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# Integrity and ethical reasoning in the Australian Public Service

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# Scope

Philosophical foundations of ethics

APS Ethical Framework

- APS Values
- Employment Principles
- Code of Conduct

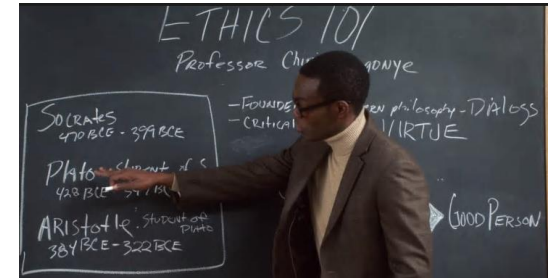
Integrity risks

Social media

Ethical case studies

# Philosophical foundations of ethics

- Virtue ethics
- Deontology (moral duties): Greek *deon*—duty/obligation
- Utilitarianism
- Rights
- The common good



Adapted from Velasquez, M., et al. 2015. *Thinking Ethically* (Markkula Center for Applied Ethics).

# Philosophical foundations of ethics

Virtue ethics – Which option enhances character?

Deontology – What do the rules say we ought to do?

Utilitarianism – What benefits and harms will result from each course of action, and which will lead to the best outcome for the greatest number overall?

Rights approach – What rights do those impacted by my decision have, and which option best preserves those rights?

The common good – Which option advances the common good?

Adapted from Velasquez, M., et al. 2015. *Thinking Ethically* (Markkula Center for Applied Ethics).

ETHICS

Guidelines for how we should behave

VALUES

Principles that underpin those guidelines

INTEGRITY

Consistent set of behaviours underpinned by ethics and values

# Ethics

- It is important that we reflect on what ethics and integrity mean to us as public servants
- Rarely do ethical problems have a clear right or wrong answer
- Ultimately, it's about maintaining the trust of the Government and community

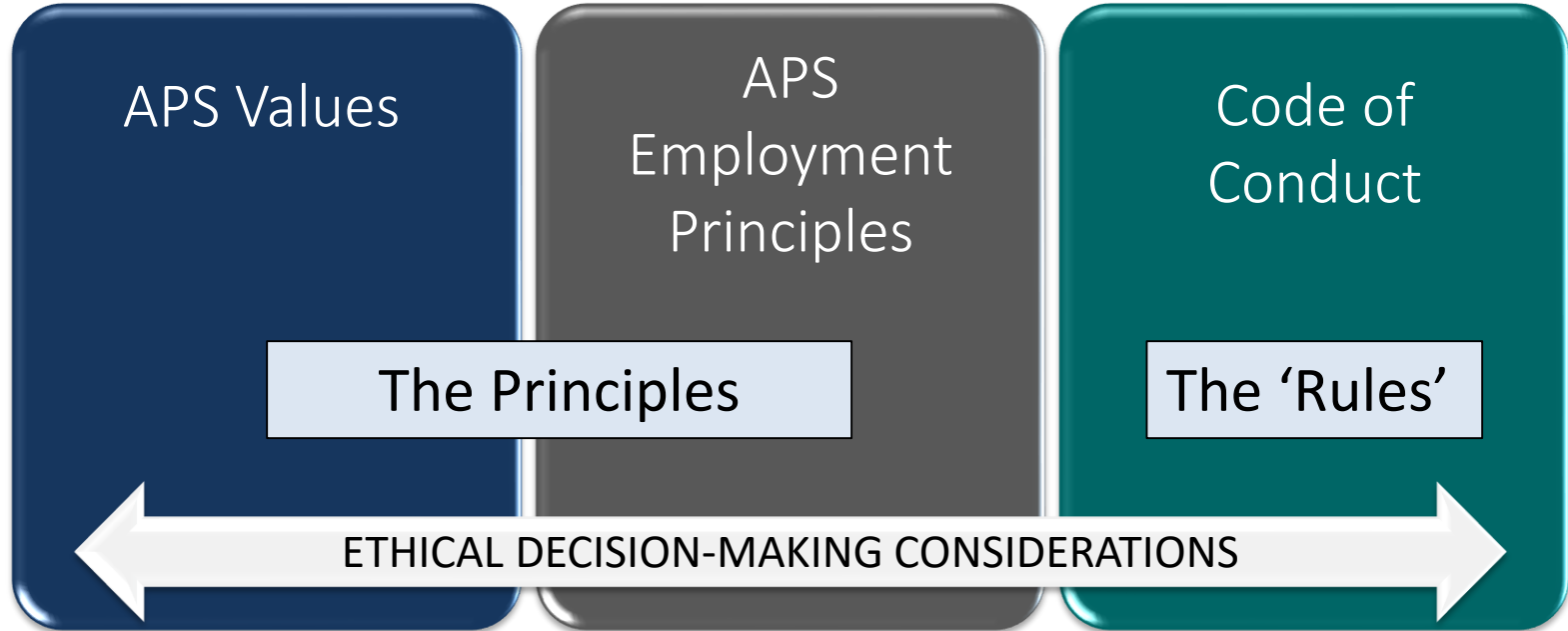
# Integrity in the APS

- The Values and Code of Conduct are the foundation of good public administration
  - shape the organisational culture of the APS
  - provide guiding principles for ethical decision-making



