

QUEENSLAND POLICE SERVICE

STATEMENT OF WITNESS



| | Occurrence #: | | | | |
|---|--|------------------------------|--|--|--|
| | Statement no.: | Date: | | | |
| Statement of | | | | | |
| Name of witness: DIMOND , Martin E | Bruce | | | | |
| Date of birth: 14/12/1958 Age: | 51 Occupation: Police Of | ficer | | | |
| Police officer taking statement | | | | | |
| Name of police officer: DIMOND, Man | rtin Bruce | | | | |
| Rank: Senior Sergeant | Reg. no. | : 4336 | | | |
| Region/Command/Division: South East | tern Station | : Surfers Paradise | | | |
| Statement: | | | | | |
| 1. I am a Senior Sergeant of Police a | nd I currently holding the position of | f Officer in Charge, Surfers | | | |
| Paradise. | | | | | |
| 2. I have been a member of the Quee | nsland Police Service since 1980. My | v service history follows- | | | |
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1980 to 1984 Constable- City Station, Gold Coast, and Oxley Stations

- 1984 to 1990 Plain Clothes Constable/ Detective Senior Constable- Metropolitan Criminal Investigation Branch, Brisbane serving at Metropolitan Field Staff, Break and Enter Squad, Auto theft Squad, Drug Squad, and South Brisbane Area Office.
- 1990-1991 Senior Constable- Texas
- 1991-1994 Sergeant, Officer in Charge- Croydon
- 1994-1996 Sergeant- Moorooka
- 1997-2001 Sergeant- Charleville
- 2001-2004 Sergeant- Surfers Paradise

2004-2008 Senior Sergeant, Operations Coordinator- Surfers Paradise

- 2008-2010 Senior Sergeant, Officer in Charge- Surfers Paradise
- 3. During the time that I was Sergeant at Moorooka, Charleville, and Surfers Paradise, I relieved at the rank of acting Senior Sergeant, Officer in Charge for extended periods.
- 4. I have completed a number of Queensland Police Service internal courses, including the Management Development Program levels 2 and 3.
- 5. I am able to produce/a copy of my Queensland Police Service training history.

(Witness's signature) (Justice of the Peace (Qual.)/ (Signature of police officer preparing statement) Commissioner for Declarations's signature)

| No: | 1606 | 2009 | Date: | 2019 | 0 |
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- 6. Prior to taking up my current position of Officer in charge at Surfers Paradise, I relieved as Officer in Charge at Surfers Paradise, Charleville, and Moorooka Station. During these relieving periods I acquired the knowledge and skills required of the position.
- 7. The principal responsibilities of my position of Officer in Charge, as defined in the position description (GD008) are:
 - a. Control available resources (internal and external) through effective management techniques aimed at service delivery, crime prevention and detection.
 - b. Research environmental factors and develop appropriate responses to serve community and Service needs.
 - c. Ensure proactive tasking, including patrols and investigations are conducted to enhance the role of the service within the community.
 - d. Implement, manage and apply problem solving approaches to bring out improved service delivery.
 - e. Identify and implement appropriate actions for performance management, personnel development and assessment procedures.
 - f. Establish and maintain effective communication with all stakeholders to complement service provision.
 - g. Effectively manage human resources, using contemporary human resource management practices to achieve efficient operations within the division while maintaining employee satisfaction.

8. I am able to produce a copy of the Job Description for Senior Sergeant, Officer in Charge (Position Number GD008).

- 9. My position involves the deployment and tasking of available human and physical resources to ensure an appropriate operational policing response to crime, public order, and major events; risk management; human resource management; and financial management.
- 10. Surfers Paradise Station has a total allocated strength of 126 sworn officers, 5 Station Client Service Officers, and 7 administration officers. There is a Senior Constable in Charge of the Surfers Paradise Police Beat Shopfront that falls under the organisational structure of the Surfers Paradise Station. At the current time, 33 of these officers are not available for deployment due to reasons including long term leave, secondment to other areas, and rehabilitation plans.
- 11. The actual current operation strength at Surfers Paradise is 98 sworn officers, 4 station client service officers, and 6 civilian staff. At any given time there is a further 12%- 14% of all staff on

recreation leave (outside leave embargo periods), bringing the number of officers actually available for operational deployment down to 85 officers. These 85 officers work a three shift roster, and can be rostered on duty 19 x 8 hour shifts every 28 day roster.

12. The Station's organisational structure consists of one Inspector, one Senior Sergeant Officer in Charge, a Senior Sergeant Operations Coordinator, and fifteen sergeants. Administratively, my position is supported by the Station Administration Officer AO3, Roster Clerk AO3, a civilian Property Officer AO4, and four AO2 positions.

13. I am able to produce a copy of the Surfers Paradise Station Organisational Chart.

- 14. In direct support of my position as Officer in Charge of Surfers Paradise, there is an appointed Senior Sergeant, Operations Coordinator; one part time Administration Sergeant deployed from operational strength (when available); the Station Administration Officer (AO3); the Roster Clerk (AO4); one Sergeant permanently deployed to the Property Office; and six Team Leaders of Sergeants rank attached to the six operational teams.
- 15. The Senior Sergeant Operations Coordinator is responsible for all operational matters including planning, leading and controlling operations, and tasking patrol crews. This position is supported by six trained station intelligence officers (SIOs).
- 16. The station is structured into six operational teams. Each team currently has about 17 officers, comprising on average of two Sergeants, two Senior Constables, eleven Constables, and two First Year Constables.
- 17. Surfers Paradise station has been allocated a total of nine vehicles comprising two marked sedans, one unmarked sedan, four drunks vans, and one larger "Brawler Van" which is made available to the South Eastern Region for deployment to major operations and other police divisions as required.
- 18. Strategic planning and performance management at Divisional level is linked to the QPS Strategic Plan and the Operational Performance Review process. Divisional goals and objectives are consistent with the District Operational Plan and Service goals, with a focus on personal safety, property security, public order, and major events.
- 19. Policing needs in Surfers Paradise division are determined through environmental scans, crime trend analysis, intelligence holdings, events planning processes, and community consultation. The nightclub environment requires a focus on alcohol related crime.
- 20. Surfers Paradise has over 200 licensed premises including 25 licensed clubs almost all contained within the very small geographical area of Orchid Avenue and Cavil Avenue. The demographics

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change every weekend and every day, with a high turnover of local, interstate, and overseas visitors. This factor, along with high levels of intoxication, creates unique policing challenges.

- 21. Policing problems at Surfers Paradise include alcohol related crimes against the person, and Outlaw Motorcycle Club Gang (OMCG) and other gang activity in the nightclub precinct. There are high levels of public intoxication resulting in violent disturbances and serious assaults. Analysis shows that these problems peak when crowds are at the highest every weekend throughout the year and during major events such as Schoolies, the Racing Carnival (formally Indy), New Years Eve, and numerous other licensed events held in Surfers Paradise throughout the year.
- 22. Partnerships have been developed with stakeholders including the Liquor Licensing Division, Qld Transport, Gold Coast City Council Camera Office, Gold Coast City council Local Law Unit, Gold Coast Cabs, Surfside Buslines, and the Chill Out Zone. Additionally, the assistance of internal QPS resources are drawn on in support of planned operations and major events, in particular the District Intelligence Unit, Liquor Licensing Unit (LEAPS), Public Safety Response Team (PSRT), the District Tactical Crime Squad (TCS), and the Major Events Planning Unit (MEPU), Criminal Investigation Branch (CIB), and Child Protection Investigation Unit (CPIU), Dog Squad, and Mounted Unit.
- 23. Strategies have been implemented to address these problems including low tolerance early intervention actions targeting drunkenness, liquor offences, and public order offences; joint liquor enforcement operations utilising additional QPS resources and external agencies including the Liquor Licensing Division targeting liquor offences; high visibility deployment of uniform officers and police vehicles to 'hot spots'; and longer term projects such as the Inter-venue Radio Project that is aimed at improving communication and coordination between police, nightclub management and security, the Gold Coast City Council Camera Office, and the Chill Out Zone.
- 24. Weekly management planning meetings are held between the Inspector, Officer in Charge, and Operations Coordinator, utilising intelligence holdings and crime trend data. The purpose of these meetings is primarily to discuss operational planning, patrol taskings, and events planning.
- 25. A 28 day roster forms the basis of a 28 day action plan that is developed by the Senior Sergeant Operations Coordinator. The Operations Coordinator plans operations and develops patrol taskings for each 28 day roster in consultation with the Officer in Charge, Station Intelligence Unit, the Officer in Charge, and the Inspector.
- 26. I am able to produce a copy of the roster plan that forms the basis of current Surfers Paradise roster.

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- 27. Shifts marked as "X" shifts are flexible and officers on those shifts may be deployed to any shifts as required.
- 28. A robust performance management process has been implemented at Surfers Paradise, that enables management and supervisors to monitor the actual work output of teams and individual officers over a range of performance indicators. These performance indicators include operational results such as the number of arrests, criminal charges, street checks, traffic infringements notices, liquor incident reports, liquor infringement notices, and intelligence submissions.
- 29. I am able to produce a copy of Station Work Performance Evaluation for the period 17/07/2010 to 27/08/2010.
- 30. A broader evaluation of planned operations and events is also conducted in conjunction with the 28 day action plan and planned operations as detailed on the Surfers Paradise Operations Calendar.
- 31. I am able to produce a copy of the 2009-2010 Surfers Paradise Operations Calendar.
- 32. Operational results are collated by the Senior Sergeant, Operations Coordinated and entered onto Q-Prime. Operation sedate is an example of one current ongoing liquor/ public order operation aimed at reducing alcohol related crime.

33. I am able to produce the Q-Prime "Occurrence Enquiry Report" for "Operation Sedate".

34. During the 2009- 2010 OPR period there was a significant reduction in all categories of reported crime in Surfers Paradise, with a 36% reduction in unlawful entry offences, 30% reduction in rape and sexual offences, and a 5% reduction in assaults. This significant achievement by Surfers Paradise Police has been acknowledged by the Commissioner of Police and Assistant Commissioner.

35. Supervision

- 36. The six team roster has been developed to address the need to maximise staffing numbers and the level of supervision during peak periods, while maintaining the flexibility to respond to changing crime trends. During peak periods including night shift every week-end, two teams are rostered on duty, effectively doubling staffing numbers and supervisors compared to normal week nights.
- 37. A Senior Sergeant or Inspector is rostered in command of week-end operations and major events. An Inspector is also rostered on to supervise the prisoner processing area at Surfers Paradise on Friday and Saturday nights. Additionally, one District Duty Officer (DDO), and one Regional Duty Officer (RDO) are rostered on every shift, and these officer visit Surfers Paradise on a regular basis.

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- 38. Surfers Paradise Station has three holding cells and a prisoner processing area. The custody Manager has the responsibilities that would normally be assigned to the Watchhouse keeper at a watchhouse. A Custody Manager, usually of Sergeant rank, is rostered on every shift. The Custody Manager has responsibility for the supervision of the prisoner processing area, including ensuring the appropriate use of force and reporting injuries in custody.
- 39. Sergeants meetings and Constables Consultative Committee meetings are held on a monthly basis and are attended by the Inspector, Officer in Charge, Operations Coordinator, and all available Sergeants. Standing agenda items for Sergeants meetings include professionalism, appropriate use of force, and compliance with the Code of Conduct.
- 40. The Inspector, Senior Sergeant Operations Coordinator, and I monitor work performance and conduct on a daily basis and attend shift briefings. All members of the management team at Surfers Paradise reinforce good behaviour and performance both personally and by email, and ensure that good conduct and performance is brought to the attention of senior officers where a higher level of recognition from the District Officer or Assistant Commissioner is often provided.
- 41. What is expected of a supervisor on a daily basis?
- 42. Immediate in-line supervision to Constables at Surfers Paradise in provided by the designated Shift Supervisor. A Shift supervisor at the rank of Sergeant is rostered on every shift. The shift supervisor has designated duties including briefing all officers at the commencement of their shift. Shift briefings are held to discuss current intelligence and crime trends, traffic policing issues, wanted persons and vehicles, and any other policing issues relating to the Surfers Paradise police division or Gold Coast District. Issues such as dress and appearance, conduct, and professionalism also form a part of shift briefings. All officers are then tasked to perform required duties during their shift, such as traffic enforcement operations, beat patrols with a focus on early intervention, or attendance at planned events such as public demonstrations or other events.
- 43. Field command and supervision of officers may be assigned to an Inspector, Senior Sergeant, Sergeant, or Senior Constable, depending on the scale of the operation or incident. In the case of car crew, supervision is the responsibility of the senior officer of the crew.
- 44. Supervisors at all levels are expected to provide leadership, supervision and management to officers under their control. This includes issuing clear and specific directions, ensuring compliance with legislation, policy and procedures, including workplace health and safety issues, monitoring performance, and providing appropriate advice and assistance as needed.
- 45. What is expected of a supervisor in relation to the on and off duty behaviour of their subordinates? How is this explained to supervisors?

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- 46. Supervisors are expected to take action with respect to any identified breaches of discipline or misconduct. In the case of minor breaches of discipline such as dress and appearance, they are expected to provide managerial guidance to the officer concerned. They are expected to report all cases of misconduct by submitting a Compass Complaint and advice to a Commissioned Officer.
- 47. It has been my experience that behavioural issues, both on and off duty, are often related to personal or family problems. Supervisors are expected to monitor the welfare of officers under their control, provide necessary advice and assistance, offer OPS employee support, and to report identified issues to the Officer in Charge and other relevant support services in accordance with Service policy. This process facilitates the commencement of early intervention strategies, including the provision of welfare or specialist support.
- 48. Supervisors are expected to take action to address any concerns relating to on or off duty conduct by officers under their control to the Officer in Charge or to the Inspector.
- 49. As part of the risk management plan at Surfers Paradise, Team Leaders are expected to have monthly one on one meetings with each of their team members and complete team compliance reports. These meetings include notebook and accoutrement inspections, discussions regarding work performance, and human resource management issues. This process provides an opportunity to identify and discuss behavioural concerns.
- 50. In my position as Officer in Charge, I discuss issues with Shift Supervisors on a daily basis, and hold "one on one" meetings with team leaders and team sergeants where standing agenda items include team work performance, welfare and human resource issues, professionalism, code of conduct, and complaints against police. A focus of these meetings is the identification of any work performance, welfare issues, or other human resource issues relating to individual officers and initiating early intervention strategies where appropriate.
- 51. The expectations of supervisors are also discussed at sergeants meetings, station meetings, and meetings convened by senior management, in particular the Assistant Commissioner and Chief Superintendent.
- 52. Blue light taxi lifts to police.
- 53. I am aware of rare occasions in the ten years that I have been at Surfers Paradise where officers from this station have provided 'blue light taxi' lifts to police. To my knowledge the practice is not widespread. I am not aware of any members of my staff providing 'blue light taxi' lifts to police to or from licensed premises.

