

Professional Conduct Policy

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People and Culture

—
Department of Police, Fire and Emergency Management



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Overview

Employment, volunteering and working in the Department of Police, Fire and Emergency Management (DPFEM) is governed by a framework that includes rights and responsibilities outlined in:

- legislation
- codes of conduct
- government directives and agency policies
- doctrine, guidelines and procedures.

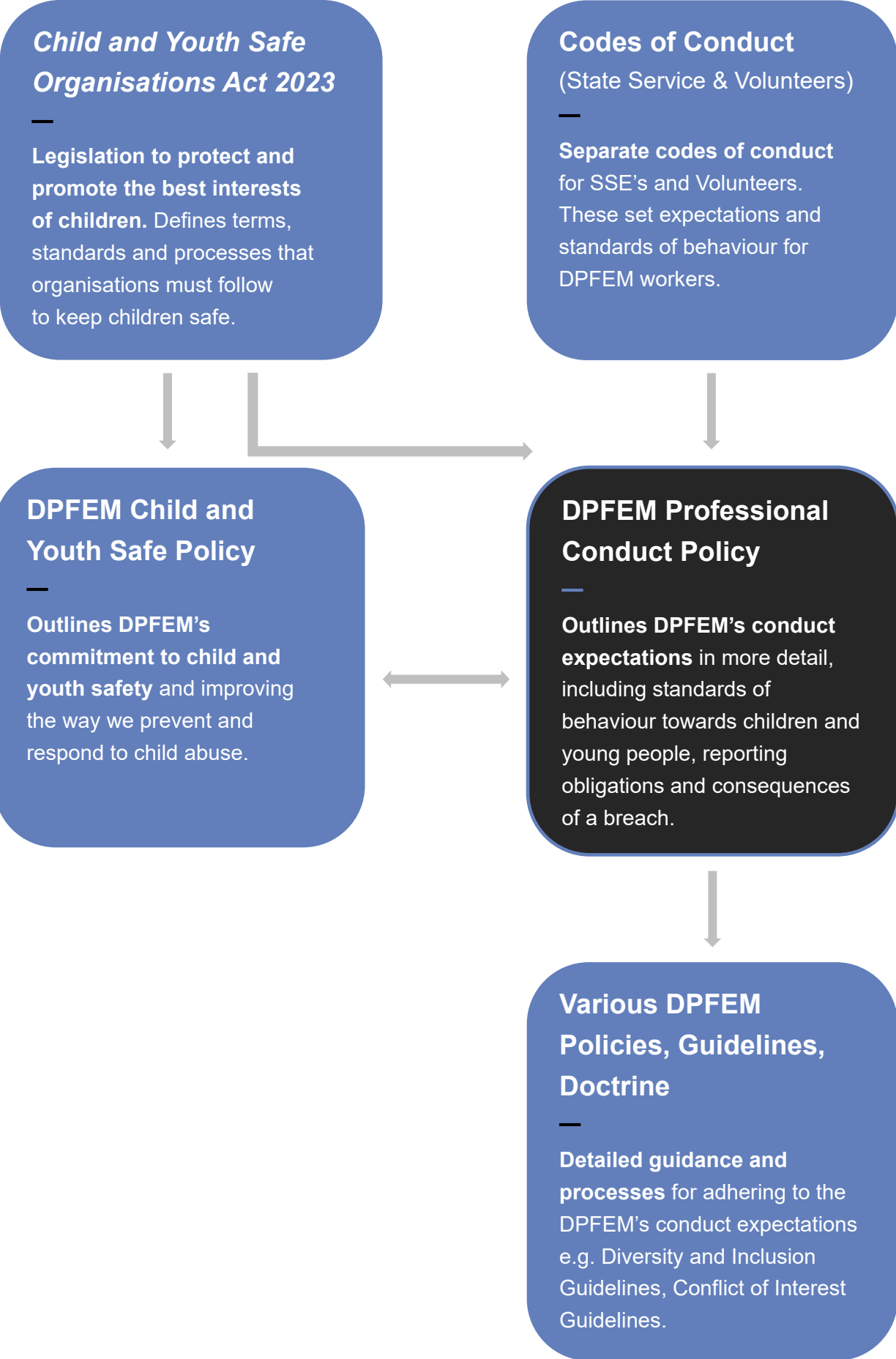
All state service employees, volunteers, contractors and sub-contractors must fulfill these responsibilities at all times.

This Professional Conduct Policy consists of five sections which detail the standards of behaviour expected, reporting obligations, responses to potential breaches and roles and responsibilities related to conduct. This includes specific sections related to safeguarding children and young people from abuse. This Policy is informed by and aligned to various legislation and policies. The diagram below outlines this policy's connection to relevant codes of conduct and the *Child and Youth Safe Organisations Act 2023*.

Other relevant legislation, acts, frameworks and DPFEM policies and guidance documents are linked* to throughout this policy and are included in the 'Related Documents and References' section.

