

STANDARD OF PROFESSIONAL PRACTICE

22 October 2019

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Standard of Professional Practice

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Introduction

The Queensland Police Service (QPS) is committed to the achievement of high ethical standards by all its members.

The Queensland Public Service operates under the Code of Conduct for the Queensland Public Service (Code of Conduct). The Code of Conduct applies to employees of Queensland public service agencies, which are defined under the Public Sector Ethics Act 1994 (PSEA), when they are performing official duties.

The *PSEA* provides that all public officials of public service agencies are bound by the provisions of the Code of Conduct which took effect from 1 January 2011. This provision may apply to other persons who are not public officials of a public service agency who have a contract or other agreement with the public service agency, for example, contractors with the agency and their employees; volunteers with the agency; and students on work experience with the agency.

All members of the QPS are "public officials" as defined in the *PSEA* and are therefore bound by the provisions of the Code of Conduct.

The *PSEA* recognises the need for public service agencies to develop a Standard of Practice to address particular occupational responsibilities, requirements and accountabilities impacting upon those agencies.

In accordance with section 12F of the *PSEA*, the *Standard of Professional Practice* (SOPP) is the approved Standard of Practice for the QPS and informs all members, which includes both police officers and staff members, of the QPS of the expected standards of conduct and professional practice.

The SOPP is intended to provide additional standards for the QPS, given the nature of our function and purpose. It therefore should be read in conjunction with the Code of Conduct as well as the QPS Integrity Framework and all relevant service manuals, policies and procedures.

Contravention of the Code of Conduct or this Standard by members of the Service may be dealt with by way of disciplinary processes through the *Police Service Administration Act* 1990 (PSAA) or the *Public Service Act* 2008 (PSA) in accordance with complaint management policies.

The contents will be periodically reviewed and updated to ensure currency and consistency with the law and community expectations.

From a professional perspective, both police officers and staff members of the QPS should make themselves familiar with the contents of the SOPP as this will better prepare them to carry out the Service's functions and to deliver a professional, ethical and accountable level of policing to the community.

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The QPS Integrity Framework

We understand the Queensland community consent to us policing on their behalf and they as a whole, both directly and through democratic process, provide the means and the cooperation to allow us to succeed. We also understand the extent of that consent is conditional to our meeting our community's expectations.

Therefore, our most valuable asset in policing Queensland is our reputation and the confidence and trust that inspires in the community. Only with high levels of trust and confidence can we expect our community to work with us in delivering quality policing services across the State.

Principles

The QPS Integrity Framework is based on the principles that underpin our approach to integrity and provide three (3) areas of knowledge that are central to how we think about integrity and ethics.

As a contemporary police service, we realise that maintaining our integrity is critical to the performance of the organisation.

Integrity in the QPS organisational context means:

- a) Upholding our values;
- Performing our duties in accordance with legislation and policy;
- Meeting our public-sector governance and compliance responsibilities;
- d) Ensuring a corruption resistant culture that aspires to the highest ethical standards; and
- e) Carrying out our functions and exercising our powers in line with community and organisational expectations.

These principles are:

- Values:
- Leadership; and
- Accountability

QPS VALUES	
Courage	By always doing the right thing.
Fairness	In making objective, evidence-based, consistent decisions and by treating people with respect.
Pride	In ourselves, the QPS, the work we do and the community we serve.

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QPS LEADERSH	HIP PRINCIPLES
Senior Leadership	 Central to maintaining the integrity of the organisation. The ethical tone of the organisation starts at the top. Lead by example, act with the utmost integrity and professionalism. Model and promote public sector and QPS values and standards and expect and encourage similar behaviours in others. Create a culture in which employees are prepared to report misconduct and are supported when they do.
Managers and Supervisors	 Set and communicate expected standards of ethical conduct and integrity and model the behaviours expected of staff. Demonstrate commitment to the values and standards of the organization. Provide proactive and engaged management and supervision in order to promptly identify and address integrity issues in the workplace. Develop and nurture a supportive workplace environment where ethical issues can be raised and addressed.