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- 54. The practice is discouraged. Members are encouraged to seek alternatives such as using a taxi or making transport arrangements with family or friends. There are circumstances where I believe the practice is acceptable, such as genuine welfare concerns.
- 55. Prior to the revelations of Operation Tesco, the practice was not identified as a problem, and was not addressed in policy prior to recent directions from the Commissioner of Police.
- 56. I am not aware of any instances or evidence that blue light taxis have had a negative impact on calls for service. I am not aware of any instances where patrol crews have been called away or diverted form other duties to perform blue light taxi transports.
- 57. It is my belief that the practice of providing blue light taxis under justifiable circumstances does not have any impact on calls for service. The benefits in terms of officer welfare outweigh any potential impact on calls for service.
- 58. Communications
- 59. Under the current communications process, jobs are detailed to crews in two ways- via the Gold Coast Police Communications Centre and directly from the Shift Supervisor. During day and afternoon shifts, most jobs are directed to patrol crews by the Police Communications Centre. On night shifts, most jobs relating to the nightclub precinct are detailed to beat and van crews by the Shift Supervisor.
- 60. The current procedures are effective when the Police Communications Centre (PCC) directs jobs to the rostered uniform patrol car crew, designated "230". The practice detracts from real supervision when the PCC directs beat crews, as opposed to the designated "230" patrol crew, to routine jobs. This process directs beat crews away from tasks they have been directed to attend to by the shift supervisor.
- 61. The process could be improved if the PCC only assigned and directed the 230 patrol crew to jobs, and directed all jobs for the beat crews back to the Surfers Paradise shift supervisor.

62. Improper Associations

- 63. The organisational and reporting structure at Surfers Paradise supports the early identification of associations between police and criminals. Team leaders work almost all shifts with the officers on their teams, and there is a culture of mutual support and a high work ethic within the teams. This facilitates the early detection of both personal and work related human resource issues. These issues are reported and strategies are developed in consultation with the Inspector.
- 64. For example, over the years some members who have been identified apparently forming relationships with nightclub management and security. I have held meetings with the officers

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concerned and their immediate supervisors, and provided them with advice regarding potential conflict of interest, public perception, and maintaining professional standards. I report identified issues to my supervising Inspector.

65. Potential risks associated with this issue, such as conflict of interest, are also discussed with new officers during the orientation process.

66. Gifts and Benefits

- 67. Service policy addresses potential conflict of interest issues associated with the giving or receiving of gifts or benefits by officers in their official capacity as a member of the Service. This policy is contained in the Human Resource Management Manual (Code of Conduct) and in the Financial Management Practice Manual.
- 68. I am able to produce a copy of Section 17.1.10 of the Human Resource Managent Manual (Code of Conduct)
- 69. I am able to produce a copy of Section 10.5 of the Financial Management Practice Manual-Receiving and giving of Gifts and Benefits.
- 70. I am able to produce a copy of Section 10.5.1 of the Financial Management Practice Manual- Accounting for Receiving of gifts and Benefits.
- 71. I am able to produce a copy of Section 10.5.2 of the Financial Management Practice Manual-Accounting for Giving of Gifts and Benefits.
- 72. Officers are prohibited from soliciting or accepting gifts or benefits unless authorised by the Service. Service policy is reinforced at local area in terms of briefings and meetings. QPS policy requires the reporting of gifts and benefits received or given, other than incidental gifts, customary hospitality, benefits of a nominal value, or gifts received in a personal capacity.
- 73. Service policy recognises that the acceptance of gifts or benefits by members in their official capacity is acceptable under certain circumstances, where there is no potential conflict of interest.
- 74. From time to time gifts such as gift vouchers and other items have been given to either the station of individual officers in gratitude for good police work. These items reported in accordance with policy, detailing the reason the gift was offered, and in some cases retained with appropriate approval.
- 75. Officers at Surfers Paradise who receive gifts or benefits that fall within QPS policy are required to report the gift and the circumstances via the chain of command for consideration for consideration by the Assistant Commissioner. A Gifts Declaration Form is completed, and a gifts register is maintained at Regional level in accordance with Service policy.

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- 76. There is no requirement to report customary hospitality or benefits of nominal value that officers may receive, such as discounted meals.
- 77. Issues of officers inappropriately accepting gifts or benefits in contravention of Service policy are addressed through the Complaints process, and are investigated in accordance with directions from the CMC and ESC.
- 78. What types of gifts or benefits have the potential to undermine public confidence in the police service?
- 79. The acceptance of gifts or benefits, exceeding nominal value or customary hospitality, where there is a conflict of interest has the potential to undermine public confidence in the police service. A conflict of interest would include any situation where the person offering the gift or benefit expects a favour in return.
- 80. How might the acceptance of gifts and benefits impact on police operations?
- 81. The inappropriate acceptance of gifts or benefits has the potential to compromise police operations where officers neglect to do their duty or give favourable treatment to clients in response to the acceptance of a gift or benefit. Another example would be where police unfairly target a competitor of a person or business in association with the acceptance of a gift or benefit.
- 82. When is it appropriate for Surfers Paradise officers to accept free hospitality from nightclubs? Have you and in fact can you enforce your beliefs in this regard?
- 83. It is inappropriate for Surfers Paradise to accept free hospitality, exceeding nominal value, from nightclubs whilst on duty or in their official capacity as a police officer. It is also inappropriate and a breach of discipline for an officer to ask for free hospitality or benefits in their capacity of a police officer.
- 84. For example, it is inappropriate for off duty police officers to show their police identification or identify themselves as police officers in order to gain free entry to nightclubs, or to obtain free hospitality.
- 85. Police Officers are also not required to report gifts or benefits that they may receive in a purely private capacity whilst off duty, including promotional activities conducted by licensed premises where there is no expectation of any favourable treatment in return. It is expected that officers would apply the SELF test in deciding whether to accept benefits in a personal capacity:- i.e. will your decision withstand Scrutiny? (Community QPS, Media); Ensure compliance (Oath of Service, Code of Conduct, Policy); is your decision Lawful?; is your decision to Fair? (to community, colleagues, family, others).

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- 86. I am able to produce a copy of Service document "SELF stands the decision-making test" that explains the SELF decision making model.
- 87. In applying the SELF test, I consider that it would be inappropriate for an officer to routinely accept free hospitality exceeding nominal value if the free hospitality was given or offered because the person is a police officer in the expectation of favourable treatment, or if the extent of the free hospitality exceeded what members of the wider community are offered.
- 88. My beliefs in this regard are difficult to enforce through formal service policy and procedures, however I believe that the SELF tests assists members to understand the values expected by the Service of its members. In my role as Officer in Charge, I reinforce these values through the system of one on one meetings between supervisors and subordinates. These values are also reinforced where individual officers are identified through existing welfare or disciplinary processes.
- 89. I am not aware of any evidence linking the acceptance of gifts and benefits of nominal value, customary hospitality, or the acceptance of benefits in a personal capacity with corruption.

90. Organisational Culture

- 91. Surfers Paradise Police consistently exhibit a strong work ethic. The team structure has proven to build a high level of commitment and motivation within each team, and a competitive environment in which to maximize performance and professional conduct. For example, teams take pride in their ongoing commitment to policing in Surfers Paradise in the face of personal danger and high levels of stress. Officers feel a camaraderie that encourages them to follow their supervisors into hazardous situations, and to confront dangerous criminals including intoxicated and aggressive OMCG members and ethnic gang members inside nightclubs. This culture has made a significant contribution to the success achieved in keeping Surfers Paradise safe, and restricting OMCG and gang activity in Surfers Paradise.
- 92. All staff at Surfers Paradise are aware of the high level of scrutiny that they are under at all times when they are in Surfers Paradise, both on and off duty. This environment also encourages a high level of professional conduct, appropriate use of force, and a high level of personal conduct both on and off duty.
- 93. Positive and courageous conduct is reinforced at all levels, and most supervisors have demonstrated an ongoing commitment to high professional standards.
- 94. Outline your knowledge of the Services Workplace Bullying Policy?
- 95. Service policy concerning workplace bullying is contained in Chapter 3 of the Human Resource Management Manual and Chapter 19- Grievances with deals more specifically with Workplace

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| | Commissioner for Declarations's signature) | preparing statement) |
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Bullying. Minor instances of workplace harassment bullying may be resolved informally or through the disciplinary process. Workplace bullying must be reported to the OPS Equity and Diversity Unit. In general terms, the decision on how to deal with workplace bullving rests with the victim, however there are effective support systems in place for the victim.

- 96. There is a requirement to report cases of workplace harassment that could amount to breach of discipline or misconduct, to comply with Section 7.2 of the Police Service Administration Act.
- 97. I am able to produce Appendix A of chapter 3 of the Human Resource Management Manual 'Options for Resolving Negative Workplace Behaviours'.
- 98. I am able to produce a copy of Chapter 19, Section 11 of the Human resource Management Manual- 'Alleged workplace Harassment (also known as workplace bullying).
- 99. In my view current practices and strategies, including welfare support and the current policing culture, adequately support officers who report misconduct.
- 100. What inappropriate on and off duty behaviours might tend to fuel a belief amongst members of the public that some officers are a law unto themselves?
- 101. Instances of misconduct and breaches of discipline including abuse of office, incivility, excessive or inappropriate use of force, and unprofessional conduct on or off duty have the potential to portray members of the Service in a poor light and undermine public confidence. Corruption Prevention and Professional standards is a mandatory risk management category at all levels in the QPS, and has been part of the Surfers Paradise Risk Management Plan since at least 2004.
- 102. Corruption Prevention and Misconduct have been addressed as risks Surfers Paradise during the ten years that I have been stationed at Surfers Paradise though the Risk Management Plan, Standing Operating Procedures, and the orientation process for new officers.
- 103. The risk management plan includes the delegation of duties to officers who hold station portfolios, and to Shift Supervisors and Custody Managers. Currently forty officers who are assigned station portfolios have monthly reporting responsibilities. Where QPS policy does not adequately address local conditions, Standing Operating Procedures (SOPs). There are currently forty five SOPs in place at Surfers Paradise.
- 104. Risk minimisation strategies include a comprehensive induction process of new officers stationed at Surfers Paradise, and ongoing briefings and meetings that reinforce positive workplace behaviour and professional conduct.

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105. An orientation booklet is provided to all new officers as soon as they arrive at Surfers Paradise, and a supervisor goes through an induction process with the new officers that includes discussion of the contents of the Orientation Booklet. This booklet includes references to local policy, and to corruption and disciplinary issues, specifically detailing the legislative requirement to report breaches of discipline and misconduct.

106. During discussions with new officers, I reinforce the need to maintain professional standards both on and off-duty, and to maintain a professional distance from club management and security. This advice is given with the intention of preventing conflicts of interest from developing.

107. I am able to produce the Surfers Paradise Orientation Booklet.

- 108. Risks associated with the professional conduct of police officers are identified at several levels within the QPS, including through a profiling process conducted by the Ethical Standards Command.
- 109. At station level, risks are identified through effective supervision and communication processes that have been developed. The schedule of meetings, particularly one on one meetings with team leaders, sergeants, and individual officers have proved effective in addressing human resource issues relevant to this inquiry, including possible inappropriate associations, health and welfare issues, and concerns about professional conduct including workplace harassment.

110. HR Issues

- 111. Explain the difficulties associated with your staff dealing with intoxicated police in the nightclub precinct of Surfers Paradise. What have you done about this issue?
- 112. Surfers Paradise Police have consistently demonstrated a high level of commitment to community values, Service policy, and legislation. There are a number of examples where officers have identified and reported offences and breaches of policy and legislation committed by serving members of the QPS, including public order offences, drink driving, and criminal offences.
- 113. It has been my experience that our staff take appropriate action in relation to police officers who are intoxicated or who are involved in disturbances in Surfers Paradise, including arresting offenders.
- 114. There have been several cases where police from both Queensland and interstate have been arrested by Surfers Paradise uniform staff for committing offences in Surfers Paradise. In the case of interstate officers, the Surfers Paradise Police officers have compiled statements and gathered evidence and reported the incidents via the QPS chain of Command to the Ethical Standards Units

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of the relevant interstate jurisdictions. Local police have cooperated fully with subsequent disciOlinary investigations, and have been supported through this process by their colleagues.

- 115. In my experience officers who report or take action against other police officers or members of the QPS are strongly supported by their colleagues, supervisors, and management. I am not aware of and specific examples of the victimisation of whistleblowers or police witnesses, but I believe that appropriate processes are in place to address these issues if or when they arise. These processes include protection under legislation, and welfare support through the QPS employee assistance services.
- 116. I acknowledge that there are difficulties maintaining strict confidentiality with respect to disciplinary and misconduct complaints at Surfers Paradise. This occurs due to a number of factors including:
 - a. A proportion of complaints against police at Surfers Paradise are initially reported at the counter at Surfers Paradise Police, and subsequently reported on Compass by members attached to Surfers Paradise. On occasions reports are submitted by immediate colleagues of subject officers.
 - b. Following the initial complaints, requests are sent to Surfers Paradise police from the ESC, CMC, and Professional Practice Manager to gather evidence including Station CCTV footage. These inquiries are conducted by colleagues of the subject officers.
 - c. A proportion of Compass complaints are subsequently detailed to Surfers Paradise Police for preliminary inquiries and/or full investigations to be conducted by the subject officer's colleagues or supervisors.

117.

118. During the time that I have been stationed at Surfers Paradise, and particularly since I have been the appointed Officer in Charge, I have been publicly acknowledged for the high level of performance and conduct of our officers by prominent members of the community including the State Member for Surfers Paradise and Leader, Mr John-Paul Langbroek. The Commissioner of Police has also publicly acknowledged the excellent achievements that I have made as the Officer Charge.