*Workers that are not able to access these links should make contact with their manager or supervisor.

DIAGRAM 1: DPFEM Professional Conduct Policy alignment



Purpose

The purpose of this Policy is:

- to outline DPFEM's commitment to positive and professional workplace behaviours and obligations and to keep everyone safe from harm, particularly children and young people.
- to ensure DPFEM's state service employees, volunteers, contractors and subcontractors understand the Department's professional conduct expectations, including standards of behaviour, reporting obligations and the consequences of a breach of the Policy.

This Policy provides direction and guidance on responsibilities and establishes a benchmark for conduct. This Policy does not replace but is complementary and aligned to the State Service Principles, State Service Code of Conduct contained in Section 9 of the *State Service Act 2000*, the volunteer codes of conduct, the Child and Youth Safe Organisations Framework (contained in the *Child and Youth Safe Organisations Act 2023*), and DPFEM's policies, doctrines, guidelines and procedures.

Scope

This Policy applies to all DPFEM state service employees, volunteers, contractors and sub-contractors, employed or engaged by DPFEM or the State Fire Commission. These groups will be referred to collectively as 'workers' within this Policy.

Conduct expectations for sworn officers are outlined in the Tasmania Police Manual.

Aim

This Policy aims to ensure that all workers are clear on:

- acceptable behaviour and conduct
- obligations and pathways for reporting

Policy statement

- DPFEM is committed to providing a safe, positive and respectful work environment and delivering services that promote a safe and secure Tasmania. In delivering these services, all workers should recognise the role they play in the commitment.
- DPFEM is committed to the safety and wellbeing of children and young people and has zero tolerance for child harm of any kind. It should be recognised that keeping children and young people safe is everyone's responsibility.
- All workers must:
 - be accountable for their actions and conduct at all times. It is their responsibility to uphold unwavering standards of professional conduct
 - perform their duties diligently, impartially, safely, fairly and responsively, with a focus on delivering or supporting the delivery of high-quality services to the Tasmanian community
 - act professionally and respectfully and behave in ways that contribute to a safe, positive and respectful work environment
 - be aware of the various policies, doctrine, guidelines, procedures and delegations that apply to their actions and decisions. The actions and choices of all individuals influences the reputation of DPFEM.

General professional conduct and behaviour standards

DPFEM workers occupy a position of trust to undertake work on behalf of the Tasmanian Government and community. With this trust comes responsibilities and an expectation of high standards of ethical behaviour.

These responsibilities and expectations are outlined in relevant codes of conduct, directions, policies, doctrine, procedures and guidelines.

Workers:

- are required to read and understand relevant codes of conduct, DPFEM policy documents and be aware of the policies, doctrine, guidelines and delegations that are applicable to their actions and/or roles
- must also comply with any lawful and reasonable direction given to them by someone in the department with the authority to do so.

- must complete mandatory training including Childsafe, Work Health and Safety, Workplace Diversity and Inclusion and Disability Confidence in the Workplace. Employees across all service arms must also complete Cyber Security Essentials training.

The following sections provide specific examples of responsibilities and expectations for workers.

Respect and prohibiting harassment, victimisation or discrimination

- DPFEM is committed to providing a respectful and inclusive workplace which is free from all forms of discrimination, bullying and prohibited conduct.
- Workers are expected to treat each other with respect and:
 - take responsibility for their own actions in the workplace
 - not bully, harass, discriminate or behave in any other inappropriate ways
 - report any concerns about bullying, harassment, discrimination or any other inappropriate behaviours exhibited by any person
 - not behave in ways that a reasonable person would consider to be offensive, intimidating, humiliating or threatening.

Relevant Agency Guidance

- Workers must keep themselves informed of their obligations, and act in accordance with [DPFEM's Diversity and Inclusion Policy Statement and Guidelines](#), as well as their related service arm policies and legislative responsibilities.

Confidentiality

- Workers must ensure that confidential, private and sensitive information is handled appropriately and that they maintain the integrity of such information at all times. This includes:
 - not making private use of official information
 - not disclosing information to the public that would not normally be publicly available
- Workers have a responsibility to ensure information is protected from compromise and harm. Under Tasmania's Protective Security Policy Framework (TAS-PSPF) 'Information Security' domain, DPFEM is responsible

for maintaining the confidentiality, integrity and availability of all official information.

- Workers must not access any DPFEM information systems for a purpose which does not arise out of, or in the course of, their work duties.

Relevant Agency Guidance

- On commencement, workers must complete a [Declaration of Obligation for Confidentiality form](#).
- In relation to Tasmania's [Protective Security Policy Framework \(TAS-PSPF\)](#), DPFEM workers are required to: understand their responsibilities within the TAS-PSPF, take personal responsibility for security actions (to help build a positive security culture) and comply with the protective security policies and procedures.