All Members

- Consciously being an ethical role model for their peers.
- Demonstrating courage by intervening in and reporting behaviours inconsistent with the values of the Service and the public interest.
- Identifying and communicating integrity risks in the workplace to their managers.
- Adopting a principled approach to carrying out duties and adhering to the values and integrity standards.
- Acting professionally at all times and operating within the boundaries of legal, policy and organisational constraints.

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QPS ACCOUNTABILITY PRINCIPLES				
Responsibilities	 Operate within our legal and policy constraints. Utilise public resources efficiently and effectively. Engage responsibly with risk. Act in accordance with our stated Values. Meet community expectations. 			
Accountability	 Be transparent, open and demonstrate moral courage. Be able to identify and challenge unsatisfactory behaviour and performance. Take ownership of, and responsibility for, your actions. Be able to honestly articulate reasons for your decisions and actions. Accept the need for external and internal scrutiny. Learn from mistakes and near misses to seek continual improvement. 			

Ethics and Accountability Framework

The Ethics and Accountability Framework serves to inform and remind all members of the relationship between the PSEA, the Code of Conduct, and the principles and key actions outlined in the QPS Integrity

Framework by highlighting:

- Key legislation and policy describing the expectations of all members;
- Available strategies and resources that can be used for education and guidance;

- Systems, procedures and protocols in place to ensure all members meet expectations; and
- Legislation, process and policies designed to protect our standards.

The *Ethics and Accountability Framework* is provided in the Appendices. This can be printed and displayed at stations and establishments for reference.

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Key Actions

The integrity framework provides the key actions which ensure we maintain and build the integrity of the organisation. These key actions are:



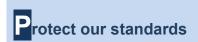
We know, understand and commit to our values, expected standards of behaviour and performance.



We take responsibility for and actively work towards creating a positive culture through education, guidance and demonstration of high professional standards.



We ensure integrity is maintained through implementing robust processes identifying integrity risks, implementing appropriate control strategies and empowering all members to question the behaviour of others.



We empower all members of the Service to promptly address inappropriate behaviour. We all take appropriate actions to protect the integrity of the QPS in line with high organisational standards and community expectations.

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The SELF Test

The SELF Test applies to all members of the QPS



An unethical decision affects everyone

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Our Standard of Professional Practice

1. Oath or Affirmation of Office (Police Officers)

As police officers in the Queensland Police Service we are mindful of the oath or affirmation of office we have taken or made.

We do this by

- Being mindful, both on and off duty, of the oath or affirmation of office we have taken or made;
- Exercising the powers and duties of the office of constable legally imposed upon us to keep and preserve the peace; and
- Faithfully undertaking our duties to the best of our skill and knowledge.

Further Information

- Section 3.2 'Relation to office of constable' PSAA.
- Section 3.3 'Oath of office' of the <u>PSAA</u>.
- Part 2 'Oath and affirmation' of the <u>Police</u>
 <u>Service Administration Regulation 2016</u>
 (PSAR).

Refer to the appendix for the *Oath or Affirmation* of *Office* wording.

2. Honesty, fairness and integrity (All Members)

As members of the QPS, we demonstrate honesty, fairness and integrity by:

- a) Upholding our values;
- b) Performing our duties in accordance with legislation and policy;
- c) Ensuring a corruption resistant culture that aspires to the highest ethical standards;
- d) Meeting our public sector governance and compliance responsibilities; and
- e) Carrying out our functions and exercising our powers in line with community and organisational expectations.

We do this by

- Demonstrating fairness in making objective, evidence-based, consistent decisions and treating people with respect;
- Showing pride in ourselves, the QPS, our work and the community we serve;
- Applying the QPS integrity framework at all organisational levels, in everything we do;
- Showing courage by always doing the right thing;
- Always acting properly in accordance with both the spirit and the letter of the law; and
- Applying the SELF test when in doubt.

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Further Information

- Queensland Police Service Integrity Framework.
- Section 7.2 'Duty concerning misconduct or breaches of discipline' of the PSAA.
- Section 187 'Grounds for discipline' of the <u>PSA</u> (meaning of misconduct for public service employees).

3. Capability to perform duty (All Members)

We ensure we have the capacity and capability to perform our duty to the highest standards.