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Participant History

| | | Print |
|----------------|--|-------|
| Participant: | DIMOND, MARTIN BRUCE [4004336] | |
| Work Unit: | [441] GOLD COAST DISTRICT | |
| Business Unit: | [GCSTDISTBU] GOLD COAST DISTRICT, SOUTH EASTERN REGION | |

Completed Enrolments

| Course | Course Code | Туре | Completion Date | Score | Result | Result Context |
|--|-------------|-------------------------|--------------------|-------|-----------|------------------------|
| Mobile Police Facility (MPF) Workshop | QC0848_01 | Blended | 08-JUL-2010 | | Competent | Not Applicable |
| Electronic Document and Records Management System General User | QC0907_01 | Blended | 06-JUL-2010 | | Competent | Non- Graded Pass |
| Records Management Fundamentals OLP | QC0201_02 | Online | 02-JUL-2010 | 100 | Passed | Not Applicable |
| Electronic Document and Records Management System_Online Learning Product | QC0903_01 | Online | 02-JUL-2010 | | Competent | Not Applicable |
| Conducted Energy Weapon (Taser X26) Block 3 | QC0879_01 | Blended | 30-APR- 2010 | | Competent | Not Applicable |
| Dangerous Liaisons Training | QC0847_01 | Blended | 06-NOV- 2009 | | Attended | Non- Graded Pass |
| Operational Skills and Tactics Block 2 Integrated Curriculum | QC0757_01 | Workplace Assessment | 05-NOV- 2009 | - (| Competent | Non- Graded Pass |
| Operational Skills and Tactics Block 1 POST | QC0756_01 | Workplace Assessment | 28-OCT- 2009 | | Competent | Non- Graded Pass |
| Use of Conducted Energy Weapon Policy | QC0851_01 | Online | 08-OCT- 2009 | 100 | Passed | Not Applicable |
| Operational Skills and Tactics Block 1 - FIREARMS | QC0755_01 | Workplace Assessment | 30-JUL-2009 | } | Competent | Pass |
| TASER User Recertification Course | QC0781_01 | Blended | 10-MAR- 2009 | | Competent | Non- Graded Pass |
| Risk Management and Business Continuity Training | QC0670_01 | Blended | 06-MAR- 2009 | 100 | Attended | Non- Graded Pass |
| Operational Skills and Tactics Block 2-2008 - Integrated Curriculum | QC0652_01 | Blended | 08-OCT- 2008 | 100 | Competent | Not Applicable |
| QPRIME Phase 2.2 Watchhouse Custody | QC0660_01 | Blended | 10-JUL-2008 | 100 | Competent | Not Applicable |
| QPRIME Phase 2.2 General User | QC0681_01 | Blended | 09-JUL-2008 | 100 | Competent | Not Applicable |
| Mental Health Intervention | QC0550_01 | Blended | 25-MAY- 2008 | 100 | Competent | Not Applicable |
| Operational Skills and Tactics Block 1-2008 - FIREARMS | QC0653_01 | Blended | 14-MAY- 2008 | 100 | Competent | Not Applicable |

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| OPERATIONAL SKILLS AND TACTICS BLOCK 1-2008 - POST | QC0648_01 | Blended | 14-MAY- 2008 | 100 | Competent | Not Applicable |
|--|-----------|--|-----------------|-----|-----------|-------------------|
| Discipline Hearings Course | QC0456_01 | Blended | 22-FEB- 2008 | 100 | Attended | Not Applicable |
| Negative Workplace Behaviour | QD0340_01 | Blended | 28-SEP- 2007 | 100 | Competent | Not Applicable |
| Taser X26 Operator Certification | QC0610_01 | Blended | 16-SEP- 2007 | 100 | Competent | Not Applicable |
| QPRIME Phase 2.1 Task Management | QC0588_01 | Blended | 12-SEP- 2007 | 100 | Competent | Not Applicable |
| QPRIME Phase 2.1 General User | QC0590_01 | Blended | 11-SEP- 2007 | 100 | Competent | Not Applicable |
| Revised Safe Driving Policy trial - Statewide Implementation Workshop | QC0621_01 | Blended | 30-JUL-2007 | 100 | Competent | Not Applicable |
| Police Powers and Responsibilities and Other Acts Amendment Act 2006 Information Workshop | QC0571_01 | Biended | 30-JUL-2007 | 100 | Competent | Not Applicable |
| Operational Skills and Tactics Block 2/2007 Integrated Curriculum | QC0611_01 | Blended | 09-JUL-2007 | 100 | Competent | Not Applicable |
| Operational Skills and Tactics Block - 1/2007 Firearms | QC0540_01 | Blended | 22-JAN- 2007 | 100 | Competent | Not Applicable |
| Operational Skills and Tactics Block 1/2007 - POST | QC0575_01 | e un mengementetet in version structure con Blended | 22-JAN- 2007 | 100 | Competent | Not Applicable |
| Legal Studies in Policing 3 | PML003 | Blended | 04-SEP- 2006 | 50 | Passed | Not Applicable |
| Moving & Transporting Prisoners Workshop | QC0518_01 | Blended | 24-AUG- 2006 | 100 | Competent | Not Applicable |
| Motorised Offenders Workshop | QC0521_01 | Blended | 24-AUG- 2006 | 100 | Competent | Not Applicable |
| Closed Hand Skills Workshop | QC0524_01 | Blended | 24-AUG- 2006 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 16-AUG- 2006 | 100 | Competent | Not Applicable |
| Crowd Management | QC0409_02 | Blended | 04-AUG- 2006 | 100 | Competent | Not Applicable |
| QPRIME 2 Day General User Course | QC0545_01 | Blended | 13-APR- 2006 | 100 | Competent | Not Applicable |
| Tactical Communication - Non Verbal Communications | QC0519_01 | Blended | 16-MAR- 2006 | 100 | Competent | Not Applicable |
| Lateral Vascular Neck Restraint & Associated Issues Workshop | QC0522_01 | Blended | 16-MAR- 2006 | 100 | Competent | Not Applicable |
| Restraining Accoutrement Workshop | QC0520_01 | Blended | 16-MAR- 2006 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 01-MAR- 2006 | 100 | Competent | Not Applicable |
| Workplace Conflict Management | QC0496_01 | Blended | 21-FEB- 2006 | 100 | Attended | Not Applicable |
| QPRIME General Navigation CBT | QC0544_01 | Online | 12-FEB- 2006 | 100 | Passed | Not Applicable |
| Panel Member Training Course | QD0083_01 | Blended | 01-JAN- 2006 | 100 | Competent | Not Applicable |

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| POST Maintenance 2/2005 Watchouse Practices Workshop | QD0108_02 | Blended | 03-NOV- 2005 | 100 | Competent | Not Applicable |
|--|--|---------|-----------------|-----|-----------|-------------------|
| POST Maintenance 2/2005 ASP Baton Update Workshop | QC0419_02 | Blended | 03-NOV- 2005 | 100 | Competent | Not Applicable |
| POST Maintenance 2/2005 Open Hand Tactics Workshop | QD0057_02 | Biended | 03-NOV- 2005 | 100 | Competent | Not Applicable |
| POST Maintenance 2/2005 Tyre Deflation Device Workshop | QC0286_02 | Blended | 03-NOV- 2005 | 100 | Competent | Not Applicable |
| Mental Health OLP | QC0322_01 | Online | 10-AUG- 2005 | 100 | Passed | Not Applicable |
| Chemical, Biological and Radiological (CBR) Incidents - First Response Officers OLP | QC0464_01 | Online | 09-AUG- 2005 | 100 | Passed | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 22-JUN- 2005 | 100 | Competent | Not Applicable |
| Crowd Management | QC0409_02 | Biended | 17-JUN- 2005 | 100 | Competent | Not Applicable |
| Management Studies in Policing 3 | PMM003 | Blended | 14-JUN- 2005 | 83 | Passed | Not Applicable |
| First Aid - QAS facilitates training and QAS conducts assessment. | QCW003_03 | Blended | 19-APR- 2005 | 100 | Competent | Not Applicable |
| ChargePrep Expert Training | QC0467_01 | Blended | 10-MAR- 2005 | 100 | Competent | Not Applicable |
| POST Maintenance 1/2005 - Tactical Communication (2): Dealing with Mentally III Persons | and y and 2009 (and some national and a some in a | Blended | 07-MAR- 2005 | 100 | Competent | Not Applicable |
| POST Maintenance 1/2005: Positional Asphyxia Awareness Workshop | QC0427_01 | Blended | 07-MAR- 2005 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 02-FEB- 2005 | 100 | Competent | Not Applicable |
| Public Speaking Course | QC0159_01 | Blended | 16-DEC- 2004 | 100 | Attended | Not Applicable |
| Interception By Police | QD0231_01 | Blended | 11-OCT- 2004 | 100 | Attended | Not Applicable |
| OC Spray Update Workshop | QC0365_01 | Blended | 11-OCT- 2004 | 100 | Competent | Not Applicable |
| Firearm Security and Retention Workshop | QC0366_01 | Blended | 11-OCT- 2004 | 100 | Competent | Not Applicable |
| Interception By Police | QD0231_01 | Blended | 11-OCT- 2004 | 100 | Attended | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 01-SEP- 2004 | 100 | Competent | Not Applicable |
| Information Privacy Principles Training OLP | QC0369_03 | Online | 07-JUN- 2004 | 100 | Passed | Not Applicable |
| DNA Amendment Training OLP | QC0343_01 | Online | 28-MAR- 2004 | 100 | Passed | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 25-FEB- 2004 | 100 | Competent | Not Applicable |
| POST Maintenance 1/2004 - (Operational Searches) | QC0368_01 | Blended | 16-FEB- 2004 | 100 | Competent | Not Applicable |
| Job Application and Interview | QC0363_01 | Blended | 16-FEB- | 100 | Competent | Not |

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| Skills Workshop | a demogrado a calcular contra estrem contra estrem este estrem este estrem este estrem este estrem este estrem | ang | 2004 | | | Applicable |
|--|--|---|-----------------|-----|------------------------------|-------------------------------------|
| POST Maintenance 1/2004 - Tactical Communication Skills (1) | QC0367_01 | Blended | 16-FEB- 2004 | 100 | Competent | Not Applicable |
| GOLD COAST MENTAL HEALTH PROCEDURES - TRIAL TRAINING | QD0095_01 | Blended | 16-FEB- 2004 | 100 | Competent | Not Applicable |
| Plan Assessment | QB-BSZ401A_02 | Blended | 11-FEB- 2004 | , | Recognised Prior Learning | Recognitio of Prior Learning |
| Review Assessment | QB-BSZ403A_02 | Blended | 11-FEB- 2004 | | Recognised Prior Learning | Recognitio of Prior Learning |
| FTO Refresher Course | QC0341_01 | Blended | 11-FEB- 2004 | 100 | Competent | Not Applicable |
| Conduct Assessment | QB-BSZ402A_02 | Blended | 11-FEB- 2004 | | Recognised Prìor Learning | Recognitio of Prior Learning |
| Diploma of Public Safety (Policing) | QA-PUA50200_01 | Blended | 24-NOV- 2003 | | Recognised Prior Learning | Recognition of Prior Learning |
| Supportive Leadership | QC0323_01 | Blended | 01-OCT- 2003 | 100 | Attended | Not Applicable |
| POST Maintenance - Sem 2/2003 | QD0130_01 | Blended | 07-JUL-2003 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 02-JUL-2003 | 100 | Competent | Not Applicable |
| Interceptions And Pursuits - Edition 4 | QCP002_02 | Blended | 20-FEB- 2003 | 100 | Passed | Not Applicable |
| Domestic Violence 2002 Amendment Training | QC0310_01 | Blended | 28-JAN- 2003 | 100 | Competent | Not Applicable |
| POST Maintenance - Open Hand Tactics Workshop | QD0057_01 | Blended | 09-DEC- 2002 | 100 | Competent | Not Applicable |
| POST Maintenance - ASP Baton Workshop | QD0058_01 | Blended | 09-DEC- 2002 | 100 | Competent | Not Applicable |
| DNA SAMPLER TRAINING AND ASSESSMENT | QC0244_01 | Blended | 05-DEC- 2002 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 11-NOV- 2002 | 100 | Competent | Not Applicable |
| Police Powers and Responsibilites and Another Act Amendment Act 2002 - 'Hoon Legislation' SOS Ver 1 | QC0315_01 | Online | 09-OCT- 2002 | 100 | Passed | Not Applicable |
| Disciplinary Process Assessment Classification & Reporting Workshop | QC0299_01 | Blended | 11-SEP- 2002 | 100 | Passed | Not Applicable |
| Disciplinary Process Managerial Resolution Morkshop | QC0300_01 | Blended | 11-SEP- 2002 | 100 | Passed | Not Applicable |
| QPS Client Service Charter OLP | QC0290_01 | Online | 13-AUG- 2002 | 100 | Passed | Not Applicable |
| QPS Client Service Charter DLP | QC0290_01 | Online | 13-AUG- 2002 | 0 | Failed | Not Applicable |
| Nord 2000 Essentials for the PC | QD0041_01 | Blended | 18-JUL-2002 | 100 | Competent | Not Applicable |
| QPS Leave Management | QD0030_01 | Blended | 28-MAY- 2002 | 100 | Passed | Not Applicable |

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| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 07-MAY- 2002 | 100 | Competent | Not Applicable |
|---|-----------|---------|-----------------|-----|-----------|-------------------|
| Tyre Deflation Device - Stinger Spike Training Workshop | QD0109_01 | Blended | 22-APR- 2002 | 100 | Competent | Not Applicable |
| WATCHHOUSE PRACTICES WORKSHOP (POST) | QD0108_01 | Blended | 22-APR- 2002 | 100 | Competent | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 12-MAR- 2002 | 100 | Passed | Not Applicable |
| DESKTOP REPLACEMENT | QC0253_01 | Blended | 25-JAN- 2002 | 100 | Passed | Not Applicable |
| Mental Health Training 2001 | QC0282_01 | Blended | 19-DEC- 2001 | 100 | Passed | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Biended | 25-SEP- 2001 | 100 | Passed | Not Applicable |
| POST Maintenance Training | ZZZ0261 | Blended | 27-AUG- 2001 | 100 | Passed | Not Applicable |
| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 06-DEC- 2000 | 100 | Passed | Not Applicable |
| POST Maintenance Training | ZZZ0261 | Blended | 15-NOV- 2000 | 100 | Passed | Not Applicable |
| Drug Diversion: S.211 PPRA2000: Application & Use - General Training | QC0223_01 | Blended | 08-NOV- 2000 | 100 | Passed | Not Applicable |
| DNA Sampling | QC0218_01 | Blended | 23-OCT- 2000 | 100 | Passed | Not Applicable |
| LTI 20-20 Ultralyte Operators Course | QB0084_01 | Blended | 31-AUG- 2000 | 100 | Passed | Not Applicable |
| Police Powers and Responsibilities and Other Acts Amendment Act 2000 - Application and UseTraining | QC0204_01 | Blended | 25-AUG- 2000 | 100 | Passed | Not Applicable |
| Police Powers and Responsibilities ACT 2000 | QC0154_01 | Blended | 24-AUG- 2000 | 100 | Passed | Not Applicable |
| Police Powers and Responsibilities and Other Acts Amendment Act 2000 - Application and UseTraining | QC0204_01 | Blended | 26-JUN- 2000 | 100 | Passed | Not Applicable |
| GST Training OLP | QC0190_01 | Online | 21-JUN- 2000 | 100 | Passed | Not Applicable |
| Disciplinary Process Managerial Resolution Workshop | QC0300_01 | Blended | 16-JUN- 2000 | 100 | Attended | Not Applicable |
| Disciplinary Process Assessment Classification & Reporting Workshop | QC0299_01 | Blended | 15-JUN- 2000 | 100 | Attended | Not Applicable |
| OC (Capsicum) Spray Course | QD0133_01 | Blended | 06-JUN- 2000 | 100 | Passed | Not Applicable |
| Operational Glock Semi- Automatic Pistol Course | QPS0092 | Blended | 18-MAY- 2000 | 100 | Passed | Not Applicable |
| QPS Internet Access SOS | QC0151_01 | Online | 12-APR- 2000 | 100 | Passed | Not Applicable |
| Domestic Violence (Family Protection) Amendment Act 1999 Training Lecture | QC0122_01 | Blended | 28-MAR- 2000 | 100 | Passed | Not Applicable |
| POST Maintenance Training | ZZZ0261 | Blended | 08-DEC- 1999 | 100 | Passed | Not Applicable |