Conflicts of interest

- DPFEM workers are expected to put the public interest above their personal interests when carrying out official duties and take individual responsibility for disclosing and declaring conflicts of interest.
- Workers must disclose in writing any perceived, potential or actual conflicts of interest as soon as they become aware that there is or may be a conflict. Workers should work with their managers to resolve or otherwise manage the conflict, document how this is achieved and monitor to ensure management and mitigation strategies are effective.
- Conflict of interest situations between public duties and private interests can arise in a range of scenarios e.g. recruitment, procurement, awarding of contracts or grants or membership on committees and panels. Private interests which may lead to a conflict include, but are not limited to:
 - secondary employment or business ownership
 - position or membership of an organisation (e.g. sporting club/body, board, volunteer organisation)
 - family or other personal relationships with job applicants, colleagues, stakeholders, clients, work associates or other relevant parties.
 - financial or pecuniary interests.

Relevant Agency Guidance

- Workers must be aware of and comply with DPFEM's Conflict of Interest Policy and Guidelines (in development)

- For management of conflicts of interest during recruitment processes refer to the [DPFEM Vacancy Management, Recruitment and Selection Guidelines](#)
- For DPFEM Senior Executive Service Officers and Commissioned Officer, refer to the Annual Disclosure of Personal Interest and Associations Policy (in development).

Use of DPFEM resources

- DPFEM resources include but are not limited to vehicles, equipment, technology, phones and premises.
- Workers must use DPFEM resources and facilities in a proper manner - using them safely, efficiently, effectively and in line with appropriate legislation and policies.
- Workers must act within their delegated authority and comply with legislative requirements, policies and procedures for the purchase, use and disposal of any DPFEM resource.

Relevant Agency Guidance

- Workers provided with a mobile phone must be aware of and comply with the [Mobile Phone Policy](#).
- Workers must be aware of and comply with the [Vehicle Usage Guidelines](#).
- Workers must be aware of and comply with the Social Media Guidelines (in development).
- Workers must be aware of and comply with the [DPFEM's Acceptable Use Policy – Internet and Email](#)

Gifts and benefits

- Workers should not expect to receive gifts, benefits or hospitality for undertaking work for the DPFEM, nor should anyone personally benefit from a worker performing their role. Generally speaking, words of 'thanks' should be considered enough when fulfilling work duties. Workers must not offer gifts or benefits to anyone in the course of their work.
- TFS and SES workers should be aware that there is a discrepancy around gifts and benefits. TFS and SES are not-for-profit organisations with deductible gift recipient status, and therefore monetary donations can be accepted by brigades and units through the central community fund.

Relevant Agency Guidance

- Workers must be aware of and comply with the requirements of the [DPFEM Gifts Benefits and Hospitality Guidelines](#) (information relevant to volunteers is in development and will be included in this policy), the [Tasmanian Government Gifts, Benefits and Hospitality Policy](#), and related legislation.

Fraud

- DPFEM is committed to an approach to effectively prevent, detect, and respond to fraud and the misuse of resources.
- Fraud is defined as dishonest activity causing actual or potential financial loss to any person or entity.
- Fraud has the potential to undermine the Department's ability to achieve its objectives and impact its reputation and our culture of ethical practice.
- Workers have an essential role to play in reducing the exposure to internally and externally instigated fraud.

Relevant Agency Guidance

- Workers must be aware of and comply with the [DPFEM Fraud Control Guidelines](#).

Behaviour in public

- Workers' personal conduct outside of work has the potential to reflect either positively or negatively on DPFEM. Workers are expected to behave in a way that does not undermine public confidence in DPFEM or bring discredit to themselves or DPFEM. This means:
 - acting in accordance with the law.
 - not making public comment on behalf of DPFEM without approval from a manager/supervisor. This doesn't exclude a worker from making comments on behalf of a professional association or organisation or speaking engagement at community activities as a member of their community. DPFEM state service employees are to be aware of section 11- Public statements by officers and employees of the State Service Regulations 2011.
 - advising their manager if they have been charged with a criminal offence, a conviction or any other restrictions in their private capacity that may impact their ability to do their role or had an essential

requirement for their role (e.g. a registration, or license) revoked as soon as practicably possible.