We do this by

- Acknowledging we place ourselves, our colleagues and the community we serve at risk if we are not in a fit and proper state to carry out our duties;
- Ensuring our capacity to perform our duty is not impaired by alcohol, drugs or other substances, regardless of whether the substance is lawful;
- Managing our off-duty behaviours to ensure there is no impact on our capacity and capability to perform our duty; and

 Being honest with ourselves and seeking help if we have a personal problem which is adversely impacting on our capacity and capability to perform our duty.

Further Information

- Alcohol and Drug Use Support.
- Section 13.1 'Drugs including alcohol matters' of the <u>Management Support</u> Manual.
- Part 5 'Appointment of Personnel' of the PSAA.

4. Conduct on and off duty (All Members)

We maintain the highest standards of conduct on and off duty, and always report any conduct by police officers that is known or reasonably suspected to be misconduct.

We do this by

- Ensuring our conduct, on or off duty, does not adversely reflect on the QPS or ourselves as members of the QPS;
- Acknowledging inappropriate conduct or behaviour by any member has the potential to erode the public's confidence in the reputation of the QPS; and
- Complying with legislative obligations
 to report conduct known or reasonably
 suspected to be misconduct by
 officers, regardless of wherever and
 whenever the conduct occurred, or
 whether the officer was on or off duty
 at the time of the conduct.

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Further Information

- Section 7.2 'Duty concerning misconduct or breaches of discipline' of the <u>PSAA</u> defines conduct as the conduct of an officer, wherever and whenever occurring, whether the officer whose conduct is in question is on or off duty at the time the conduct occurs.
- Section 1.1(d) of the <u>Code of Conduct</u> states public service employees are to meet their obligations to report suspected wrongdoing, including conduct not consistent with the Code.
- Section 1.5 of the <u>Code of Conduct</u>
 states staff members are to ensure
 their private conduct maintains the
 integrity of the public service and their
 ability to perform their duties.
- Section 26 'Work performance and personal conduct principles' of the <u>PSA</u> outlines expectations of public service employees.
- Refer to the 'Definitions' section of this document for definitions of Misconduct.

5. Duties and responsibilities (Police Officers)

As Police Officers in the Queensland Police Service, we uphold the law at all times, whether on or off duty.

We do this by

- At all times being mindful of the oath or affirmation of office we have taken or made; and
- Being vigilant and taking appropriate action off duty in response to offences we may observe.

Further Information

- Section 3.2 'Relation to office of constable' of the <u>PSAA</u>.
- Section 3.3 'Oath of office' of the <u>PSAA</u>.
- Part 2 'Oath and affirmation' of the PSAR.
- Refer to the 'Police Travelling on <u>Trains'</u> guideline provided by the Railway Squad, Specialist Services Group, Operations Support Command.

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6. Orders and instructions (All Members)

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

We do this by

- Showing respect, support and compliance with the command structure; and
- Respectfully seeking clarification or information if we do not understand the order or command given to us.

Further Information

 Section 3.2 'Relation to office of constable' of the <u>PSAA</u> states an

- officer (subject to section 7.1 'Responsibility for command') is subject to the directions and orders of the commissioner and to the orders of any superior officer.
- Section 4.9 'Commissioner's directions' of the <u>PSAA</u> requires every officer or staff member to comply with a direction of the commissioner.

7. Professionalism and impartiality (All Members)

We always maintain professional and impartial relationships with members of the public when conducting our official duties.

We do this by

- Maintaining professional distance and association with members of the public whilst conducting our duties;
- At all times remaining impartial and non-exploitive when fulfilling our official duties;
- Understanding the pursuit of a sexual or emotional relationship with a vulnerable person connected with our official duties is unprofessional and may be considered an abuse of trust or power; and
- Conducting and presenting ourselves in a professional manner, and demonstrating respect for all persons, whether fellow employees, clients or members of the public.

Further Information

- The Queensland Police Service
 Integrity Framework Integrity and
 Impartiality.
- Principle 1 'Integrity and Impartiality' of the Code of Conduct.

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8. Workplace behaviour and personal conduct (All Members)

We conduct ourselves in a professional manner at all times by demonstrating respect and dignity, in a reasonable and fair manner, towards all persons.