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| Firearms Minimum Training Requirement - Glock | QC0214_01 | Blended | 08-DEC- 1999 | 100 | Passed | Not Applicable |
|---|----------------|---------|-----------------|-----|----------|------------------------|
| Breath Testing Device Operation Course (SD400PA) | QB0069_02 | Blended | 07-DEC- 1999 | 100 | Passed | Not Applicable |
| Australian Road Rules (General): Training Information Package | QC0107_01 | Blended | 30-NOV- 1999 | 100 | Passed | Not Applicable |
| Problem Oriented Policing (POP) CBT | QC0045_01 | Online | 26-NOV- 1999 | 100 | Passed | Not Applicable |
| Legal Studies in Policing 2 | PML002 | Blended | 19-NOV- 1999 | 86 | Passed | Not Applicable |
| Management Studies in Policing 2 | PMM002 | Blended | 19-NOV- 1999 | 72 | Passed | Not Applicable |
| Foundation Studies in Management | | Blended | 11-JUN- 1999 | 64 | Passed | Not Applicable |
| Informal Resolution Course | QPS0001 | Blended | 21-MAY- 1998 | 0 | Passed | Not Applicable |
| National Drug Enforcement Officers Course | ZPE_NATDRUGENF | Blended | 08-SEP- 1989 | 50 | Passed | Non- Graded Pass |
| Sergeant Second Class Qualifying Exam (Law) | ZPE_S2QUALEXL | Blended | 28-APR- 1989 | 50 | Passed | Non- Graded Pass |
| Sergeant Second Class Qualifying Exam (Police Duties) | ZPE_S2QUALEXPD | Blended | 28-APR- 1989 | 59 | Passed | Non- Graded Pass |
| Constable First Class Qualifying Exam (Police Duties) | ZPE_C1QUALEXPD | Blended | 31-MAR- 1985 | 73 | Passed | Non- Graded Pass |
| Constable First Class Qualifying Exam (Law) | ZPE_C1QUALEXL | Blended | 31-MAR- 1985 | 72 | Passed | Non- Graded Pass |
| Crime Investigation Course | ZPE_CRIMINVEST | Blended | 16-MAR- 1984 | 73 | Passed | Non- Graded Pass |
| Police Law II | ZPE_ASCPOLAWII | Blended | 31-DEC- 1983 | 65 | Passed | Credit |
| Business Communication I | ZPE_ASCBUSCMI | Blended | 31-DEC- 1982 | 0 | Exempted | Academic Exemption |
| Social Psychology | ZPE_ASCSOCPSYC | Biended | 31-DEC- 1982 | 75 | Passed | Non- Graded Pass |
| Computers in Society | ZPE_ASCCOMPSOC | Blended | 31-DEC- 1982 | 75 | Passed | Non- Graded Pass |
| Explosive Ordnance Disposal Course | ZPE_EXPORDSPCS | Blended | 02-JUL-1982 | 88 | Passed | Non- Graded Pass |
| Queensland Police Administration | ZPE_ASCQPOLADM | Blended | 30-JUN- 1981 | 65 | Passed | Credit |
| Police Law I | ZPE_ASCPOLAWI | Blended | 30-JUN- 1981 | 50 | Passed | Pass |
| Advanced Training Course | ZPE_ADTRCS | Blended | 06-FEB- 1981 | 50 | Passed | Pass |

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| PD No: | GDO08 |
|-----------------|----------------------------|
| Rank: | Senior Sergeant |
| Function: | Officer in Charge |
| Classification: | Officer in Charge |
| Location: | General Duties ALL REGIONS |

POSITION OBJECTIVE

Manage the provision of efficient and effective policing services in the community.

PRINCIPAL RESPONSIBILITIES

Control available resources (internal and external) through effective management techniques aimed at service delivery, crime prevention and detection.

Research environmental factors and develop appropriate responses to serve community and Service needs.

Ensure proactive tasking, including patrols and investigations are conducted to enhance the role of the Service within the community.

Implement, manage and apply problem solving approaches to bring about improved servcie delivery.

Identify and implement appropriate actions for performance management, personnel development and assessment procedures.

Establish and maintain effective communication with all stakeholders to complement service provision.

Effectively manage human resources, using contemporary human resource management practices to achieve efficient operations within the division while maintaining employee satisfaction.

ESSENTIAL SELECTION CRITERIA

- ESC1 A standard of personal integrity as required by the Commissioner of the Queensland Police Service.
- ESC2 Existing appointment at the rank of Senior Sergeant or higher

OR

Successful completion of Level 2 of the Management Development Program as at the date of closure of applications for the particular vacancy. (Refer Appendix D, Section 16.2 of HRM Manual.)

Officers at a higher rank who are appointed to a position designated at a lower rank are required to take a voluntary reduction in rank in order to take up the new position.

KEY SELECTION CRITERIA

| KSC1 | Demonstrated ability to effectively lead and supervise subordinate staff. |
|------|--|
| KSC2 | Comprehensive knowledge of and demonstrated high level skill in applying legislation, policies and procedures to general duties policing. |
| KSC3 | Managerial and leadership skills appropriate to managing a large Division/District consistent with Service requirements and to provide quality advice. |

KSC4 Demonstrated ability to achieve outcomes, analyse and act strategically and

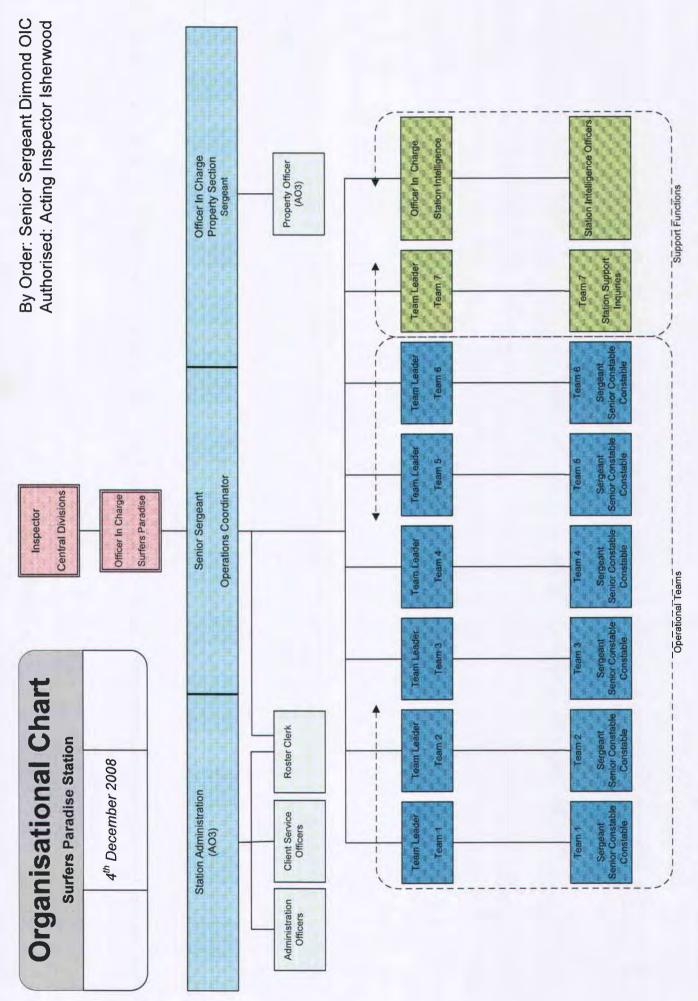
apply problem solving approaches to policing.

KSC5 Demonstrated high level of skill in oral and written communication.

Privacy Collection Statement

The Queensland Police Service (QPS) is collecting information for the purpose of processing your application for an advertised internal QPS vacancy. The collection of this information is authorised by the Police Service Administration ACT 1990. Pursuant to Chapter 16 of the QPS Human Resource Management Manual, if you are the successful applicant, your application may be provided upon request to unsuccessful internal applicants as part of the feedback process. Your personal details (including private address, telephone numbers etc) will not be disclosed to a third party without your consent unless the disclosure is authorised or required by law.

Date of Review: 04.11.09



Prepared by: Senior Constable Ryan Clark

Version .02

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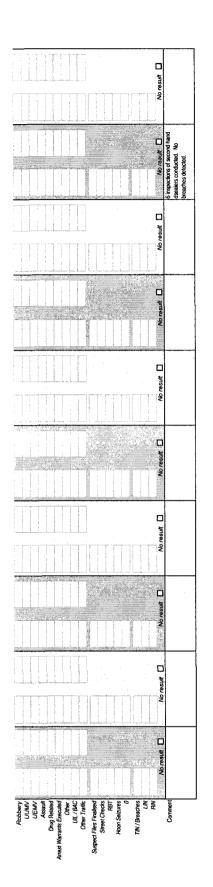
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| 10 Feb 10 Wednesday | Property Crime Op Endure | taregring hot soots | Surfers | | | Offenders Charges | | | 3 | | | 1 | | | of Follow-up Raid Day. Cancelled | by NiG. Surfers redeployed to Traffic/Bail | Second Operation - 10 Fax 10 | | | | | • • • • • • • • • • • • • • • • • • • | Charges | | |
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| Monday | Princhent2 Hand Deal Op Hockit | dealers dealers 2 2 | Surfers - Sgt COOK | | | Offenders | | | | | | | | | 6 inspectios of second hand | dealers conducted. No breaches detected | Second Operation - 6 Feb (0 | | | | | | Offenders | | |
| Sunday | Traffic Lidar/RBT Lidar/RBT | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | Surfers | | | Otendora Cherges | | | | | | 21 | ¢ | 2 4 | No restatts | | Second Operation - 7 Feb 10 | | | | | | Cleaner | | |
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| 5 Feb 10 Friday | 3 | | Surfers | | | 6 6 | - | | 6 | | | 14 | | Э.С | No results | | Second Operation - 5 Feb 19 | | | | | | Ofenders Charges | | |
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| Wednesday | | 2005 DU | | | | Offenders Changes | | | | - | - | 35 | | | No results | <u> </u> | Second Operation - 3 Feb 10 - 5 | | | | | | Offenders Charges | | |
| z rep tu Tuesday | | | | | | Offenders | | | | 5 - | | 30 | | | No result | | Second Operation - 2 Feb 10 S | | | | | | Chlenders Charges | | |
| 1 Feb 10 Monday | | | | | | Offenders Charges | | | | | | | | | No results | | Second Operation - 1 Feb 10 S | | | | | | Ottendors | | |
| Burters Paradise | Primary Operation | Intended Action (desc) Staff (No.) Duration (Davs) | <u>1</u> | External Resources | **** | RESULTS | Break & Enter - Uwelling Break & Enter - Other Dathard | UUMA | Assault Drug Related | Other UIL / BAC | Other Traffic Suspect Files Finalised | Street Checks RBT | 1000 Seizures 0 Tivi / Broachas | | Comment | | | Operation Focus Operation Name | Lun a street | Internal Resources | nu: Extemal Resources | | RESULTS Break & Enter - Dwelling | Break & Enter - Other | |
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| May 10 Monday | Property Crime Gemini - Burleigh Op Assid Burleigh | | | No results Foot patrols of Bureligh Mountain/Conduct bureligh | Mountairi/Goodwin terrace Second Operation - 31 May 10 | | | |
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| 29 May 10 Saturday | Liquor Cesen-Dur Cesen-Dur Reprograd order offeness 6 1 Sufes | 2 2 7 1 | | 25 25 No results D Drug dealer SILK | UP 100031041, arrested, large amount intox early on in night, taxi ranks/parks etc targeted. Second Operation -: 28 Mey 10 | Grime Other Joint CPUU Tapeling javerles in relation 1 1 2 x Surfres | 29 | Konstration |
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| 26 May 10 Wednesday | Property Crime Spokes/Gemini Asset Burleigh Asset Burleigh 1 Surlies Push Biles | | | No result | depeyed , high visibility patrois along beach front areas and carparks conducted Second Operation - 26 May 10 | | | |
| 25 May 10 Tuesday | Propenty Crime Germin - Burleigh Op Assis Burleigh Op Assis Burleigh Op 2 X Studies | | | No results | al Sucentre re Shim vontences in and then called to assist in SiParadise re Emergent Second Operation - 25 May 10 | | S S S S S S S S S S S S S S S S S S S | |
| 24 May 10 Monday | Property Crme Germin - Burleigh Op Asset Burleigh Op Asset Burleigh Op 2 & Surfes | | | Required to respond to CFS in | Burteign area. Second Operation - 24 Key 10 | | | |
| 23 May 10 Sunday | Traffic Op Nasel Lukamfar Op Sanfes Sanfes | Grant | - 2 | 5 A horizonta Contraction A horizonta A ho | succen ceam Second Operation 23 May 10 | | | |
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| 27 Aug 10 | Ficking Letture Costant Costant SPPD SPD | | Please note at 0100hrs Constable Kelly ABRAMS was assaulted by Luke SHARPE 2605/1984 outside of the Q1 | Second Operation 1. 21 July 10 | Others |
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17.1.10 Standards of Conduct

The following standards are derived from the ethics principles and obligations as outlined in sections 8 and 9 of this code. They apply directly to all members of the Service and are the standards that will be used by the Service when determining appropriateness of a member's conduct against the provisions of this code.

17.1.10.1 Responsibility to Community, Government and the Law

Members are to act in good faith, in accordance with both the spirit and the letter of the law and in the best interests of the community of Queensland.

While acknowledging the need for adherence to the principles of responsible parliamentary government and the need for police operational decisions to be free, and be seen to be free from undue or improper political considerations, all members of the Service have responsibilities towards the government of the day and are to:

(i) ensure political neutrality in all policing decisions and implement Government policy and Ministerial directions impartially, regardless of which political party or parties are in office; and

(ii) when requested or directed, provide advice, through the Commissioner, to the Minister and Government, in a comprehensive, accurate and timely manner.

17.1.10.2 Public Comment

The Service acknowledges that members have a right to make public comment and enter into public debate on political, community and social issues in a private capacity. Where a public comment is made in a private capacity members are to ensure that it is clearly identified as not being an official comment or made in an official capacity. There are circumstances where public comment or debate by members is not acceptable. These include circumstances where:

(i) a public comment made in a private capacity may give rise to a public perception that it is in some way an official comment of the Government or the Service;

(ii) a member is directly involved in advising on or directing the implementation or administration of government policy, and the public comment would compromise the member's ability to do so;

(iii) a public comment amounts to improper criticism of the Government or the Service;

(iv) an official public comment is inconsistent with the Service's corporate policy or direction, or gives rise to the perception that the member is in disagreement with the Service's corporate policy or direction;

(v) a public comment amounts to an unwarranted personal attack on the character or integrity of another member or person; or

(vi) any member of the Service who undertakes external research, including recipients of research scholarships such as the Courier Mail and Churchill Fellowship Awards, must include a disclaimer on the front of their report. The wording of this disclaimer should read:

"The views expressed in this material are those of the author(s) and are not those of the Queensland Police Service. Responsibility for any errors of omission or commission remain with the author(s)." Where members are in any doubt as to the propriety of a proposed public comment they should consult their supervisor, and observe any directions issued by the Commissioner governing public comment and political activity.