Children and young people safe conduct – upholding obligations of being a child and youth safe organisation

- DPFEM is committed to being a child and youth safe organisation and has a zero-tolerance approach towards all forms of child abuse.
- DPFEM is committed to creating and maintaining a safe environment for children and young people.
- The DPFEM Child and Youth Safe Policy outlines the Department's commitment to child and youth safety, and in improving the way we prevent, identify and respond to all forms of child abuse.
- The DPFEM Child and Youth Safe Policy seeks to operationalise Tasmania's Child and Youth Safe Organisations Framework established through the *Child and Youth Safe Organisations Act 2023*. The Policy provides detail on the Child and Youth Safe Standards, the Reportable Conduct Scheme, information sharing provisions and explains the role of the the independent regulator.
- Workers have a responsibility to:
 - ensure DPFEM is a safe place for children and young people
 - treat all children and young people with dignity and respect
 - take all reasonable steps to protect children from abuse,
 - take a child seriously if they disclose harm or abuse
 - report concerns if risks to children and young people's safety are identified.
- Under the *Child and Youth Safe Organisations Act 2023* , DPFEM is required to report all concerns of harm or abuse involving a worker to relevant authorities whether or not the behaviour occurred in the course of work. A worker is also required to report concerns involving children by virtue of the Criminal Code Act 1924 (failure to report the abuse of a child).

Identifying and preventing unacceptable and harmful behaviours

- Child abuse is harm to a child or young person and includes anything that compromises their safety and wellbeing. It can present in different forms and can be singular in nature or a series of events.
- Examples and definitions of various forms of abuse to children and young people are provided in the 'Key Definitions' section of this Policy.
- It is unacceptable for any worker to engage in behaviour that constitutes any form of child abuse, grooming and boundary violations.
- Unacceptable and concerning behaviour include, but are not limited to:
 - committing a sexual offence, including sexual abuse of a child, procuring a child for sexual abuse, rape, distributing, possessing, making and/or accessing child exploitation material, incest
 - engaging in; sexual misconduct, grooming, physical violence, inappropriate use of electronic communication and social media, a romantic or sexual relationship with a child or young person
 - neglecting a child
 - causing emotional or psychological harm to a child
 - breaching professional boundaries/boundary violations
 - ignoring or disregarding any concerns, suspicions or disclosures of child abuse or harm and failing to report concerns (see Reporting Pathways for Safeguarding Children and Young People section for further information).

Further examples of the above unacceptable and concerning behaviours are provided in Appendix 1.

- All workers must complete DPFEM's mandatory Child Safe training. This provides further guidance on identifying behaviours indicative of child sexual abuse, grooming and professional boundaries.
- To keep children safe from harm and abuse, it is imperative that workers maintain professional boundaries at all times when interacting with children. Circumstances can make this challenging, particularly in small communities where conflicts of interest regarding relationships with children can often arise. Workers may encounter children and young people they have engaged with in a professional capacity within their community. In such instances, employees must ensure their private conduct with children and young people does not compromise the fulfilment of their professional responsibilities.

- If workers are unsure how to manage conflicts and professional boundaries, they should refer to this policy, associated policies and contact their manager/supervisor or People and Culture for advice.

Reporting behaviours

- Workers have a responsibility to report misconduct and not turn a blind eye to unacceptable behaviour.
- There are different pathways and processes for reporting matters, depending on whether they are related to the general expectations outlined in this policy or the safety of children and young people. These reporting pathways are described in upcoming sections.
- Protections are available for workers who make complaints or report in good faith (including whistleblowing). These protections include procedural fairness, confidentiality, privacy and protection from reprisal.

General reporting

- Workers must act promptly in reporting breaches of; the law, departmental policies, Government policies and directives, as well as suspected misconduct under the State Service Code of Conduct, volunteer codes of conduct and this Policy.
- Reporting can occur through a range of channels:
 - to the workers manager/supervisor or through a volunteer chain of command* - In most cases it will be appropriate for an employee to bring suspicious, inappropriate behaviour or misconduct to the attention of their line manager or supervisor in the first instance.
 - if the manager is involved in the matter, the report can be made to the next level of management or to another senior employee
 - to People and Culture through phoning 61732952, seeking a meeting with the relevant Client Partner or emailing Workplace Relations workplace.relations@dpfem.tas.gov.au
 - to an external body - the Integrity Commission or the Ombudsman can be contacted but workers should be aware that the report may be referred back to the agency for investigation.
- A report may also be made as a disclosure under the *Public Interest Disclosure Act 2002*. The Act recognises the concern some employees may have that they may be victimised or discriminated against for reporting suspected misconduct. It provides legislative protection for disclosers.

- The [DPFEM Public Interest Disclosure Procedures](#) establish a system for reporting disclosures of improper conduct or detrimental action by members, officers or employees of the DPFEM. The procedures are also intended to assist its members, officers and employees to understand the way in which the Public Interest Disclosure Act 2002 operates and needs to be administered.
- When making a report a worker should ensure they uphold the relevant code of conduct and all privacy and non-disclosure law.
- All reports will be managed in accordance with relevant DPFEM policies and guidelines including the Grievance Management Guidelines, Diversity and Inclusion Guidelines, Fraud Control Guidelines and code of conduct procedures.

*volunteer chain of command could be through the Brigade Chief, Unit Manager, District Officer, Regional Manager or Regional Chief.

Safeguarding children and young people reporting

Safeguarding children and young people from abuse is everyone's responsibility.