We do this by

- Treating all persons with respect and dignity and in a reasonable, equitable and fair manner;
- Never unlawfully intimidating, harassing or discriminating against any person;
- Observing merit in recruitment, promotion and other selection processes;
- Safeguarding privacy and confidentiality of matters of a personal nature relating to other members of the QPS;
- Adhering to the principles of natural justice;
- Adhering to management principles and practices which foster the rights, and wellbeing of members and

- encourage access to employee assistance and development schemes;
- Ensuring all members are set equitable and fair workloads;
- Demonstrating maturity, respect and professionalism in the workplace; and
- Ensuring personal relationships do not adversely affect our work performance or that of other members.

Further Information

- Inclusion and Diversity.
- QPS Workplace Behaviours Policy.
- Section 1.5 'Demonstrate a high standard of workplace behaviour and personal conduct' of the <u>Code of</u> Conduct.

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9. Private interests and associations (All Members)

We declare and manage any private interests or associations that may conflict with our official duties.

We do this by

- Managing our private interests and associations affairs in a manner which does not give rise to a conflict of interest with our official duties.
- Always obtaining approval to undertake outside employment;
- Identifying actual, potential and perceived private interests that may interfere with or influence, or appear to interfere with or influence, our official duties and responsibilities;
- Seeking advice if uncertain whether a conflict of interest exists;
- Taking all reasonable steps to avoid conflicts of interest where possible and report any conflicts of interest if they cannot be avoided:
- Managing our personal affairs and interests to avoid conflict with public expectations or interests;
- Cooperating in the management and resolution of conflicts of interest;
- Report any change in circumstances relating to conflicts of interest that are being managed;

- Identifying and declaring all associations that will or may be incompatible with (or could be perceived to be) or may compromise our role or duties to uphold the law, or compromise the operational effectiveness of the QPS; and
- Adhering to policy, procedures and guidelines in relation to 'conflict of interest' and 'declarable associations'.

Further Information

- Conflicts of interest policy.
- Section 1.2 'Manage conflicts of interest' of the <u>Code of Conduct.</u>
- Declarable Associations Best Practice
 Guide.
- '<u>Declarable Associations Procedures</u> for Members'.
- Declaration of Interests Public
 Service Employees (Other than chief executives) (Directive 03/10).
- QPS Process Map Outside Employment.
- Employment checklist for Managers/OIC's.

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10. Information and resources (All Members)

We only use police information and resources for official purposes and in connection with the performance of our official duties.

We do this by

- Ensuring any access to or release of official information is specifically authorised by law or QPS policy;
- Ensuring any property, equipment or facilities of any kind belonging to or leased by the Commissioner are used properly and responsibly;
- Accepting the level of trust and responsibility associated with being able to access and use police information and resources;
- Understanding curiosity or personal interest are not acceptable reasons to access QPS information and systems;
- Only using police information for an official purpose, in connection with our official duty; and
- Responsibly and appropriately handling confidential, private and sensitive information and maintaining the integrity of such information.

Further Information

- Commissioner's email 'Unlawful and inappropriate access to QPS information systems' (31 December 2018).
- Commissioner's direction to all staff on access to information on QPS computer systems (30 March 2016).
- Section 4.13.4 'System access principles' of the Information Management Manual.
- Section 4.4 'Ensure appropriate use and disclosure of official information' of the Code of Conduct.

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11. Gifts and benefits (All Members)

We never accept, nor solicit, any gift or benefit associated with the performance of official duties unless authorised to do so.

We do this by

- Being aware the acceptance of gifts or benefits has the potential to reflect adversely on, or cause embarrassment to the QPS or the employee;
- Understanding any gift or benefit accepted, regardless of monetary value, implies, or may imply, a relationship which may interfere with objectivity and independence of a member of QPS;
- As a general principle, politely refusing offers of gifts or benefits, apart from incidental gifts or benefits of nominal value, such as promotional materials or tokens of appreciation for giving a presentation;
- Understanding that asking for discounts on goods or services simply because we are police officers erodes our professionalism and impartiality, and adversely impacts the reputation of the service;
- Seeking prior approval for the soliciting of gifts or benefits associated with

- approved benevolent, community or organisational purposes; and
- Following policy, procedures and guidelines in relation to 'gifts and benefits'.