17.1.10.3 Political Activity

Members have the same right as any other citizen to freedom of political views and association. However, any political activity by members is to be conducted in a private capacity. It is essential that members clearly separate any official action or views from any political action or views. Members may only engage in private political activity or comment outside the course of official duty and are to ensure that no conflict of interests arise between such activity or comment and their official duties. Where a member enters into any agreement with a political party during the course of or prior to an election campaign that has the potential to compromise the independence of the Police Service they must report the matter immediately to the Commissioner.

Examples of permissible conduct under this section are:

(i) expressing opinions on political subjects and candidates in a private capacity;

(ii) displaying political advertising (except in situations that are connected to official duties, i.e. advertising must not be displayed whilst on duty or on Queensland Police Service property); and

(iii) signing a political petition in a private capacity.

Members of the Service contesting federal, state or local government elections are to comply with the relevant provisions of <u>s. 25.1</u>: '<u>Members Contesting Elections</u>' of the Human Resource Management Manual.

17.1.10.4 Union Representatives and Public Comment

The Service recognises the responsibilities of members elected as workplace representatives or officials of trade unions and professional associations. Such representatives or officials need not seek permission from the Service before expressing publicly their union's or association's views. However, any such representative or official is to ensure that such comments are clearly made and identified as the views of their union or association and are made in their official capacity as a representative or official of that union or association.

17.1.10.5 Lawful Directions

Members are to obey any lawful direction, instruction or order given by any member or person authorised by law to do so.

Members in satisfying their obligations under this section are to comply with the provisions on lawful directions as outlined in <u>s. 17.2</u>: 'Procedural Guidelines for Professional Conduct' of the Human Resource Management Manual.

17.1.10.6 Conflict of Interests

Members of the Service are expected to perform their duties in such a manner that public confidence and trust in the integrity, objectivity and impartiality of the Queensland Police Service and its members is preserved.

In satisfaction of this objective members are to arrange their private affairs in a manner that will prevent any actual or apparent conflict of interests from arising wherever foreseeable. Further, members are to ensure as far as practicable there is no conflict between their personal interests

and the impartial fulfilment of their official duties and responsibilities.

Members are to avoid both actual or apparent conflicts of interests in all matters relating to their employment with the Service. However, members are not to be subject to unreasonable restrictions on their private activities purely as a result of their employment with the Service. Where a conflict of interests does arise between the private interests of a member and the official duties or responsibilities of that member, the member is to disclose details of the conflict to their supervising Executive Officer. All conflict of interests relating to a member's employment with the Service will be resolved in favour of the Service and the public interest.

Members in satisfying their obligations under this section are to comply with the provisions on outside employment as outlined in <u>s. 17.2</u>: '<u>Procedural Guidelines for Professional Conduct</u>' of the Human Resource Management Manual. Section 17.2 outlines the processes to be followed in dealing with the range of potential conflicts of interests that may confront members.

17.1.10.7 Gifts and Benefits

In their official capacity as a member of the Service, members are:

- not to solicit any personal or other benefit, except where the solicitation is authorised by the Service (e.g. legitimate pursuit of donations or sponsorship in accordance with Service policy); and
- not to accept any personal or other benefit, unless authorised/permitted by the Service (e.g. customary hospitality and benefits of nominal value).

The Service recognises that there will be instances where members will be offered benefits and that under certain circumstances it will be appropriate for members to accept them.

Members are to consider the following when making this decision:

- (i) who is offering the hospitality, gift or benefit?
- (ii) what is the purpose of the offer?
- (iii) what is the timing of the offer?
- (iv) does the value of the hospitality or benefit exceed nominal value?
- (v) is the offer likely to be regular or repetitive?
- (vi) is it consistent with other Service policy?
- (vii) could the acceptance compromise you, another person or the Service?
- (viii) could the acceptance withstand public scrutiny?

The policy for the <u>Giving and Receipt of Gifts and Benefits by Employees of the Queensland</u> <u>Public Service</u> issued by the Office of the Public Service Commissioner outlines the ethical considerations and procedures involved in giving and receiving of gifts and benefits and is to be read in conjunction with the above arrangements.

In addition, section 17.2: <u>'Procedural Guidelines for Professional Conduct'</u> of this manual provides information on the acceptance of gifts and benefits where this action may create an actual or apparent conflict of interest.

17.1.10.8 Personal Conduct

http://intranet.qldpol/QPS/CSV/hrd/hrmb/hr planning/hr manual/chapters11-20/chap... 10/09/2010

At all times, members are to act and be seen to act properly and in accordance with both the spirit and the letter of the law and the terms of this code of conduct. Members are not to act in a manner which will adversely reflect on the Service generally or on themselves as members of the Service.

17.1.10.9 Outside Employment

Members may not engage in any employment outside the Queensland Police Service whilst on leave or otherwise if such employment:

- (i) interferes with the effectiveness of the performance of their duties;
- (ii) creates or appears to create a conflict of interest; or
- (iii) reflects adversely on the Service.

Members in satisfying their obligations under this section are to comply with the provisions on outside employment as outlined in <u>s. 17.2: 'Procedural Guidelines for Professional Conduct'</u> of the Human Resource Management Manual.

17.1.10.10 Use of Alcohol and Drugs

Illicit drug use by QPS members is not acceptable.

Members are to ensure that the consumption of alcohol or other licit drugs does not adversely affect the performance of their official duties. Licit drugs include prescription and over the counter medications.

Members of the Service are not to:

(i) consume alcohol while on duty or during meal breaks except where related to the member's official duties and subject to a superior member's approval and conditions; or

(ii) consume alcohol or other licit drugs when a requirement to go on duty is reasonable foreseeable and imminent where such consumption will:

- (a) adversely affect the ability to conduct official duties;
- (b) result in unsatisfactory work performance; or
- (c) affect the safety of others.

In satisfying their obligations under this section, members are to comply with the provisions on the consumption of alcohol and drugs as outlined in <u>s.17.2</u>: 'Procedural Guidelines for <u>Professional Conduct</u>' and <u>s.21.14</u>: 'Alcohol and Drug Policy and Procedures' of this Manual.

17.1.10.11 Influence to Secure Advantage

Members shall not use the influence of their official powers or position, or the influence of any other person to obtain improperly, any appointment, promotion, advancement, transfer, decision or other advantage, either personally or on behalf of another.

17.1.10.12 Improper Use of Information and Communication Technology (ICT)

All Queensland government agencies are guided by the Cabinet-endorsed <u>'Use of the Internet</u>

and Electronic Mail Policy' and Information Standard 38. The Service's policy regarding the misuse of ICT facilities and devices is primarily contained in the <u>Information Management</u> <u>Manual</u>. Anyone found to have misused ICT devices or facilities potentially faces a range of penalties, including dismissal. Any possible misuse or breach of Service ICT policy will be dealt with on a case-by-case basis.

17.1.10.13 Improper Access or Use of QPS Information

In the performance of official duties, members of the Service are granted lawful access to many sources of information, confidential or otherwise. With this access comes a requisite level of accountability and trust that the information will only be used for official purposes. It is the view of the Service that there is no excuse for members to betray the public trust by making any unauthorised, improper or unlawful access or use of any official or confidential information available to them in the performance of their duties.

When dealing with official or confidential information of the Service, members are not to access, use or release information without an official purpose related to the performance of their duties.

Where any member breaches this provision they must expect that the Service will institute appropriate disciplinary or criminal proceedings. Members need to be aware that this type of activity is viewed by the Service as misconduct and any members who breach the provisions of this section will be dealt with accordingly.

Members requiring further information or assistance when dealing with official or confidential information should refer to and comply with relevant provisions of the following legislation and documents:

- Sections 10.1 and 10.2 of the Police Service Administration Act 1990;
- Right to Information Act 2009;
- Information Privacy Act 2009;
- the Queensland Police Service Statement of Affairs; and
- Chapter 1 of the Operational Procedures Manual.

17.1.10.14 Intellectual Property and Copyright

Members of the Service are to comply with all legislation, Service policies and procedures covering intellectual property and copyright. A member will breach the provisions of this code where they fail to comply with any such legislation, policy or procedures.

Members in satisfying their obligations under this section are to comply with the provisions on intellectual property and copyright as outlined in <u>s. 17.2</u>: 'Procedural Guidelines for Professional <u>Conduct'</u> of the Human Resource Management Manual.

17.1.10.15 Performance of Official Duties

In the performance of official duties members are to:

(i) demonstrate high standards of professional integrity and honesty;

(ii) apply themselves to the efficient and effective achievement of the functions of the Queensland Police Service;

(iii) perform any duties associated with their position diligently and to the best of their ability, in a manner that bears the closest public scrutiny and meets all legislative, Government and Service standards;

(iv) set and maintain standards of leadership that are consistent with corporate goals and policies, and be seen at all times to act in support of those corporate goals

and policies;

(v) promote and encourage members of the Service under their supervision to exercise high standards of personal and professional conduct;

(vi) act with fairness and reasonable compassion;

(vii) provide conscientious, effective, efficient and courteous service to all those with whom they have official dealings. In particular, members are to be sensitive to the special circumstances and needs surrounding victims of crime;

(viii) while members will put family responsibilities first, duty to the people of Queensland will always be given priority over the other private interests of members;

(ix) perform their duties impartially and in the best interests of the community of Queensland, without fear or favour;

(x) act in good faith; and

(xi) actively contribute to the achievement of the Service's corporate goals.

17.1.10.16 Conduct Toward Members and Other Persons

In the course of their duties, and in particular when exercising discretionary powers, members are to:

(i) treat all persons with respect and dignity and in a reasonable, equitable and fair manner;

(ii) not intimidate, engage in sexual or other forms of harassment, unlawfully discriminate or otherwise abuse any person;

(iii) observe merit in recruitment, promotion and other selection processes;

(iv) safeguard privacy and confidentiality of matters of a personal nature relating to other members of the Service;

(v) adhere to the principles of natural justice;

(vi) adhere to management principles and practices which foster the rights, and well being of members and encourage access to employee assistance and development schemes;

(vii) ensure subordinates are set equitable and fair workloads;

(viii) not inappropriately distract other members of the Service from carrying out their duties;

(ix) not allow personal relationships to adversely affect their work performance or that of other members; and

(x) not induce other members to breach this code.

17.1.10.17 Resources, Economy and Efficiency

In the performance of official duties members are to:

(i) use or manage both human and material resources efficiently and effectively for the benefit of the public of Queensland;

- (ii) conserve and safeguard public assets;
- (iii) budget honestly;
- (iv) not misuse Service equipment or vehicles; and
- (v) respect the environment by engaging in environmentally friendly work practices.

Members are not to (directly or indirectly) make improper use of, or allow the improper use of, property, equipment and facilities of any kind belonging to or leased by the Commissioner. Members are not to use any such property, equipment, or facilities for any purpose which has not been authorised by the Service.

Members are to ensure that all facilities, physical resources and other property belonging to the Commissioner are given due care and maintenance. Members in satisfying their obligations under this section are to comply with the provisions of s. <u>17.2.4.8</u> 'Service Property - Due Care, <u>Maintenance and Security'</u> of the Human Resource Management Manual.

Members are to avoid waste, abuse of, or extravagant use of Service resources.

Effective from 16 October 2009

10.5 Receiving and Giving of Gifts and Benefits

Financial Management Practice Manual Policy Statement

1 Introduction

1

This statement sets out the policy requirements for the receiving and giving of gifts and benefits by both members and the Queensland Police Service (the Service) in the course of official duties and, in particular, the recording and reporting of them.

2 Ethics and integrity

In recognition that public office involves public trust, a member shall seek to:

- maintain and enhance public confidence in the integrity of public administration
- advance the common good of the community in which the member serves.

Having regard to this obligation, a member:

- shall not improperly use his or her official powers or position, or allow them to be improperly used
- shall ensure that any conflict that may arise between the member's personal interests and official duties is resolved in favour of the public interest.

Members shall be guided in their decision making by public policy and not by personal interest and are expected to ensure that all members of the community are treated fairly and to demonstrate the highest standards of impartiality, transparency, accountability and ethical behaviour at all times.

Members shall not solicit gifts or benefits of any kind for themselves, their immediate family or any business concern or trust with which the member is associated, from anyone who has a contractual or special relationship with government, except where the solicitation is authorised by the Service, for example, the legitimate pursuit of donations or sponsorship in accordance with Service policy. Solicitation includes entering any discretionary competitions which involve a prize.

This policy on accepting and giving gifts or benefits shall be read in conjunction with the Service's Handbook of Delegations and Authorities, Human Resource Management Manual and the Administration Manual.

A member who accepts a personal benefit from a person or organisation in return for favourable treatment of the offeror, may be guilty of official misconduct or a criminal offence. The *Crime and Misconduct Act 2001* and the *Criminal Code Act 1899* detail provisions which relate to official misconduct and abuse of office.

Members shall avoid all situations where the acceptance of any benefit or gift creates an actual or apparent conflict of interest, especially where such acceptance involves any threatened harassment or attempts to induce preferential treatment.

3 Conflict of interest

Accepting a gift or benefit could create a conflict of interest.

A conflict of interest involves a conflict between a member's duty to serve the public interest and the member's private interests.

There are three types of conflict of interest:

- an actual conflict of interest where a member is in a position to be influenced by their private interests when doing their job
- a perceived conflict of interest where a member is in a position to appear to be influenced by his or her interests when doing their job
- a potential conflict of interest where a member is in a position where he or she may be influenced in the future by their private interests when doing their job.

A poorly managed perceived conflict of interest can be just as damaging as a poorly managed actual conflict of interest. Members must not only behave ethically, they must also be seen to behave ethically.

Where members become aware of an actual or apparent conflict of interest between official duty and private interests, they are required under the provisions of the Code of Conduct to disclose details of the conflict to their supervisor who is to:

- consider information contained in the disclosure
- determine the extent of the conflict of interest
- direct any remedial action to resolve the conflict.

Members shall be aware that any conflict of interest which arises between their private interests and official duties or responsibilities shall be resolved in favour of the Service and the public interest.

3.1 Private interests

The term 'private interests' includes not only the personal, professional or business interests that a member may have, but also the personal or business interests of the individuals or groups with whom that member associates. This may include relatives, friends or even rivals and competitors.

Private interests are those interests that can bring either benefits or disadvantages to the member or to others whom the member may wish to benefit or disadvantage.

Such interests can involve an actual or potential financial gain or loss and can involve property, shares, unpaid debts or some form of gift or benefit, including a job opportunity or secondary employment.

Other private interests may not have a financial component, but could involve personal or family relationships or sporting, social or cultural activities that could influence a member's judgement or decision.

Pursuant to section 22 of the *Public Sector Ethics Act 1994*, the Commissioner may require any member to register personal interests if considered necessary. For further information regarding such registration – refer to the Human Resource Management Manual, chapter 17.2.4.