Section 13 of the *Children, Young Persons and Their Families Act 1997* states:

An adult who knows, or believes or suspects on reasonable grounds, that a child is suffering, has suffered, or is likely to suffer abuse or neglect has a responsibility to take steps to prevent the occurrence or further occurrence of the abuse or neglect.

Anyone who fails to protect a child or young person from the criminal offence of child abuse may be prosecuted under section 105A of the *Criminal Code Act 1924*.

Failure to report known instances of child abuse is in itself a crime.

Immediate Safety Concerns

- Workers that have immediate safety concerns for a child must take steps to ensure their safety. This may involve seeking advice regarding action or phoning police on 131444 (or 000 if an emergency).

Support

- If a child has disclosed inappropriate conduct, workers must ensure that the child is supported, reassured and allowed to tell their story.
- A worker should record any information that is provided to them.
- Workers should avoid questioning or interrogating the child or young person making the disclosure, and should not conduct any type of investigation into the disclosure, beyond reporting the disclosure to the relevant authorities.

Reporting

- If a worker has concerns about inappropriate behaviour towards children, regardless of whether the behaviour occurs at work or not, they must report these concerns through one of the following channels:
 - completing DPFEM's online [Reportable Conduct Incident Report](#) (this is the preferred channel)
 - through disclosure to their manager or supervisor, who will complete a Reportable Conduct Incident Report/ ensure the matter is reported appropriately.
 - via email to childsafe@dpfem.tas.gov.au
 - print and complete a [paper-based report](#). Post to: Att: ChildSafe, GPO Box 308 Hobart, 7001
 - submitting a [Statement of Complaint](#) for conduct concerns involving Tasmania Police members.
- If a worker is uncomfortable about reporting through a DPFEM process, they can report directly to the Independent Regulator <https://oir.tas.gov.au/report-a-concern>
- Workers who are concerned that a crime has been committed against or involving a child must **also** notify the police on 131 444.
- Workers who have concerns for a child or young person's wellbeing or need advice about child and youth safety matters can also contact the Strong Families, Safe Kids Advice and Referral Line (ARL) on 1800 000 123.
- Workers who report have a legal right to confidentiality, with their identity protected unless required by law to be disclosed.
- Workers making a report must ensure that confidentiality is maintained as far as is practicable and information is shared only with people who need to know.
- The Secretary of the Department of Police, Fire and Emergency Management is considered the head of entity, and is required by law to notify the Independent Regulator of concerns about conduct related to a child or young person involving a worker within three business days of becoming aware of the concern.
- The *Child and Youth Safe Organisations Act 2023* contains protections for people who report concerns about reportable conduct in good faith. Acts of reprisal against someone who makes a report will not be tolerated by DPFEM.
- Further information about reporting responsibilities and the Reportable Conduct Scheme is included in the DPFEM Child and Youth Safe Policy and DPFEM Reportable Conduct Guidelines.

Looking after yourself

- Being concerned or knowing about child abuse can be challenging. DPFEM encourages anyone affected by, or with concerns about child sexual abuse or other types of child abuse to access advice and support.
- Confidential support is available through DPFEM's Wellbeing Support team. Wellbeing Support can be contacted by phone on the 24 Hours Number: 6173 2873 or via email: wellbeing@dpfem.tas.gov.au

Responses to potential breaches – general and children and young people

- Unacceptable behaviour may result in action by the DPFEM, including investigation in accordance with the appropriate code of conduct e.g. the State Service Code of Conduct, the Tasmania Fire Service Volunteer Code of Conduct and the State Emergency Service Code of Conduct.
- Code of conduct investigations are undertaken by an investigator appointed by the relevant delegate. Investigations assist to determine if a breach has occurred. Where a breach has been proven, sanctions up to and including termination of employment or volunteer status may be imposed.
- Individuals who are found to have engaged in unacceptable behaviour may not be entitled to indemnification should legal proceedings commence.
- A failure to report inappropriate conduct or behaviour referenced in this policy may be taken to be a breach of the policy.

Roles and responsibilities

DPFEM workers (state service employees, volunteers, contractors and sub-contractors) will:

- actively support and abide by this policy
- be accountable for their actions and conduct and uphold unwavering standards of professional conduct
- perform their duties diligently, impartially, safely and responsively
- act professionally and respectfully and behave in ways that contribute to a safe, positive and respectful work environment

- report misconduct and suspected unacceptable behavior
- report concerns about inappropriate behaviour towards children (whether observed, reasonably suspected, or disclosed) through the Reportable Conduct Scheme, as detailed in the Child and Youth Safe Organisations Act 2023
- be aware of the policies, doctrine, guidelines, procedures and delegations that apply to their actions and decisions.
- Complete mandatory DPFEM training.