Further Information

- Section 11.4 'Gifts or benefits offered to members of the Service' of the Management Support Manual.
- Public Service Commission Gifts and Benefits Directive 22/09.
- Section 2.3 'Gifts and Donations
 Policy' of the PSBA Financial
 Management Practice Manual.
- Public Service Commission Guideline
 'Gifts and Benefits' Public Service
 Commission.
- Gifts and Benefits Advisory Crime and Misconduct Commission.
- QPS Fraud and Corruption Control Policy.
- QPS Fraud and Corruption Control Plan.

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12. Private commentary and social media activity (All Members)

We manage our private commentary so that it does not compromise or conflict with policies, procedures, operations, or the legislative obligations relevant to our employment with the QPS.

We do this by

- Acting responsibly when using social media and be fully cognisant of the personal and professional risks involved in doing so;
- Taking responsibility to ensure our personal opinions and/or views are not at risk of being misconstrued or misinterpreted as QPS policy or otherwise sanctioned by the QPS;
- Ensuring any public commentary, debate, political activity and/or views we conduct or express in our private capacity:
 - Is not connected with our official duties or represented as official comments;
 - Do not compromise our ability, or any other employee's ability, to fulfil official duties;
 - Do not constitute an unwarranted attack on the character or integrity of another member or person; and/or
 - Are clearly our private views and not those of the QPS.
- Ensuring any external research, including that arising from research scholarships include a disclaimer:
 - "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)";
- Consulting a supervisor where there is doubt as to the propriety of a proposed public comment; and
- Observing any directions issued by the Commissioner in relation to public comment and political activity.

Further Information

- Personal Use of Social Media Guideline and Principles for The Use of Social Media published by the Queensland Government Chief Information Office.
- Section 5.6.11 'Information sought by the media for public broadcast' of the Management Support Manual.
- Section 5 'QPS Use of Social Media' of the Information Management Manual.
- Section 1.3 'Contribute to public discussion in an appropriate manner' of the <u>Code of Conduct.</u>
- Section 1.4 'Manage participation in external organisations' of the <u>Code of</u> <u>Conduct</u>.

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References

Legislation

- Police Service Administration Act 1990 (Qld)
- <u>Police Service Administration Regulation</u>
 2016 (Qld)

Queensland Public Service Documents

- Code of Conduct for the Queensland Public Service
- Declaration of Interests Public Service Employees (Other than chief executives) (Directive 03/10)
- Personal Use of Social Media Guideline
- Principles for The Use of Social Media

QPS Documents

- Application to Undertake Outside Employment
- Commissioner's email 'Unlawful and inappropriate access to QPS information systems' (31 December 2018)
- <u>Commissioner's direction to all staff on</u>
 access to information on QPS computer
 systems (30 March 2016)
- <u>Declarable Associations Best Practice</u> <u>Guide</u>
- <u>Declarable Associations Procedures for</u>
 Members
- <u>Declarable Associations Procedures for</u>
 <u>Professional Practices Managers</u>
- <u>Declarable Associations Procedures for Officers in Charge</u>

- Police Powers and Responsibilities Act 2000 (Qld)
- Public Service Act 2008 (Qld)
- Public Sector Ethics Act 1994 (Qld)
- <u>Public Service Commission Directive no.</u>
 22/09 'Gifts and Benefits'
- Public Service Commission Circular No. 03/14 'Public sector employees contesting elections'
- Public Service Commission Guideline
 'Gifts and Benefits'
- <u>Financial Management Practice Manual</u>
 (PSBA)
- Information Management Manual
- QPS Fraud and Corruption Control Policy
- QPS Fraud and Corruption Control Plan
- QPS Integrity Framework
- Management Support Manual
- Operational Procedures Manual
- Outside Employment: Managers Checklist
- Police Travelling on Trains Agreement
- QPS Checklist for Outside Employment (Employee)
- QPS Workplace Behaviours Policy

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Definitions

In this standard:

Code of Conduct means the Code of Conduct for the Queensland Public Service.

