

Australian Capital Territory

Corrections Management (Ethical Conduct and Dress Standards) Policy 2019

Notifiable instrument NI2019-297

made under the

Corrections Management Act 2007, s14 (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Ethical Conduct and Dress Standards) Policy 2019*.

2 Commencement

This instrument commences on the day after its notification day.

3 Policy

I make this policy to facilitate the effective and efficient management of correctional services.

4 Revocation

This policy revokes the *Corrections Management (Dress Standards and Code of Conduct for Corrections Staff) Policy 2011* [NI2011-300].



Jon Peach
Executive Director
ACT Corrective Services
14 May 2019

ETHICAL CONDUCT & DRESS STANDARDS

POLICY NO. A6

ACT CORRECTIVE SERVICES



ACT
Government

Justice and Community Safety

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1 PURPOSE

ACT Corrective Services (ACTCS) is committed to ensuring that all employees uphold the highest standards of ethics and integrity at all times. Integrity, dignity and professionalism are critical to maintaining safety, security and public confidence in the operations of ACTCS.

ACTCS employees uphold an appropriate standard of dress at all times for work in a correctional centre, corporate environment and in the community.

This policy provides instructions on the ethical conduct requirements and dress standards for all ACTCS employees.

2 SCOPE

This policy applies to all ACTCS employees and contracted service providers.

This policy must be read in conjunction with the ACT Public Service Code of Ethics.

3 PRINCIPLES

3.1 All ACTCS staff members will:

- a. uphold and demonstrate the ACT Public Service Code of Ethics and the highest standard of ethical conduct all times during their employment;
- b. maintain and promote a high standard of integrity and treat all people with respect and dignity in accordance with the Human Rights Principles for ACT Correctional Centres;
- c. maintain and promote positive professional relationships with offenders, and model appropriate behaviours;
- d. exercise duty of care by humanely and securely managing offenders and maintaining professional boundaries;
- e. actively seek to provide role modelling and opportunities for each offender to rehabilitate and reintegrate into the community;
- f. declare a conflict of interest for any association or relationship with a current or former offender, including where the offender is a family member;
- g. assume responsibility for their own actions;

- h. present in a manner that reflects a high standard of professionalism when engaging with stakeholders, including offenders, ACT Public Service (ACTPS) peers, government officials, external professionals and members of the public; and
 - i. contribute to a safe working environment.
- 3.2 All ACTCS staff members wearing visible ACTCS identification outside of work avoid conduct that could adversely affect the image or reputation of ACTCS and the ACT Government.
- 3.3 ACTCS custodial officers take pride in their uniform and maintaining the dress standard required for their role.
- 3.4 All ACTCS staff not provided with a uniform will ensure they dress in a professional manner appropriate to the workplace.

4 ETHICAL CONDUCT REQUIREMENTS

- 4.1 The conduct of staff members must always be consistent with the ACT Public Service Code of Ethics and this policy.
- 4.2 Staff will ensure they are aware of the delegations for their position and act within those delegations at all times.
- 4.3 Staff must perform their duties within the scope of their responsibilities and adhere to policies, operating procedures and legal obligations.
- 4.4 Staff must report any breach or suspected breach of the ACT Public Service Code of Ethics, or this policy, by their own conduct or that of others, to the Intelligence and Integrity Unit or Executive Director by completing an Integrity Report or by email to ACTCS-Integrity@act.gov.au, including but not limited to:
 - a. criminal offences or drug use;
 - b. associations with current or former offenders;
 - c. any failure to uphold professional boundaries between a staff member and an offender or visitor;
 - d. any relationship, including intimate, familial, or commercial, between a staff member and a current or former offender;
 - e. social media or public comments reflecting on ACTCS or revealing any information gained as a result of a staff member's employment;
 - f. the receipt of any gift or reciprocity between a staff member and a third party.