Managers / Supervisors, in addition to the above, will:

- direct workers to information related to this policy
- ensure that workers are made aware of other relevant policies and guidance
- support workers to report all concerns of inappropriate behaviour towards children (whether observed, reasonably suspected, or disclosed)
- monitor the working environment for acceptable standards of conduct
- report and/or refer a complaint, seeking advice from People and Culture as required
- immediately advise People and Culture of all harassment complaints, serious misconduct allegations and criminal matters
- provide workers with options when approached for support and guidance regarding any matters.

People and Culture will:

- provide advice to DPFEM workers (including managers and supervisors) about professional conduct
- support DPFEM workers through the reporting stage of professional conduct matters.

Key definitions

Workers	Workers include state service employees, volunteers, contractors and sub-contractors, employed or engaged by DPFEM or the State Fire Commission. This also includes workers on Awards other than the State Service Award e.g. firefighters on the TIFFIA.
Manager/supervisor	Manages or supervises workers (including contract managers). These can also be roles including Brigade Chief, Unit Manager, District Officer or First Officer.
Must	Indicates a mandatory action.
Should	Indicates a recommended action to be followed unless there are sound reasons for taking a different course of action.
Professional Conduct	The combination of behaviours, attitudes, and characteristics associated with any given profession and required of workers undertaking their roles.
Social media	Means online services, mobile applications and virtual communities that provide a way for people to connect and share user-generated content and participate in conversation and learning, including but not limited to Facebook, Snapchat, WhatsApp, TikTok, X (Twitter), Instagram.

Definitions related to Children and Young People Safe Conduct and Reporting

Many of these definitions have been sourced from the *Child and Youth Safe Organisations Act 2023* and the DPFEM Child and Youth Safe Policy.

Examples of some of these terms are included in Appendix 1.

Child	Anyone under the age of 18; in the context of this document, references to child or children are intended to be inclusive of young people.
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Young people / young person	Anyone under the age of 18; in the context of this document, references to young people/young person are intended to be inclusive of child or children.
Child abuse	Encompasses any or all types of abuse and neglect of a child, including physical abuse, emotional abuse, psychological abuse, sexual abuse, and exposure to or involvement in domestic and family violence.
Child sexual abuse	Any act (including grooming) that exposes a child to, or involves a child in, sexual activities that are beyond their understanding, contrary to accepted community standards or outside what is permitted by law.
Emotional or psychological harm	Harm to a child's wellbeing, development or both.
Physical violence	Actual physical violence , meaning the intentional or reckless use of physical force against, with, or in the presence of a child without a lawful reason, which has the ability to cause injury or harm to the child. Apprehended physical violence , meaning intentional or reckless conduct or behaviour against, with, or in the presence of a child that is capable of causing a child to think that physical force is about to be used against them or another person.
Sexual misconduct	Means inappropriate behaviour, contact or communication of a sexual nature when committed against, with or in the presence of a child.
Neglect	Is the intentional or reckless failure to meet the basic needs of a child. It may be a single, significant incident, or it may be a combination of separate, less significant failures.
Sexual offences	Means criminal offences of a sexual nature when committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded.

Grooming

In relation to a child, means conduct of a person that:

(a) is intended to establish trust with the aim of normalising sexually harmful behaviour towards, or allowing the person to engage in an unlawful act, sexual offence, or sexual misconduct, against, the child; and

(b) forms part of a pattern of manipulative or controlling behaviour in relation to –

(i) the child; or

(ii) the child's guardian, family or friends; or

(iii) a worker of a relevant entity that provides services to, or has dealings with, the child.

Grooming may:

(a) take place in a range of interpersonal and social settings; and

(b) employ a variety of forms of communication.

Reportable conduct

(a) a relevant offence committed against, with or in the presence of a child, whether or not criminal proceedings in relation to the offence have been commenced or concluded; or

(b) sexual misconduct, that does not form part of a sexual offence, against, with or in the presence of a child; or

(c) physical violence against a child; or

(d) grooming of a child; or

(e) conduct that causes, or is likely to cause, significant emotional or psychological harm to a child; or

(f) significant neglect of a child; or

(g) conduct prescribed for the purposes of this section – regardless of whether or not the alleged conduct occurred within the course of a worker's duties in respect of an entity.

Related documents and references

Legislation, acts, frameworks and policies

- Anti-Discrimination Act 1998
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-1998-046>
- Child and Youth Safe Organisations Act 2023
<https://www.legislation.tas.gov.au/view/html/asmade/act-2023-006>
- Child and Youth Safe Organisations Framework
https://www.justice.tas.gov.au/_data/assets/pdf_file/0011/711848/Introducing-Tasmanias-Child-and-Youth-Safe-Organisations-Framework-v3-1.pdf
- Children, Young Persons and their Families Act 1997
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-1997-028>
- Criminal Code Act 1924
<https://www.legislation.tas.gov.au/view/pdf/authorised/2019-10-08%202020-06-01/act-1924-069>
- Public Interest Disclosure Act 2002
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-2002-016>
- Employment Directions
https://www.dpac.tas.gov.au/divisions/ssmo/employment_directions#:~:text=Employment%20Directions,to%20the%20State%20Service%20Act.
 - Employment Direct No 2
https://www.dpac.tas.gov.au/_data/assets/pdf_file/0023/27284/ED2_StateServicePrinciples.PDF
 - Employment Direction No 5
https://www.dpac.tas.gov.au/_data/assets/pdf_file/0020/375320/Revised-Employment-Direction-5-as-at-29-Aug-24.pdf
- Personal Information Protection Act 2004
<https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2004-046>
- State Service Act 2000
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-2000-085>