Member (or all members) means a staff member, recruit or police officer, as per section 2.2 of the *PSAA*.

Misconduct (of a police officer) is defined in the *PSAA* as conduct that is

- (a) is disgraceful, improper or unbecoming an officer; or
- (b) shows unfitness to be or continue as an officer; or
- (c) does not meet the standard of conduct the community reasonably expects of a police officer.

Misconduct (of a staff member) is defined in section 187 of the *PSA* as meaning:

- (a) inappropriate or improper conduct in an official capacity; or
- (b) inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the public service.

Officer means a police officer, and includes a recruit under section 7.2 of the *PSAA*.

Police Officer means a person declared under section 2.2(2) of the *PSAA* to be a police officer.

Staff Member means a person who is a staff member of the police service under section 2.5(1) of the *PSAA*.

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Appendices

Oath of Affirmation of Office

SELF Test

Ethics and Accountability Framework

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QUEENSLAND POLICE SERVICE POLICE OFFICERS

OATH OF OFFICE

I, A.B., swear by almighty God that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second and Her Heirs and Successors according to law in the office of constable or in such other capacity as I may be hereafter appointed, promoted, or may be reduced, without favour or affection, malice or ill-will, from this date and until I am legally discharged; that I will cause Her Majesty's peace to be kept and preserved; that I will prevent to the best of my power all offences against the same; and that while I shall continue to be a member of the Queensland Police Service I will to the best of my skill and knowledge discharge all the duties legally imposed upon me faithfully and according to law. So help me God.

Part 2 Section 4 'Oath of Office' Police Service Administration Regulation 2016

AFFIRMATION OF OFFICE

I, A.B., do solemnly, sincerely and truly affirm and declare that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second and Her Heirs and Successors according to law in the office of constable or in such other capacity as I may be hereafter appointed, promoted, or may be reduced, without favour or affection, malice or ill-will, from this date and until I am legally discharged; that I will cause Her Majesty's peace to be kept and preserved; that I will prevent to the best of my power all offences against the same; and that while I shall continue to be a member of the Queensland Police Service I will to the best of my skill and knowledge discharge all the duties legally imposed upon me faithfully and according to law.

Part 2 Section 5 'Affirmation of Office' Police Service Administration Regulation 2016



Think about the decision you are making

S

E

L

F

Will it withstand **SCRUTINY**

from the community and the QPS?

Will it **ENSURE**

compliance with standards and policy?

Is it LAWFUL?

Consider laws, rules and regulations.

Is it **FAIR?**Consider the community, your family and your colleagues.

An unethical decision affects everyone



Queensland Police Service

Ethics and Accountability Framework

Public Sector Ethics Act 1994

Queensland Public Service Code of Conduct

Queensland Police Service Integrity Framework

VALUES

LEADERSHIP

ACCOUNTABILITY

KEY ACTIONS (K.E.E.P.)

KNOW what is expected	EDUCATE and guide others	ENSURE we do the right thing	PROTECT our standards
OPS Standard of Professional Practice Police Service Administration Act 1990 Police Service Administration Regulation 2016 Public Service Act 2008 Crime and Corruption Act 2001 Police Powers and Responsibilities Act 2000 Human Rights Act 2019	Our People Matter Strategy Staff induction SELF Test Professional Standards Training Continuum Performance Development Agreements Individual Development Plan Briefings, meetings and workplace conversations Role modelling	Crime and Corruption Commission oversight Auditing and inspections Early intervention strategies Local Management Resolution (LMR) Vetting Drug and alcohol testing Performance review Complaint management	Police Service Administration Act 1990 Police Service (Discipline) Regulations 1990 Crime and Corruption Act 2001 Appropriate and timely management action Internal investigations capability Fair and efficient discipline system Honours and awards
Service manuals, policies, guidelines and procedures Client Service Charter Inclusion and Diversity Plan	Leader Education and Development (LEAD) Toolkit	Financial accountability Professional Practice Manager network Gifts and benefits register Outside employment register Conflict of interest management inclusion and Diversity Plan	recognition Performance Development Review