4 Legislation and government policy

Key legislation and government policy which governs the receiving and giving of gifts and benefits in the Service is:

• Directive 22/09: Gifts and Benefits was issued by the Public Service Commission in January 2010. The directive draws on the *Public Sector Ethics Act 1994*, the Codes of Conduct, the *Public Service Act 2008* and the *Crime and Misconduct Act 2001*. The directive actively discourages receipt of gifts and hospitality and provides ethical guidance to the gift recipient. Guidance on gifts and hospitality is also provided to members in the Human Resource Management Manual and the Administration Manual.

The policy within the Financial Management Practice Manual (FMPM) aligns with the directive issued by the Public Service Commission and the *Financial and Performance Management Standard 2009*. The policy within the FMPM must be followed.

- The *Financial Accountability Act 2009* (the FA Act), section 61(b) requires the Commissioner, as the chief executive and accountable officer of the Service, to establish and maintain appropriate systems of internal control and risk management.
- The *Financial and Performance Management Standard 2009* (FPMS), section 7(1) requires the Commissioner to ensure that a governance framework appropriate to the Service is established and, section 8(1) requires the Commissioner to establish a cost-effective internal control structure.
- The *Public Sector Ethics Act 1994*, section 6-11, 15-24, requires the Service to develop and implement a Code of Conduct and may take disciplinary action against employees who breach it. Members are to comply with the obligations stated in the Code of Conduct.
- The *Public Service Act 2008*, section 25-26, 185-187, requires members to carry out their duties impartially and with integrity; obey the law and maintain the reputation of the Service, and to disclose any conflict of interest. The Commissioner may take disciplinary action against members guilty of misconduct.

5 The nature of gifts and benefits

Some gifts and benefits are clearly intended as gratitude for a job well done and hence there is no expectation of anything in return. Others may be intended to influence a decision making process, or might reasonably be seen as such.

In the Service, a gift or benefit shall be treated as being anything of value offered to a member in the course of, or in connection with an item or a service that is over and above a member's normal salary or employment entitlement.

Gifts and benefits may be tangible, of a lasting value, or intangible, with no lasting value.

Tangible gifts and benefits include, but are not limited to:

- consumer goods for personal use (for example, personal organiser)
- entertainment (for example, tickets to the theatre or a sporting event)
- hospitality (for example, food and drink at a work-related meeting, function, conference, trade display attended as part of official duties and restaurant meals)
- travel (for example, free or discounted)
- promotional materials (for example, free diary)
- bottle of wine
- scholarships
- money.

Intangible gifts and benefits include, but are not limited to:

- a personal service
- a promise of a new job or promotion
- preferential treatment
- use of facilities (for example, gyms holiday units).

6 Reportable gifts and benefits

The whole-of-government policy provides that agencies which have employees in sensitive roles, shall give consideration to reporting all gifts and benefits offered. In that regard, the Service requires all members to report all gifts and benefits offered to them, other than incidental gifts (for example, pen, coaster, cup, leisure caps), customary hospitality (for example, drinks and snacks in appreciation of giving a presentation), or benefits of a nominal value (for example, preferred seating at a work-related presentation).

All gifts and benefits received or given by either members or the Service, other than incidental gifts, customary hospitality, or benefits of a nominal value shall be recorded in the Gifts and Benefits Register (QP0631).

All gifts and benefits, with a retail value of more than \$150, that are accepted by a member become the property of the Service. However an Assistant Commissioner or Director may allow the member to retain a gift valued up to \$350.

The following table indicates the whole-of-government threshold policy which has been adopted in whole by the Service for reporting gifts and benefits received and for determining whether the member is entitled to keep the gift or benefit having regard to the principles set out in this policy:

| Retail value of gift or benefit | Need for reporting | Custody of gift or benefit |
|------------------------------------|---|--|
| Less than \$150 | Yes | Member |
| \$150 - \$350 | Yes | Assistant Commissioner or Director to decide whether the member shalll keep the gift or benefit. |
| Over \$350 | Yes | The Service, which shall use the gift or benefit for public benefit and in an apppropriate manner. The member may be permitted, by an Assistant Commissioner or Director to retain the gift or benefit in exceptional circumstances only. |
| | Each individual gift to be recorded | Assistant Commissioner or Director to decide whether the member shall keep the gift or benefit |

A gift or benefit received by a member which is valued in excess of \$350 but under the custody of the Service may qualify as a portable and attractive item – refer to FMPM 7.18 Non-Current

Physical Assets – Portable and Attractive Items.

If a gift or benefit is retained by the Service, it shall be used for public benefit and in an appropriate manner. If the Service does not have an appropriate use for the gift or benefit, it shall be disposed of in accordance with FMPM 7.6 Non-Current Physical Assets – Disposal and FMPM 7.6.1 Accounting for the Disposal of Non-Current Physical Assets.

6.1 Determining values

The fair market value of a gift or benefit is its reasonable retail value. It determines whether the gift or benefit should be reported and whether it is kept by the Service or the member.

Members shall have their supervisor verify the estimated value of a gift. Deliberate undervaluing of a gift or benefit to avoid reporting it or to fraudulently keep it may be classes as official misconduct.

7 Specific considerations

7.1 Benefit to the state of Queensland

Any gift or benefit, other than an incidental gift, customary hospitality, or a benefit of a nominal value, shall not be accepted by either a member or the Service, unless it can be shown to be of benefit to the Service, to the state of Queensland and to the public generally.

In most situations, members can decline offers of gifts or benefits courteously by explaining that acceptance would be against Service policy and consequently they have no discretion in the area.

7.2 Offers of alcohol or cash

Any offer of cash, or any items which can be readily converted into cash, for example, lottery tickets or shares, must be refused whatever the circumstances. Accepting money in any form will breach a number of public service policies and legislative requirements, including the *Criminal Code Act 1899*. It may be seen as an attempt at bribery. If a member is not in a position to refuse the acceptance of such a gift, the member shall immediately pass the gift on to his or her supervisor, Assistant Commissioner or Director, Finance Division.

7.3 Purchase of goods from prisoners or suspects

No member shall purchase from any person against whom any charge or complaint is made or intended to be made, any saleable thing whatsoever, unless that member has obtained the written permission of an Assistant Commissioner or the Director, Finance Division. For further information in relation to purchases of goods from prisoners or suspects – refer to the Human Resource Management Manual, chapter 17.2.4.

7.4 Special payments

Reportable gifts made by the Service are not special payments.

7.5 Rewards for creating commercially valuable intellectual property

For details relating to the conditions for offering monetary rewards to eligible members who develop intellectual property that is successfully commercialised with positive revenue returns to the Queensland government – refer to Directive 2/07 Rewards for Creating Commercially Valuable Intellectual Property, Office of the Public Service Commissioner, March 2007.

7.6 Benefits to members that are excluded from this policy

Any gift or benefit that is offered to a member on behalf of the Service or the state, except those offered as part of an appropriately approved employee health and well-being program, appropriately approved rewards and recognition program or relevant directive, shall comply with the requirements of this policy.

7.7 Cultural or historical gifts

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All gifts of a cultural or historical value, for example, an artefact or an invitation to witness a history making event, must be reported and remain the property of the Service's Heritage Library Collection, regardless of their value.

8 Gifts and benefits given

It is highly unlikely that a gift or benefit would be given by a member in their own right. In most circumstances the giving of a gift or benefit by a member would be on behalf of the Service. The principles in relation to the acceptance of gifts and benefits also apply to the giving of gifts and benefits by members on behalf of the Service. Consideration must be given to why the gift is being offered and the public perception of the giving of the gift or benefit.

Any gift or benefit must be for official purposes and the Commissioner must be able to identify the benefit for the Service, the State of Queensland and the public generally.

9 Gifts and Benefits Register

The details and circumstances of all gifts and benefits received and given by members and the Service, other than incidental gifts, customary hospitality, or benefits of a nominal value, or gifts and benefits received in a purely personal capacity, must be recorded within one month of the gift being made in the Gifts and Benefits Register (QP0631) and the Gifts Received (QP0618) or Donated (QP0619) Declaration Form. This includes gifts and benefits given by the Service to members. This includes gifts and benefits given by the Service to members.

The Service register shall be in a form approved by the chief executive officer of the Public Service Commission and shall be published pursuant to sections 21 and 22 of the *Right to Information Act 2009* as part of the Service's publication scheme. The register shall be collated and published online by the Right to Information (RTI) Unit within ten calendar days of the end of each quarter.

The register shall be subject to regular review. The reviewer shall be independent and shall communicate any results of the review to the Commissioner. Such a review shall include an analysis of trends or patterns which may cause concern and may need corrective and preventative action to be taken.

Maintenance of the register is the responsibility of the Region, Command or Division Finance Manager.

The Manager, Financial Accounting Services Branch, Finance Division is responsible for maintaining the register for areas that do not have a Finance Manager.

10 Disclosure in annual financial statements

All gifts and benefits received by the Service (including those received by members but retained by the Service) shall be disclosed in the 'Statement of Comprehensive Income' as part of the financial statements under the heading 'Grants and Contributions' and shall be further disclosed in the notes to the financial statements under the heading 'Services Received at Below Fair Value'.

All gifts and benefits given/made by the Service shall be disclosed in the 'Statement of Comprehensive Income' as part of the financial statements under the heading 'Other Expenses'

and shall be further disclosed in the notes to the financial statements under the heading 'Gifts'. All gifts and benefits given/made by the Service that are material (fair market value over \$5,000) shall be further disclosed in the notes to the financial statements.

Any gifts/bequests that have conditions attached as to how they are to be utilised, are considered to be restricted assets and, as such, shall be included in the restricted assets disclosure in the notes to the financial statements.

11 Related resources

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- *Financial Accountability Act 2009*, section 61(b)
- *Financial and Performance Management Standard 2009*, section 7(1) and 8(1)
- *Crime and Misconduct Act 2001*, Division 2
- Criminal Code Act 1899, section 87 and 92A
- *Public Sector Ethics Act 1994*, section 6-11, and 18
- Public Service Act 2008, section 26 and 185-187
- *Right to Information Act 2009*, section 21 and 22
- Fringe Benefits Tax Assessment Act 1986 (C'wlth), section 58P
- *Financial Reporting Requirements for Queensland Government Agencies*, Part B, Version 5, section 6.3.3, February 2009, issued by Queensland Treasury
- <u>Sunshine Department Model Financial Report, Part D</u>, Note 14, Financial Reporting Requirements for Queensland Government Agencies, Version 5, February 2009, issued by Queensland Treasury
- Accounting Policy Guidelines, APG 5 Losses and Special Payments
- <u>Non-Current Asset Policies for Queensland Public Sector Agencies</u>, section 12.3 Restricted Assets, January 2010, issued by Queensland Treasury
- Australian Accounting Standards, AASB 101 Presentation of Financial Statements
- <u>Protocol Handbook</u>, section 2.2 Organising Functions Gifts, issued by the Department of the Premier and Cabinet
- State Procurement Policy, issued by the Department of Public Works
- <u>Directive 22/09: Gifts and Benefits</u>, issued by the Public Service Commission, 1 January 2010
- Gifts and Benefits: reporting proforma, issued by the Public Service Commission
- <u>Office of the Public Service Commissioner</u>, Directive No. 2/07, Rewards for Creating Commercially Valuable Intellectual Property, March 2007
- <u>Handbook of Delegations and Authorities</u>, D.12.3, Power to accept gifts money, property, services
- Human Resource Management (HRM) Manual, Chapter 17, 17.1 Code of Conduct
- Administration Manual, Section 3 and 11
- Queensland Government Official Gift Range, Edition 2, May 2008, maintained by Protocol Queensland, Department of the Premier and Cabinet Temporarily unavailable

- <u>Receiving Gifts and Benefits: Managing the Risks</u>, Crime and Misconduct Commission, Building Capability Series No. 8 July 2008
- <u>Better Purchasing Guide Ethics, Probity and Accountability in Procurement</u>, October 2006, issued by the Department of Public Works and the Crime and Misconduct Commission
- *QP* 0631 *FINANCE Gifts and Benefits Register*
- *QP* 0618 *FINANCE Gifts* Received Declaration Form
- QP 0619 FINANCE Gifts Donated Declaration Form

12 For further information

For further information contact your Region, Command or Division Finance Office.

13 Version control

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| Valid from date: | 25 March 2010 |
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10.5.1 Accounting for Receiving of Gifts and Benefits

Financial Management Practice Manual Practice Statement

1 Introduction

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This statement sets out the practice requirements to be observed by members in accepting gifts and benefits and the accounting for them.

2 Receiving gifts and benefits

As a general principle, members shall not receive gifts or benefits extended to them other than incidental gifts (for example, pen, coaster, cup, leisure caps), customary hospitality (for example, drinks and snacks in appreciation of giving a presentation), or benefits of a nominal value (for example, preferred seating at a work-related presentation). In most situations, members can decline offers of gifts or benefits courteously by explaining that acceptance would be against Service policy and consequently they have no discretion in the area.

However, there are occasions when accepting gifts or benefits may be appropriate, for example, a reasonably priced bottle of wine in appreciation for giving a presentation.

Members shall consider the purpose of the offer and the public perception of acceptance and discuss these issues with a supervisor, manager or director to ensure that approval is obtained prior to a decision being made about whether to accept a gift or benefit.

The offer, to be acceptable, shall have a clear link to official purposes.

2.1 The offeror

Members shall consider the integrity and intention of the offeror. If the offeror is currently involved in sensitive negotiations with the Service, for example, a contract tender, or is likely to be involved in the near future, the offer shall be refused.

2.2 The purpose of the offer

Each type of gift or benefit carries with it different risks that shall be considered when deciding whether or not to accept it – refer to Human Resource Management Manual, chapter 17.2.4 for processes to be followed in determining how to deal with, retain or dispose of gifts or benefits which exceed customary hospitality or nominal value.

2.3 Can it be perceived that it is a gift or benefit intended to influence?

These gifts or benefits are intended to generally ingratiate the giver with a member or to influence the performance of another member's duties for favourable treatment in the future and they should not be accepted. These gifts or benefits may compromise or appear to compromise the integrity and impartially of a member or to create a conflict of interest or the perception of a conflict of interest. For example, an expensive bottle of wine offered to a procurement officer by a potential supplier shall not be accepted.

2.4 Can it be perceived that it is a gift of gratitude?

These are gifts offered to a member or to the Service in appreciation of specific tasks or for exemplary performance of duties. This includes gifts for members who speak at official functions as part of their duties. Such gifts are frequently offered, and in many circumstances, it would be inappropriate to refuse them. Acceptance of these gifts or benefits shall only be contemplated

when services to a client have been completed in order to avoid any expectation of favourable ongoing treatment or the impression of such to others. Acceptance of these gifts or benefits can be considered appropriate as they represent a lower risk.

2.5 Was it a memento or token gift or benefit?

Token gifts may be offered to the Service or to a member in business situations. They are usually products that are mass-produced and not given as a personal gift. This includes sponsors material provided to all delegates at a conference. Acceptance of these gifts or benefits can be considered appropriate as they represent a lower risk.