- State Service Principles, Section 7 of the State Service Act 2000
<https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2000-085#GS7@EN>
- State Services Code of Conduct, Section 9 of the State Service Act 2000: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-2000-085#GS9@EN>
- Breaches of the State Service Code of Conduct, section 10 of the State Service Act 2000:
<https://www.legislation.tas.gov.au/view/html/inforce/current/act-2000-085#GS10@EN>
- State Service Regulations 2011
<https://www.legislation.tas.gov.au/view/html/inforce/2020-04-23/sr-2011-023>
- Tasmanian Government Gifts, Benefits and Hospitality Policy
https://www.dpac.tas.gov.au/divisions/ssmo/employment_policy/whole_of_government_gifts_benefits_and_hospitality
- Tasmania's Protective Security Framework
<https://www.security.tas.gov.au/home>
- *Who was looking after me? Prioritising the safety of Tasmanian children Volume 1: Summary, recommendations and findings*, August 2023 (from Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings Report)
https://www.commissionofinquiry.tas.gov.au/_data/assets/pdf_file/0007/72569/5/COI_Volume-1_SummaryRecommendationsAndFindings.pdf
- Work Health and Safety Act 2012
<https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2012-001>

DPFEM related policies, guidelines and codes of conduct

- Acceptable Use Policy – Internet and Email
<https://conexus.dpfem.tas.gov.au/taspol/resources/policy/08-acceptable-use-policy-internet-and-emaildoc>
- Child and Youth Safe Policy (in development)
- Conflict of Interest Policy and Guidelines (in development)

- Declaration of Obligation for Confidentiality form
[https://conexus.dpfem.tas.gov.au/system/files/space_media/2020-02/Confidentiality Declaration - SSE.pdf](https://conexus.dpfem.tas.gov.au/system/files/space_media/2020-02/Confidentiality%20Declaration%20-%20SSE.pdf)
- Diversity and Inclusion Policy Statement and Guidelines
<https://conexus.dpfem.tas.gov.au/bes/pc/menu/diversity-and-inclusion/diversity-and-inclusion-policy-and-guidelines>
- Fraud Control Guidelines <https://conexus.dpfem.tas.gov.au/bes/dpfem-fraud-control-guidelines-0>
- Gifts Benefits and Hospitality Guidelines
[https://conexus.dpfem.tas.gov.au/system/files/space_media/2022-08/Gifts Benefits Hospitality Guidelines - May 2021.pdf](https://conexus.dpfem.tas.gov.au/system/files/space_media/2022-08/Gifts%20Benefits%20Hospitality%20Guidelines%20-%20May%202021.pdf)
- Grievance Management Guidelines (in development)
- Mobile Phone Policy
https://conexus.dpfem.tas.gov.au/system/files/space_media/2024-04/Mobile%20Phone%20Policy%20-%20V3.5.1.pdf
- Mandatory training for DPFEM workers:
 - Online Learning (for Tasmania Police, Forensic Science Service Tasmania and Business and Executive Services):
<https://onlinelearning.ems.tas.gov.au/>
 - PETRA (for Tasmania Fire Service and State Emergency Service):
<https://petra.dpfem.tas.gov.au/>
- Public Interest Disclosure Procedures
https://conexus.dpfem.tas.gov.au/system/files/space_media/2021-10/A21%2057851%20%20DPFEM%20Public%20Interest%20Disclosure%20%28PID%29%20Procedures%20-%20approved%20by%20Ombudsman%2016092021.pdf
- Reportable Conduct Guidelines (in development)
- Vacancy Management, Recruitment and Selection Guidelines
https://conexus.dpfem.tas.gov.au/system/files/space_media/2020-08/A18%2010749%20%20State%20Service%20Vacancy%20Management%20and%20Selection%20Guidelines%20-%20update%20August%202020_0.pdf

- SES Volunteer Principles and Code of Conduct
<https://www.ses.tas.gov.au/about/who-we-are/>
- Social Media Guidelines (in development)
- Tasmania Fire Service Volunteer Agreement and Volunteer Code of Conduct
https://conexus.dpfem.tas.gov.au/bes/pc/tfs-volunteer-code-conductpdf?check_logged_in=1
- Tasmania Police Manual
<https://conexus.dpfem.tas.gov.au/taspol/resources/tpm>
- Vehicle Usage Guidelines
https://conexus.dpfem.tas.gov.au/system/files/space_media/2020-08/A18%2079998%20%20DPFEM%20Vehicle%20Usage%20Guidelines.pdf
- Volunteer Gift and Benefits Policy (in development)