4.5 Failure to report under section 4.4 can constitute an act of misconduct and will be investigated.

4.6 Failure to uphold the requirements of this policy can constitute misconduct.

5 PROFESSIONAL BEHAVIOUR

5.1 Staff must uphold the highest standards of professional ethical behaviour at all times, including but not limited to:

- a. respecting, maintaining and upholding the dignity of all persons in accordance with the *Human Rights Act 2004 (ACT)* and the *Human Rights Principles for ACT Correctional Centres*;
- b. treating all persons with politeness and respect;
- c. demonstrating care and respect for workplace property and facilities, including the property of offenders;
- d. maintaining the security, confidentiality and privacy of all information accessed as a part of the staff member's employment;
- e. demonstrating fairness, impartiality and non-discrimination at all times;
- f. respecting the presumption of innocence for all un-sentenced offenders;
- g. taking into consideration the specific needs of Aboriginal and Torres Strait Islander, female, Culturally and Linguistically Diverse, LGBTIQ+, elderly and disabled, or any other vulnerable offender;

5.2 Staff must uphold professional boundaries by ensuring that their communication and behaviour is appropriate and acceptable at all times.

5.3 Communications and behaviours that are considered inappropriate include, but are not limited to:

- a. discriminatory, sexually inappropriate, racially or religiously insensitive, trivialising or promoting violence, comments or jokes;
- b. innuendo and gossip; or
- c. physical contact outside of procedural requirements or handshakes, including any gesture of intimacy towards a detainee, offender or member of the community.

5.4 Staff must continue to maintain professional behaviours with a former offender once their sentence or order has been finalised.

5.5 Custodial officers will, as a matter of professional courtesy, stand when an officer at the rank of Correctional Officer Grade 3 (CO3) or higher enters their

area of responsibility. Custodial officers will greet senior ranking staff and report the status of the area.

6 RELATIONSHIPS BETWEEN STAFF AND OFFENDERS

- 6.1 Staff must report any relationship that exists, or develops, between themselves and any current or former offender, or that is identified between any other staff member, by completing a Conflict of Interest Declaration for their own protection and to maintain the integrity and public confidence in ACTCS.
- 6.2 Staff are discouraged from commencing an intimate, social, or commercial association or relationship with an offender, even when the staff member is not in direct professional contact with the offender.
- 6.3 Where an association or relationship has been initiated by a current or former offender and not reciprocated by the staff member, a Conflict of Interest Declaration must also be completed.
- 6.4 Staff must declare any intimate, social or commercial association or relationship with a visitor to a correctional centre, or immediate family member of an offender, by completing a Conflict of Interest Declaration.
- 6.5 Staff members will submit a Conflict of Interest Declaration to their line manager, who will provide comment regarding any control measures or risks created, or perceived, by the association.
- 6.6 All Conflict of Interest Declarations will be provided to the Executive Director. When reviewing a Conflict of Interest Declaration, the Executive Director will consider:
 - a. any actual or perceived risks created by the conflict of interest; and
 - b. the appropriateness of control measures to be implemented.
- 6.7 The Manager, Intelligence and Integrity Unit, will ensure that:
 - a. conflicts of interest are recorded on the Integrity Database; and
 - b. staff members are provided with a reference number and a formal response confirming that the conflict of interest is recorded and any control measures.
- 6.8 Where an offender is a family member, the following restrictions will apply to a staff member:
 - a. visits can be permitted under the Visits Policy;
 - b. special visiting arrangements can be implemented; and

- c. contact arrangements between the staff member and the offender may be implemented by the General Manager Custodial Operations.

7 CRIMINAL ACTIVITY

- 7.1 Staff must notify their respective Business Unit Executive as soon as possible where they are charged with any criminal offence.
- 7.2 Where information alleges that a staff member is engaged or suspected to be engaged in criminal activity this will be referred to ACT Policing for investigation.

8 GIFTS AND BENEFITS

- 8.1 Staff must ensure their compliance with the Justice and Community Safety Directorate *Gifts, Benefits and Bribes Policy*.
- 8.2 Staff must not use their employment with ACTCS to request or attempt to gain any financial, social or preferential benefit, including but not limited to hospitality or discounts.
- 8.3 Staff must not seek out or accept any actual or promised gift or benefit from a current or former offender, their visitors, family or friends, either directly or indirectly.
- 8.4 Where a current or former offender, their visitors, family or friends, makes any offer or promise of a gift or benefit to a staff member, or attempts to compromise a staff member in return for assistance, this must be reported as soon as possible in writing to the Divisional Executive, or to the Intelligence and Integrity Unit via email to ACTCS-Integrity@act.gov.au.
- 8.5 Staff must not give gifts or benefits, or promise to do so, to any offender. This includes gifts of food or tobacco items, or privileges inconsistent with an offender's entitlements.