2.6 Was it a ceremonial gift or benefit?

These are official gifts that are offered by one entity to another. Such gifts are often provided to a host agency when conducting official business with delegates from another organisation. Although these gifts may sometimes be offered to express gratitude, the gratitude usually extends to the work of several people in the agency, and therefore the gift is considered to be for the agency and not for a particular individual. Acceptance of these gifts can be considered appropriate as they represent a lower risk.

2.7 Is the offering of gifts or benefits a normal practice in the donor's culture and would rejection of the gifts or benefits cause offence?

For advice on conformance to international or cultural practice – refer to Protocol Queensland, Department of the Premier and Cabinet.

2.8 Is the timing of the offer relevant?

If the offer of a gift or benefit was made prior to a decision being made on a matter in which the offeror has an interest, for example, tender considerations, then the offer shall not be accepted.

2.9 Is the offer likely to be repetitive?

An offer, however small, that is, or is likely to be repetitive, shall be refused.

3 The public perception of acceptance

Public perception of the acceptance of a gift or benefit can be affected by various factors, such as:

- the relationship between the giver and the member if the member is in a position to provide advice or to make decisions about (but not limited to) granting licences, inspecting and regulating businesses or giving approvals, it is more likely that the gift or benefit would be perceived as inappropriate
- the transparency of the gift or benefit if the gift or benefit is offered to a member in a
 public forum, it is less likely to be perceived as a gift or benefit of influence than if it was
 offered in a private context
- the value of the gift or benefit expensive gifts or benefits are more likely to be perceived as gifts or benefits to win favours
- the frequency of gift or benefit giving the Service shall take into account previous gifts or benefits given by an individual or an organisation to a member. While the perception that one gift or benefit may not be considered sufficient to cause a member to act outside his or her official duty, the sum of multiple gifts or benefits may be sufficient to do so.

Members shall satisfy themselves that the gift or benefit, if accepted, could be publicly defended.

4 The procurement process

Members involved in any aspect of a procurement process shall not accept gifts or benefits, as they can be, or may be seen to be, a means of influence that can compromise or appear to compromise integrity and impartially.

Potential suppliers shall be made aware that members, consultants, advisors and sub-agents must not solicit and generally shall not accept a gift or benefit. If a gift is offered, then acceptance shall be under the principles contained in FMPM 10.5 Receiving and Giving of Gifts and Benefits, and any other relevant Service policy and the Service's Code of Conduct.

The State Procurement Policy requires the maintenance of probity and accountability for procurement outcomes in the Service.

5 Time away from official duties

Members shall not be away from their official duties at public expense. Gifts or benefits shall only be used outside the member's normal working hours or on approved leave, unless the gift or benefit forms part of the member's official duties and appropriate approval is obtained.

Offers of tickets or corporate hospitality at sporting events, the theatre or at other major recreation attractions are to be treated in the same manner as all other gifts or benefits. Any member attending a sporting event, theatre or recreation attraction as part of a gift or benefit, shall ensure that this occurs outside the member's normal working hours or on approved leave.

6 Fringe benefits tax

For possible implications of fringe benefits tax in relation to gifts and benefits – refer to FMPM 15.1 Fringe Benefits Tax (FBT) or the QPS FBT Manual.

7 Gifts and Benefits Register

All gifts and benefits received by either the member or the Service, other than incidental gifts, customary hospitality, or benefits of a nominal value, or gifts and benefits received in a purely personal capacity, shall be recorded in the Gifts and Benefits Register (QP 0618A).

Any member who receives a gift or benefit shall complete a Gifts Received Declaration Form (QP 0618) immediately upon receiving the gift. The QP 0618 also has an attached Appendix One – Useful decision making guide which members can use to assist them in determining whether to accept a gift or benefit.

Within fourteen days of completion of the QP 0618, it shall be forwarded to the relevant Region, Command or Division Finance Office to obtain approval from the delegated member under D 12.3 of the Handbook of Delegations and Authorities, for the member or the Service to retain such gift or benefit. The Region, Command or Division Finance Office shall advise the member of the approval outcome.

The Region, Command or Division Finance Office shall ensure that the gift or benefit is recorded in the Gifts and Benefits Register for their Region, Command or Division.

The Gifts and Benefits Register shall contain a reference to the inventory number of each gifted asset greater than \$5,000.

The Finance Office shall also ensure that the Fixed Asset, Portable and Attractive Items and Local Plant Registers have had entries as appropriate.

If the gift comprises publications, the Finance Office shall also ensure that such publications are

added to the relevant library collection. For information regarding library collections – refer to FMPM 7.17 Non-Current Physical Assets – Reference Library Collections.

8 Accounting for gifts and benefits received in SAP

Generally, transactions are not captured for reporting purposes until they are entered into the SAP ECC system. The following entries shall be made in SAP ECC:

For cash gifts/donations received (by the Service):

- DR XXXXXX Cash
- CR 461500 Gifts & Donations (Cash)

For non-cash gifts/donations received (by members or the Service):

- DR XXXXXX Asset
- CR 461501 Gifts & Donations (Non-Cash)

The Region, Command or Division Finance Office in which the asset is normally located shall take all precautions to ensure that it is protected from theft, loss, damage or undue deterioration, and is maintained in such a way as to maximise its economic benefit to the Service.

All gifts or benefits received that have a fair market value of more than \$50,000 shall be supported by a written report attached to the QP 0618 before forwarding through the Finance Office for approval by the Commissioner. The report shall contain the following information:

- the name and business address, if the donor is a corporation or business entity
- the name and residential address (not post office box number), if the donor is an individual
- a description of the gift
- the value of the gift
- the valuation method used to value the gift
- the name of the member who verified the value of the gift
- the date of the gift
- relationship of the recipient to the Service
- purpose of the gift
- the benefit to the Service or to the state of Queensland that the gift will deliver.

9 Related resources

- QP 0618 FINANCE Gifts Received Declaration Form
- QP 0631 FINANCE Gifts and Benefits Register
- QPS Fringe Benefits Tax Manual

10 For further information

For further information contact your <u>Region, Command or Division Finance Office</u>.

http://intranet.qldpol/QPS/CSV/fin/pol_proc/fmp/10/10-5/10.5.1.htm

11 Version control

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10.5.2 Accounting for Giving of Gifts and Benefits

Financial Management Practice Manual Practice Statement

1 Introduction

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This statement sets out the practice requirements to be observed by members in giving gifts and benefits by members and the Service.

2 Giving of gifts and benefits

The principles relating to the receipt of gifts or benefits also apply to the giving of gifts or benefits. Consideration shall be given as to why the gift is being given, the nature of the gift being given and the public perception of the giving of the gift or benefit.

Any gift or benefit shall be for official purposes and approved in writing by the Commissioner or delegate who shall be able to identify the benefit for the Service, the state of Queensland and the public generally.

3 Official hospitality

In certain cases, it may be periodically appropriate to provide hospitality to individuals of particular importance to the Service or to the State of Queensland. Examples would include:

- interstate and overseas visitors where the Service has an interest in, or a specific obligation towards, facilitating the visit
- representatives of business or industry, trade unions and recognised community organisations, the press and other media
- representatives of other levels of government, in exceptional circumstances only.

Other types of hospitality which may be considered reasonable may include:

- provision of tea, coffee, morning or afternoon tea for official visitors
- provision of light refreshment/lunches for internal meetings, conferences, seminars and workshops
- generally, working meals should be of a light nature at the work/meeting location unless associated with a seminar or other function at a particular venue.

For further details relating to the provision of official hospitality – refer to FMPM 12.2 Hospitality and Personal Expenses and FMPM 12.2.1 Determination of Hospitality and Personal Expenses.

4 Corporate gifts

In certain circumstances, it may be appropriate for members to provide corporate gifts to individuals or organisations on behalf of the Service. Examples of such circumstances may include:

- presentations to sponsors of events
- presentation to artists in appreciation of their work

- presentation to judges of events or awards acting in an honorary capacity (does not include members of the Service)
- presentation to foreign dignitaries or delegations visiting Queensland
- presentation by eligible members when travelling overseas on official government business.

The practice of giving corporate gifts shall not be common or frequent in occurrence. The appropriateness of gift giving shall be considered and approval must be obtained from the Commissioner or delegate.

Many visiting dignitaries will present gifts to acknowledge the occasion and, as a courtesy, on most occasions there will be a reciprocal gift presentation. A similar practice is adopted by government officials when travelling overseas on official business.

Where a gift is to be made on behalf of the Service, consideration shall be given to selecting an appropriate gift, having regard to cultural significance, from the Queensland Government Official Gift Range maintained by Protocol Queensland, Department of the Premier and Cabinet. Protocol Queensland can also advise on the appropriateness and wrapping of gifts. For example, in some cultures sharp instruments are viewed as bad luck and the colour white is used in situations of mourning.

Only the Commissioner, Deputy Commissioner, Assistant Commissioners and Directors of the Service may access the Queensland Government Official Gift Range.

If the Service is regularly involved in gift giving, the following details shall be kept by the Service:

- the date of the presentation
- the gift presented
- the name of the presenter
- the name of the recipient.

The keeping of these details will ensure that there is no duplication on subsequent presentations and that the value of the gift is appropriate and comparable to the gifts given previously.

Before gifts can be obtained from the Queensland Government Official Gift Range, a QP 0619 – FINANCE – Gifts Donated Declaration Form, signed by the delegate, must be provided. If gifts for the minister are required, a purchase order from Ministerial Services, Department of the Premier and Cabinet is required to accompany the form.

As well as the appropriateness of gifts in any gift exchange, there shall also be collaboration in the selection of gifts that are to be given by several people at different levels in the Service. Consideration of these matters will also avoid the potential embarrassment of the same gift being given by different parties to the same recipient. As a general rule, a gift selected for a more senior dignitary shall be presented by a member of similar standing.

5 Fringe benefits tax

For possible implications of fringe benefits tax in relation to the giving of gifts and benefits – refer to FMPM 15.1 Fringe Benefits Tax (FBT) or the QPS FBT Manual.

6 Donations to other organisations

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From time to time it will be appropriate to make donations to other organisations, for example, charities and other not-for-profit entities. Considerable care shall be exercised in the selection of the recipient organisation so as to exhibit a transparent process and to avoid claims of bias or favouritism. Claims for assistance through donations shall be considered in the order of receipt.

Many donations will be of low value items such as:

- assets that are recorded in the Fixed Assets Register and, through depreciation, no longer have any commercial value
- items that are recorded in the Register of Portable and Attractive Items and have no commercial value
- items that are recorded in the Local Plant Register and have no commercial value.

Donations may also be made, from time to time, of an asset or of an item that still possesses commercial value.

All gifts or benefits given that have a fair market value of more than \$50,000 shall be supported by a report attached to the Gift Donated Declaration Form (QP619) before forwarding through the Deputy Commissioner, Assistant Commissioner or Director for approval by the Commissioner. The report shall contain the following information:

- the name and business address, if the recipient is a corporation or business entity
- the name and residential address (not post office box number), if the recipient is an individual
- a description of the gift
- the value of the gift
- the valuation method used to value the gift
- the name of the member who verified the value of the gift
- the date of the gift
- relationship of the recipient to the Service
- purpose of the gift
- the benefit to the Service or to the state of Queensland that the gift will deliver.

7 Gifts and Benefits Register

All gifts and benefits given and received by either the member or the Service, other than incidental gifts, customary hospitality, or benefits of a nominal value, or gifts and benefits received in a purely personal capacity, shall be recorded in the Gifts and Benefits Register (QP 0631) – refer to FMPM 10.5 Receiving and Giving of Gifts and Benefits.

Any member who gives a gift or benefit, other than an incidental gift, customary hospitality, or a benefit of a nominal value, shall complete a Gifts Donated Declaration Form (QP619). The completed form shall be forwarded to the relevant Finance Manager and the Commissioner for approval in accordance with the Handbook of Delegations and Authorities before such gift or benefit is given to an individual or organisation.

The completed Gift Donated Declaration Form (QP619) bearing the signatures of the Finance Manager and the Commissioner shall be forwarded immediately to the relevant Region, Command or Division Finance Manager. The relevant Finance Manager shall be responsible for ensuring:

- all additional, if any, supporting documentation is attached to the Gift Donated Declaration Form (QP619)
- a copy of the general purpose expenditure voucher forms part of the supporting documentation if the gift or benefit made is a cash donation
- the completion of the Gifts and Benefits Register (QP 0631) for the Region, Command or Division
- that the gift or benefit has been purchased complying with procurement instructions refer to the Administration Manual, section 3.4 – Purchasing Policy with the Queensland Police Service
- the disposal of the gift complies with the Handbook of Delegations and Authorities, Delegation 12.5, Power to Dispose Unwanted Government Property
- Fixed Asset, Portable and Attractive Items and Local Plant Registers have been adjusted.

8 Accounting for gifts and benefits given in SAP

Generally, transactions are not captured for reporting purposes until they are entered into the SAP ECC system. The following entries shall be made in SAP ECC:

For cash gifts/donations given (by the Service):

- DR 573010 Donations/Gifts (Cash)
- CR XXXXXX Cash

For non-cash gifts/donations given (by members or the Service):

- DR 573020 Donations/Gifts (Non-Cash)
- CR XXXXXX Assets

9 Related resources

- QP 0619 FINANCE Gifts Donated Declaration Form
- QP 0631 FINANCE Gifts and Benefits Register
- QPS Fringe Benefits Tax Manual

9 For further information

For further information contact your *Region, Command or Division Finance Office*.

10 Version control

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SELF stands the decision-making test

A decade on and the QPS SELF test is still recognised as a leading decision-making model.

Would your decision withstand

Sound Your Decision Pass The Test?

Consider

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During the mid-1990s Ethical Standards Command (ESC) identified the need for a simple and effective guide to support ethical decision making by officers.

This brought about the development and introduction of the SELF test model, which has been acknowledged both nationally and internationally as a leading and innovative decision-making model, adopted in principle by many other law and security enforcement agencies.

The SELF test model is widely marketed throughout the QPS and is still considered a relevant fundamental process applicable for most policing practices.

Approval has recently been granted for the SELF test logo to be included inside official police notebooks and diaries as a ready reference guide for members and to support their ethical decision making.

The SELF test model can be found on the ESC intranet site via the

Bulletin Board and within the QPS Code of Conduct at s.17.1.7 of the HRM Manual.

What does it mean to me?

Before making a decision, ask yourself whether it would pass the SELF test and withstand scrutiny, ensures compliance, and is lawful and fair. How do I use it?

The SELF acronym can be easily remembered and be useful when confronted by a number of options or when you need to make critical decisions.

When should I use it?

Use it within any decision making situation, whether on duty or off

duty. Our conduct always needs to satisfy the provisions of the SELF test, otherwise it will adversely reflect on the QPS.

Remember that an unethical decision will affect us all.

The QPS must be able to maintain public confidence to effectively serve our community in a professional, accountable and ethical manner directed towards best practice principles.

ESC is committed to ensuring community confidence is not only maintained but also enhanced though future policing directions and initiatives.

