employee you are expected to:

- conduct yourself, both during and outside working hours, in a manner that protects your reputation and the reputation of the organisation
- provide an impartial, prompt and professional service to internal and external customers
- take responsibility for and be prepared to account for your decisions and actions
- take responsibility for your own performance in line with your professional development and assessment plans
- continuously improve your professional knowledge and skills and keep up to date with new or revised legislation, policies and organisational strategies.
- when witness to an incident, either on or off duty, cooperate fully with any investigation and promptly make a statement if required to by an investigator from a law enforcement agency.

Use of authority

Whatever your position, you may only act within the authority given to you in legislation and by Victoria Police through your position accountabilities and organisational policies.

Other than in an official capacity, your position as an employee should not be used to influence or affect persons who you or your family or friends are having a private dispute with. Police members should not investigate matters involving family, friends or other associates. See **VPMP Managing conflict of interest** for further requirements regarding the use of police powers.

Police members – liability for duty

In addition to the above responsibilities, police members:

- must carry their certificate of identity when on duty (unless performing covert duty)
- are always liable for duty whether:
 - rostered for duty or not
 - in uniform or plain clothes
 - performing duty which has been detailed, or not engaged in specific duties
- are bound to act in the execution of your duty when called upon by any person having authority to do so, or when circumstances demand such action.
- must not act in matters involving only civil disputes, except where legislation or policy requires you to be involved.
- must not make inquiries unconnected with police duties, at the request of individuals or organisations.

Uniform and appearance

How you present yourself as a representative of Victoria Police can have as much impact upon the professional image and reputation of the organisation as your actions. When you are on duty your individual style does not have precedence over the organisation's responsibility to provide a consistent and professional image and a safe workplace. Therefore:

- Your clothing, grooming and personal accessories:
 - must project a favourable image of Victoria Police as a professional and disciplined organisation
 - must not be extreme or detract from the need to present as employees of a disciplined and professional organisation.
- Police members must have regard to the dress and appearance standards detailed in **Uniform and Appearance Standards**. In applying these Guidelines, bear in mind your responsibility to:
 - present a neat, clean and professional image
 - provide a visible presence to the community
 - contribute to your own personal health and safety.

- Work Unit Managers and supervisors have a responsibility for ensuring that the dress and appearance of their employees reflects and supports the professional image of Victoria Police.

Fitness for work

You are expected to be fit for work for the health and safety of yourself, your colleagues and the public. If you have any doubt about your ability to perform your duties due to illness, injury, or due to taking medication notify a supervisor or manager so that appropriate action can be taken, such as taking leave, modifying duties or obtaining welfare support or medical attention.

Alcohol and other drugs

You have a health and safety obligation to yourself, your colleagues and the public to be unaffected by alcohol or other drugs when performing your duties. Victoria Police has established specific policy rules regarding alcohol and other drugs, which you are required to comply with. See **VPMP Alcohol and other drugs: Workplace responsibilities**.

If you consume alcohol off duty, you are encouraged to do so in a responsible and safe manner and must ensure that it does not affect your ability to meet the policy requirements. You are reminded that use of illicit drugs is a criminal act and that Victoria Police will not tolerate this activity by its employees.

If an employee is experiencing problems with alcohol or other drug use, Victoria Police can assist them with welfare assistance and counselling. If you are experiencing such problems, you are encouraged to talk to your supervisor or manager, and seek the welfare assistance and referral available through Welfare Services.

Conflict of interest

A conflict of interest arises if your personal interests influence, or appear to influence, the impartial performance of your duties. Conflicts of interest can damage the confidence and trust members of the public have in Victoria Police and its employees, whether they are actual, potential or perceived conflicts. Having a conflict of interest is not unethical in and of itself. However, it can become an issue if the situation is not appropriately managed.

You are required to identify actual, potential and perceived conflicts of interest between your role as a public servant and your private interests. You must take all reasonable steps to avoid conflicts of interest. If you identify a conflict of interest or if you are unsure if one exists, discuss the matter with your supervisor so that they can assist you to resolve the matter. All conflicts of interest must be resolved in favour of the public interest.

In Victoria Police, there are some common situations where conflict of interest issues can arise, including secondary employment and outside interests, offers of gifts and benefits, pecuniary interests and associations. You are required to comply with the specific policy and procedures. Refer to **VPMP Managing conflict of interest** for further details on these requirements.