9 SOCIAL FUNCTIONS

- 9.1 Staff attending social events and functions either during or outside of their duty period are encouraged to consider that their conduct can be perceived as representative of ACTCS and the ACT Public Service, and act accordingly.
- 9.2 The consumption of alcohol during a staff member's duty period is not permitted and can constitute misconduct.

10 DRESS STANDARDS

- 10.1 ACTCS staff members must ensure their dress and presentation is clean, tidy and appropriate for their work role and environment.
- 10.2 The following ACTCS issued items must not be worn in licensed premises without prior approval from the Executive Director, including ACTCS approved social events or functions:
- a. identification pass or lanyard; or
 - b. custodial officer uniform; or
 - c. clothing with the ACTCS or ACT Government logo.
- 10.3 Any absence from the workplace to rectify a staff member's dress standard under this policy is deemed to be unpaid leave and must be recorded as such, until the staff member has returned to duty.

Uniformed custodial officers

- 10.4 All uniformed officers must abide by the ACT Corrective Services Uniform Guidelines. Line Managers are required to ensure that officers are dressed smartly and correctly.
- 10.5 Uniformed clothing will be fitted and worn appropriately, taking into consideration the environment that officers work in, officer comfort and any occupational safety and health requirements.
- 10.6 The General Manager Custodial Operations will approve custodial officers and correctional centre staff members to wear specific clothing for religious or cultural reasons where there are no security or safety implications, and staff comply with general principals and appearance requirements.
- 10.7 Custodial officers must report for duty clean shaven, or facial hair must be groomed. Beards will be kept trimmed and neat and tidy at all times.
- 10.8 All uniformed custodial officers should satisfy themselves that any facial hair does not create a risk to the seal of breathing apparatus under the Compressed Air Breathing Apparatus Policy.
- 10.9 A custodial officer who reports for duty in an unshaven or untidy condition will be instructed by a Line Manager to rectify their dress and appearance in accordance with section 10.3.
- 10.10 An exemption from shaving will be made in circumstances where a custodial officer provides a medical certificate endorsing his non-shaving, or for religious reasons.

Non-uniformed staff

- 10.11 Non-uniformed staff members must use a common sense approach to maintaining a reasonable standard of dress that reflects the professionalism of ACTCS.
- 10.12 Any staff member may be required to attend court and should be dressed accordingly, including on Fridays.
- 10.13 Inappropriate dress includes but is not limited to:
- a. thongs;
 - b. track pants or sportswear, including sporting team uniform apparel;
 - c. ripped, damaged or untidy clothing;
 - d. jeans; or
 - e. t-shirts with inappropriate images or text.
- 10.14 Non-uniformed staff members:
- a. must ensure that their dress choice does not create an increased risk their occupational health and safety, or restrict their ability to respond to occupational violence or an emergency situation;
 - b. must dress with conservative coverage; and
 - c. must wear closed toe shoes when attending a correctional centre.

Identity Cards

- 10.15 Identity (ID) Cards are provided to all ACTCS staff. ID Cards should be worn at all times while on duty and should be presented to any person when requested to confirm identity.
- 10.16 ID Cards must not be used for any other purpose external to the Justice and Community Safety Directorate.

11 RELATED DOCUMENTS

- A – ACTCS Uniform Guidelines
- B – ACT Public Service Code of Ethics
- C – A6.F1: Uniform Application Form



Jon Peach
Executive Director
ACT Corrective Services
14 May 2019

Document details

Criteria	Details
Document title:	Corrections Management (Ethical Conduct and Dress Standards) Policy 2019
Document owner/approver:	Executive Director, ACT Corrective Services
Date effective:	The day after the notification date
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Responsible officer:	Executive Director

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