For further information about ESC specialist areas – Ethical Practices Branch, Inspectorate and Evaluation Branch, Internal Investigations Branch and Internal Audit – you can access the ESC intranet site or contact ESC on 3364 6606.

By Inspector Mark Menary, Ethical Practices Branch, Ethical Standards Command

Appendix A

OPTIONS FOR RESOLVING NEGATIVE WORKPLACE BEHAVIOURS

A member who is subjected to negative workplace behaviours has various options. They may discuss the following options with the support persons outlined in section 3.2.8 of this policy.

1. Do nothing

This option can be appropriate when the aggrieved feels that the situation is a low level isolated incident that will rectify without intervention. It should be noted that doing nothing does not provide education to the respondent regarding their inappropriate behaviour and therefore the behaviour may not stop. Even if choosing to do nothing, aggrieved members should diarise conversations and behaviours, in the event that such conduct should continue.

2. Take action yourself i.e. attempt resolution directly with the respondent

This option is the most direct response to negative workplace behaviour. This option, in essence, involves entering a negotiation of interests with the respondent. There are often cases where the respondent is unaware that their behaviour is unacceptable to the complainant. This option aims at preventing further inappropriate behaviour by raising the awareness of the respondent as to what is considered acceptable in the workplace (without the need to involve other parties e.g. supervisors). Action can be taken by approaching the respondent either in person or in writing. Members who choose this option are encouraged to:

- ensure they feel safe;
- choose an environment where they are comfortable (i.e neutral ground);
- make a list of the issues they feel need to be covered prior to the meeting; and
- be assertive without being defensive or aggressive.

3. Seek assistance from the manager or supervisor

This option can be formal or informal depending on the type of assistance the aggrieved member requests. It is the role of the manager or supervisor to take preventative and corrective action where possible in accordance with the aggrieved member's wishes.

Managers and supervisors can:

- provide advice on how to "take action themselves";
- provide negative workplace behaviour awareness sessions to some or all staff;
- facilitate a discussion between the parties aimed at resolving issues; or
- take managerial action.

If the alleged behaviour amounts to misconduct, the manager or supervisor must report the matter in accordance with section 7.2 (2) (c) of the *Police Service Administration Act 1990*. If the alleged behaviour amounts to a breech of discipline, the manager or supervisor must take action in accordance with section 7.2 (2) (d) of the *Police Service Administration Act 1990*.

4. Resolution using mediation

Aggrieved members may elect to use mediation. This process is explained in further detail in section 3.2.10 of this policy.

Aggrieved members can request to have their matters dealt with via mediation or discuss the merits of this option:

• with the Manager or Senior Personnel Officer (Equity), Equity and Diversity Unit;

- by fax, letter, email, phone or in-person contact with the Office of the Director, Human Resources Division, or the Manager, Human Resource Management Branch;
- through any of the support members, then referred to the Equity and Diversity Unit; or
- through a union representative, then referred to the Equity and Diversity Unit.

Mediation will only be considered where both the aggrieved member and the respondent commit to the process, and the Equity and Diversity Unit determine the matter suitable to be dealt with in such a manner.

5. Grievance Resolution

The grievance process is established under relevant Industrial Awards and the <u>Grievance</u> <u>Resolution Directive</u>. The process for making a complaint of workplace harassment commences with reporting the matter to an immediate supervisor and then further up the chain of command should the matter remain unresolved. For sexual harassment, the process can commence at stage 3 of the procedure which involves notifying the Commissioner of the grievance in writing, who will then arrange for the matter to be investigated. Prior to lodging a grievance it is important that members read section 19 "Grievances and Disputes" of the HRM Manual. Human Resources Managers, Personnel Officers, union representatives or the Industrial Relations Branch can advise members in this process.

6. Formal investigation

The processes for making a formal complaint are outlined in <u>section 18</u> "Complaint Management" of the HRM Manual – such a complaint will usually result in an investigation by a suitably qualified investigator nominated by the Ethical Standards Command (ESC). Alternatively, an aggrieved member may seek assistance in lodging a formal complaint through the Equity and Diversity Unit. An aggrieved member, or their support person, may obtain advice concerning the investigation process, through contacting either the Crime and Misconduct Commission (CMC) or the ESC. This can be done anonymously.

To proactively guard against the possibility of victimisation, members who choose to make formal complaints about negative workplace behaviours are advised to contact the Internal Witness Support Unit. For more details refer to <u>section 18.6</u> "Internal Witness Support" of the HRM Manual.

7. External resolutions e.g. Queensland Anti-Discrimination Commission

The <u>Anti Discrimination Act 1991</u> is administered by the Anti-Discrimination Commission Queensland (ADCQ). The ADCQ requires a complaint about unlawful discrimination (including sexual harassment) to be made in writing before it can respond to the complaint. In accordance with legislative requirements, any complaints to the ADCQ should be lodged within 12 months of the incident otherwise justification for acceptance of a late complaint may be required. The ADCQ will investigate the matter and is required to attempt to resolve the complaint by way of conciliation in the first instance. If this is unsuccessful the matter may be referred to the Anti-Discrimination Tribunal Queensland (the Tribunal).

Agreement reached at either the ADCQ or the Tribunal is binding on all parties to the complaint.

Members are also entitled to seek resolution through the Industrial Relations Commission or the Human Rights and Equal Opportunity Commission (HREOC), where the matter is governed by legislation relevant to these agencies.

Members' unions are also available to provide advice and assistance regarding the processes outlined in this policy.

Whilst matters of workplace harassment are not reportable to the ADCQ, provisions for responding to these matters exist via Workplace Health and Safety Queensland.

Workplace Health and Safety Queensland can only respond to complaints in certain situations that fall within the scope of the *Workplace Health and Safety Act 1995*:

- the complaint must (on the face of it) fall within the definition of workplace harassment;
- the complaint must be in writing. The complainant will be sent an information package, including a checklist which must be attached to the complaint; and
- the complaint should have been raised at the workplace and an attempt made to resolve the complaint internally. Information regarding the outcome of this step should be included in the written complaint.

Where a complaint falls within the scope of the Act, and a health and safety risk of injury or illness from workplace harassment is determined likely to exist, an inspector may be assigned to investigate.

The purpose of the investigation is to determine if the obligations under the <u>Workplace Health</u> <u>and Safety Act 1995</u> are being met in regards to managing the risk of illness and injury from workplace harassment, and to apply enforcement options where they are not met.

Compensation, unfair dismissal or other issues are not dealt with through this process.

Effective from 11 December 2009

11. Alleged Workplace Harassment (also known as Workplace Bullying)

For matters which allege **workplace harassment (i.e. bullying)**, the options available to employees are outlined below. Reporting obligations may apply - refer to section 11.2.7 of this policy.

11.1 Options

11.1.1 Police employees

EITHER

Clause 3.2: "Employee grievance procedures" – <u>Police</u> <u>Service Award-State 2003</u>

OR

HRM Manual section 17.3: "Preventing and Resolving Workplace Harassment"

11.1.2 Staff members

EITHER (depending on award coverage):

Clause 3.2: "Employee grievance procedures" – *Queensland Public* Service Award-State 2003

Clause 3.2: "Employee grievance procedures" – <u>Employees</u> of <u>Government Departments(Other Than Public Servants)</u> Award-State 2003

Clause 3.1: "Grievance and dispute settling procedures" – Engineering Award-State 2002

OR

The Grievance Resolution Directive , issued by the Office of the Public Service

Commissioner

OR

HRM Manual section 17.3: "Preventing and Resolving Workplace Harassment"

11.1.3 Police recruits

The HRM Manual section 17.3: "Preventing and Resolving Workplace Harassment"

11.2 Additional information

The following information is provided for the purpose of highlighting important aspects of the relevant procedures.

http://intranet.qldpol/QPS/CSV/hrd/hrmb/hr_planning/hr_manual/chapters11-20/chap... 20/09/2010

11.2.1 Industrial Awards

Matters of alleged workplace harassment fall within the meaning of "industrial matter" as defined in the *Industrial Relations Act 1999*. Police employees and staff members are to refer to section 7.3.3 of this policy and to the relevant award, depending on their own particular coverage, for further information.

11.2.2 Grievance Resolution Directive

The <u>Grievance Resolution Directive</u> is not available to police employees or recruits seeking to lodge a grievance in relation to an alleged workplace harassment matter. Staff members, however, should refer to section 9 of this policy and to Directive for further information.

11.2.3 HRM Manual section 17.3 - "Preventing and Resolving Workplace Harassment"

The policy as outlined in the HRM Manual provides police employees, staff members and recruits with a number of suggestions as to how to deal with issues of alleged workplace harassment. Aggrieved persons are at liberty to do nothing (e.g. self elect to take no action for minor matters); to deal with the matter themselves (e.g. attempt to resolve the matter directly with the alleged harasser if appropriate for the aggrieved employee to do so).

The policy provides a pro-active approach as well as a reactive approach once the behaviour has occurred. The process is designed so that, once it is found that the matter cannot be resolved after a first attempt, the services of a trained conciliator are called upon.

The policy provides for alleged harassers to be given a fair and reasonable opportunity to respond to any accusations against them.

11.2.4 Timeframes

The timeframes will depend on which option has been selected to address the matter.

If utilising the award grievance procedures, the applicable timeframes are outlined in the relevant award.

It utilising the Grievance Resolution Directive the timeframes outlined are to be followed.

If utilising procedures outlined in the HRM Manual <u>section 17.3</u>: "Preventing and Resolving Workplace Harassment", the timeframe is to be consistent with that outlined in the Grievance Resolution Directive 04/03.

In all cases, discussions are not to be unreasonably delayed by any party, subject to the acceptance that some cases may be of such complexity that it may take a reasonable period of time for the appropriate responses to be made.

11.2.5 Union involvement

It is not the role of the supervisor or manager to contact the union.

(a) Under the industrial award procedures:

An aggrieved employee may exercise the right to involve his/her union in the process from the outset as provided for in the relevant industrial award.

(b) Under the Directive:

An aggrieved staff member may be represented by his/her union during all aspects of the process, except during mediation.

An aggrieved staff member may **not** be represented by a lawyer unless that lawyer is an employee of the union of coverage. It follows that the Service also may **not** be represented by a lawyer, unless that lawyer is an employee of the Service.

(c) Under the HRM Manual policy:

Both an employee claiming to have been subjected to workplace harassment and an alleged harasser may consult with his/her union before entering into any discussions at the initial level (i.e. the pre-conciliation stage). A union representative may participate in initial discussions between the parties. However, where the union is involved and the matter proceeds to conciliation, the union representative is not to be included in this process, although he/she is to be advised in brief terms of the outcome of the conciliation. It should be noted that such advice is to be limited to the provision of the names of the parties involved and the success or otherwise (as the case may be) of the conciliation.

An aggrieved staff member may **not** be represented by a lawyer unless that lawyer is an employee of the union of coverage. It follows that the Service also may **not** be represented by a lawyer, unless that lawyer is an employee of the Service.

11.2.6 External redress

The relevant industrial awards depending on coverage (available to a police employee or a staff member) and the Grievance Resolution Directive 04/03 (available only to staff members) outline what external redress is available should the matter not be resolved internally by the Service.

Section 17.3 "Preventing and Resolving Workplace Harassment" of the HRM Manual does not outline an appeal process. It provides for the matter to be addressed up to and including the relevant Director or Assistant Commissioner.

11.2.7 Reporting obligations

The exemptions from reporting which may apply in cases of alleged sexual harassment **do not apply** to alleged workplace harassment. Therefore if the workplace harassment being alleged is such that, in the opinion of a reasonable person, it could be regarded as misconduct or a breach of discipline, it is incumbent on an aggrieved employee or any other employee who reasonably suspects that the conduct has occurred, to comply with section 7.2 of the *Police Service Administration Act 1990*. This is not inconsistent with the requirement that an aggrieved employee can only follow one grievance process in respect of the same issue [refer to section 5.2 of this policy].

11.3 Statistical recording of allegations of workplace harassment

A statistical record of cases of alleged workplace harassment which are addressed in accordance with the HRM Manual Section 17.3[DEAD LINK] "Preventing and Resolving Workplace Harassment" will be collected in the Equity & Diversity Unit subject to that Unit's recording protocols.

11.2.1 Industrial Awards

Matters of alleged workplace harassment fall within the meaning of "industrial matter" as defined in the *Industrial Relations Act 1999*. Police employees and staff members are to refer to section 7.3.3 of this policy and to the relevant award, depending on their own particular coverage, for further information.

11.2.2 Grievance Resolution Directive

The <u>Grievance Resolution Directive</u> is not available to police employees or recruits seeking to lodge a grievance in relation to an alleged workplace harassment matter. Staff members, however, should refer to section 9 of this policy and to Directive for further information.

11.2.3 HRM Manual section 17.3 - "Preventing and Resolving Workplace Harassment"

The policy as outlined in the HRM Manual provides police employees, staff members and recruits with a number of suggestions as to how to deal with issues of alleged workplace harassment. Aggrieved persons are at liberty to do nothing (e.g. self elect to take no action for minor matters); to deal with the matter themselves (e.g. attempt to resolve the matter directly with the alleged harasser if appropriate for the aggrieved employee to do so).

The policy provides a pro-active approach as well as a reactive approach once the behaviour has occurred. The process is designed so that, once it is found that the matter cannot be resolved after a first attempt, the services of a trained conciliator are called upon.

The policy provides for alleged harassers to be given a fair and reasonable opportunity to respond to any accusations against them.

11.2.4 Timeframes

The timeframes will depend on which option has been selected to address the matter.

If utilising the award grievance procedures, the applicable timeframes are outlined in the relevant award.

It utilising the Grievance Resolution Directive the timeframes outlined are to be followed.

If utilising procedures outlined in the HRM Manual <u>section 17.3</u>: "Preventing and Resolving Workplace Harassment", the timeframe is to be consistent with that outlined in the Grievance Resolution Directive 04/03.

In all cases, discussions are not to be unreasonably delayed by any party, subject to the acceptance that some cases may be of such complexity that it may take a reasonable period of time for the appropriate responses to be made.

11.2.5 Union involvement

It is not the role of the supervisor or manager to contact the union.

(a) Under the industrial award procedures:

An aggrieved employee may exercise the right to involve his/her union in the process from the outset as provided for in the relevant industrial award.

(b) Under the Directive:

An aggrieved staff member may be represented by his/her union during all aspects of the process, except during mediation.

An aggrieved staff member may **not** be represented by a lawyer unless that lawyer is an employee of the union of coverage. It follows that the Service also may **not** be represented by a lawyer, unless that lawyer is an employee of the Service.

(c) Under the HRM Manual policy:

Both an employee claiming to have been subjected to workplace harassment and an alleged harasser may consult with his/her union before entering into any discussions at the initial level (i.e. the pre-conciliation stage). A union representative may participate in initial discussions between the parties. However, where the union is involved and the matter proceeds to conciliation, the union representative is not to be included in this process, although he/she is to be advised in brief terms of the outcome of the conciliation. It should be noted that such advice is to be limited to the provision of the names of the parties involved and the success or otherwise (as the case may be) of the conciliation.

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Effective from 15 February 2008

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