Document information

General information

HP Records Manager No.	A24/360068
Effective from	October 2024
Review date	October 2025
Business owner	People and Culture
Applies to	All state service employees, volunteers, contractors and sub-contractors within; State Emergency Service, Forensic Science Service Tasmania, Tasmania Fire Service, Business Executive Services and Tasmania Police (unsworn)
Information Security Classification	OFFICIAL

Approval

	Name	Position, Division/Area	Date
Prepared by	Claire Burke	Policy and Project Analyst, People and Culture	09/10/24
Through	Erin Baker	Director, People and Culture	09/10/24
Approved by	The Agency Executive Group and the State Fire Commission		3/10/24

Appendix 1: Examples of unacceptable and concerning behaviour related to children and young people

Unacceptable and concerning behaviour include, but are not limited to the following:

- committing a sexual offence, including: sexual abuse of a child, procuring a child for sexual abuse, rape, distributing, possessing, making and/or accessing child exploitation material, incest.
- engaging in sexual misconduct, including;
 - physical touching of a child or young person which may be considered unnecessary and/or indecent or without a valid employment context
 - communication or inappropriate conversations of a sexual nature with a child or young person
 - making comments to a child or young person that sexualises their appearance or making comments of a mature, adult and/or sexual nature (including sexual innuendos, jokes or suggestions) in the presence of a child
 - encouraging or accepting any sexual advances by a child.
- engaging in grooming, including:
 - befriending a child or young person in person and continuing to communicate with them on social media
 - bribing, complimenting, or rewarding the child to build a 'special' relationship with them
 - building trust by giving the child special attention or gifts
 - building a relationship with the caregivers of the child to establish trust
 - inappropriate touching of a child, including tickling and play fighting
 - asking a child not to tell anyone about their behaviour
 - inappropriately allowing a child to overstep boundaries.
- engaging in physical violence, including;
 - hitting, striking, punching, pushing, kicking, spitting, dragging
 - using an object to hit or strike
 - using restraint or excessive force that is inappropriate to the situation.
 - using intimidating behaviour that causes them to fear they will be hurt
 - verbally threatening to physically harm a child or young person.
- engaging in the inappropriate use of electronic communication and social media, including:

- exchanging telephone number(s), email address(es) or social media details with a child without a professional reason
 - using personal or private social media to show, send or post sexual or pornographic messages or content to a child
 - using personal or private social media (without professional reason) to post pictures or videos of a child, communicate with a child including via posts, instant messaging or inbox, befriend a child on social media or follow or be “followed” by a child on social media
 - photograph or video a child except if for work related purposes and with permission of a parent or guardian, through completion of the ['Acknowledgement of use of image form \(adult and minor\)'](#), or where required for duty of care purposes.
- engaging in a romantic or sexual relationship with a child or young person where the employee has been in a position of authority, care, or protection of the person when they were a child, for two years after the person turns 18 years of age, or two years after the employee’s position of authority, care, or protection has ended, whichever is later.
- neglecting a child, including;
 - leaving a child alone or unsupervised for an extended period of time
 - failing to acknowledge the seriousness of a medical condition or illness, and not seeking or complying with appropriate treatment when able to
 - deliberately leaving a child extremely dirty or suffering from a medical condition due to poor hygiene
 - abandoning a child.
- causing emotional or psychological harm to a child, including;
 - continually ignoring or rejecting a child
 - constantly humiliating or blaming a child
 - constantly swearing, yelling, or screaming at a child
 - making excessive or unreasonable demands on a child
 - telling a child that they’re worthless, unloved or not enough
 - withholding support, praise, or attention from a child
 - bullying, teasing, insulting, belittling, shaming or demeaning a child
 - treating a child badly because of personal attributes they can’t change (e.g. disability, gender, sexuality)
 - threatening abuse or threats to harm loved ones or pets.
- breaching professional boundaries/boundary violations, including;
 - socialising with a child, other than in the provision of DPFEM related services
 - inviting or having a child in their home or attending the child’s home without a professional reason and without the consent of the child’s parent or carer.

- commencing and/or maintaining a personal (as opposed to professional) relationship with a child, during or outside work hours.
 - spending time alone with a child outside of the employee's normal role either during or outside work hours.
 - attending parties or socialising with children, other than in an education or professional context.
 - transporting a child in their car without prior approval from a supervisor and a parent or carer, either during or outside of work hours.
- ignore or disregard any concerns, suspicions or disclosures of child abuse or harm and failure to report concerns (see Reporting Pathways for Safeguarding Children and Young People section for further information).