Information handling

Use and disclosure of information

As an employee, you have access to and are exposed to a significant amount of information that the organisation Victoria Police obtains, receives and holds to carry out its law enforcement and community policing functions and to manage the organisation. This law enforcement data and police information contains confidential and personal information which must be collected, used, disclosed and managed sensitively and appropriately. You are responsible for the appropriate collection and handling of confidential, private and sensitive information and maintaining the integrity of such information.

Unless specifically authorised by law or Victoria Police policy, you must not collect, access, use or disclose any police information if it is your duty to not collect, access, make use of or disclose the information. For further details, see **VPMP Information management and information security framework**.

Commenting on political matters

- You must not publicly comment on the administration of any government department as a Victoria Police employee, see s.95, *Constitution Act 1975*.
- During the performance of your duties you must:
 - observe strict neutrality in all matters connected with politics
 - not criticise the Government or any employee or act of the Government
- You must not sign petitions or other applications concerning the administration of government departments. When necessary, make representations on such subjects through a Department Head.

Use of resources

Work related use

As a public service organisation, Victoria Police has an obligation to the community to properly manage its physical and financial resources. Any use of facilities and resources must be properly authorised and managed in accordance with relevant financial management legislation and policy rules. See the **Accounting Manual**.

Personal use

- Generally, you must not use Victoria Police facilities and resources for private gain. However, incidental and occasional personal use of Victoria Police facilities and equipment is permitted if it:
 - constitutes a minor use of facilities and resources
 - does not interfere with work responsibilities
 - is endorsed by a Work Unit Manager.
- The occasional use of personally owned equipment for personal activities during work time is only permitted if it:
 - does not interfere with work responsibilities
 - does not pose an OH&S or information security risk
 - is endorsed by a Work Unit Manager.
- You must not use work time or resources for activities connected with any secondary employment, outside interests or running a business.
- If you are unsure whether your intended use of Victoria Police facilities or resources is acceptable or not, seek advice from a supervisor.

Reporting misconduct and corruption

Obligation to report

Our integrity as employees depends on our personal conduct and willingness to act against misconduct. Employees are required to report any act or suspected act of corruption or misconduct committed by any other Victoria Police employee. Police members are obliged under s.167(3) of the *Victoria Police Act* to report any act or suspected act of misconduct. Likewise, VPS employees are required to report any act or suspected act of misconduct. Employees who discharge this duty can expect support from their colleagues and from the organisation.

You should report such acts or suspected acts directly to Professional Standards Command (PSC), but you may report them to the Independent Broad-based Anti-corruption Commission or to any supervisor. If you report to a supervisor, the supervisor must immediately notify PSC.

Support for internal sources

If you make a report as an internal source you will be fully supported by Victoria Police, regardless of the outcome of the investigation or any subsequent criminal or disciplinary process. The Internal Witness Support Unit will co-ordinate support and assist to ensure your local managers provide the support you are entitled to.

Employees are reminded that victimisation and interference of internal sources, or causing others to do the same, is a criminal offence, punishable by a fine, imprisonment or both.

Quick Links

- VPMP Managing conflict of interest
- VPMP Workplace management and supervision
- VPMP Alcohol and other drugs: Workplace responsibilities
- VPMP Appropriate use of information
- VPMP Bullying, discrimination and harassment
- Accounting Manual
- Uniform and Appearance Standards
- Code of Conduct for Victorian Public Sector Employees of Special Bodies (VPS employees only)
- VPMP Human rights equity and diversity standards

Update history

| Date of first issue | 22/2/10 | |
|---------------------|--|-------------------|
| Date updated | Summary of change | Force File number |
| 21/01/13 | Updated to reflect organisational governance and structural changes. | FF-074790 |
| 18/11/13 | References to redundant instruments following IMSSD review have been updated with corresponding new instruments. | 069562/11 |
| 1/7/2014 | Legislative references updated due to commencement of <i>Victoria Police Act 2013</i> | FF-082760 |
| 22/12/14 | VPM reference updates due to implementation of VPMP Bullying, discrimination and harassment. | FF-068126/11 |
| 06/02/15 | Reference to VPMG Uniform and appearance updated to Uniform and Appearance Standards | FF-069268/11 |
| 06/07/15 | Inclusion of restrictions for using personally owned equipment during work time. | FF-079706 |
| 31/08/15 | Amendments to support 'Equality is Not the Same' review. | FF-086489 |
| 05/10/16 | Inclusion of new Organisational Value: Safety. | FF-105817 |