# APS ethical framework

*Public Service Act 1999, ss. 10, 10A, 13.*



# APS Values

**I**mpartial

The APS is apolitical and provides the Government with advice that is frank, honest, timely and based on the best available evidence.

**C**ommitted  
to Service

The APS is professional, objective, innovative and efficient, and works collaboratively to achieve the best results for the Australian Community and the Government.

**A**ccountable

The APS is open and accountable to the Australian community under the law and within the framework of Ministerial responsibility.

**COMMITMENT**

**LEADERSHIP**

**MANAGEMENT SYSTEMS**

**ASSURANCE**

# APS Employment Principles

The APS is a career-based public service that:

- makes fair employment decisions with a fair system of review
- recognises that the usual basis for engagement is as an ongoing APS employee
- makes decisions relating to engagement and promotion based on merit
- requires effective performance from each employee
- provides flexible, safe and rewarding workplaces where communication, consultation, cooperation and input from employees on matters that affect their workplaces are valued
- provides workplaces that are free from discrimination, patronage and favouritism
- recognises the diversity of the Australian community and fosters diversity in the workplace

# APS Code of Conduct

In connection with APS employment an APS employee must:

- Behave honestly and with integrity
- Act with care and diligence
- Treat everyone with respect and courtesy, and without harassment
- Comply with all applicable Australian laws
- Comply with any lawful and reasonable direction given by someone in the employee's agency who has authority to give the direction
- Maintain appropriate confidentiality about dealings with any Minister or Minister's member of staff

Complying with the  
Code of Conduct  
ensures we remain  
worthy of the  
trust of the  
Australian public

## APS Code of Conduct (cont.)

- Take reasonable steps to avoid any conflict of interest (real or apparent) and disclose details of any material personal interest
- Use Commonwealth resources in a proper manner and for a proper purpose
- Not provide false or misleading information in response to a request for information made for official purposes
- Not improperly use inside information or the employee's duties, status, power or authority to gain, or seek to gain, a benefit or an advantage for the employee or any other person; or to cause, or to seek to cause, detriment to the employee's agency, the Commonwealth or any other person
- At all times behave in a way that upholds the APS Values and Employment Principles, and the integrity and good reputation of the employee's agency and the APS;
- While on duty overseas, at all times behave in a way that upholds the good reputation of Australia

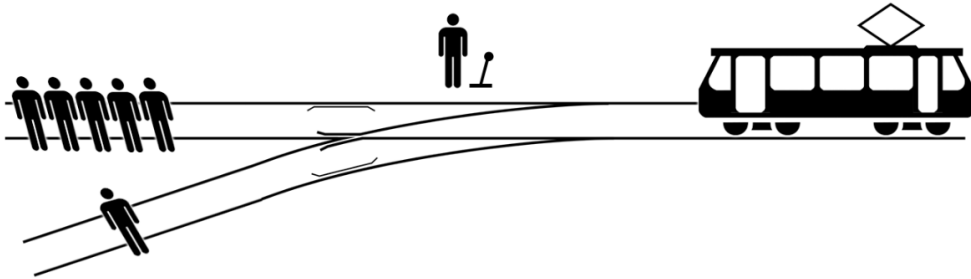
# APS Values, Employment Principles and Code of Conduct

- Ignorance is no excuse:
  - PS Regulation 3.16: Each APS employee must inform themselves about the PS Act, the Regulations and the Commissioner's Directions

All APS employees  
are bound by law to  
uphold the Values

‘If we call right-versus-right choices ‘ethical dilemmas’,  
we can reserve the phrase ‘moral temptations’  
for the right-versus-wrong ones.’

- Rushworth M Kidder



# Risk





# Ethical Judgement

- Would I be happy for this decision to be on the public record?
- What would happen if everybody did this?
- How would I like it if someone did this to me?

## Social media

Does it criticise the work of your current agency?

Does it criticise your Minister?

Language and tone

Personal criticism, or policy debate

# RISK FACTORS

## Does it criticise the work of your current agency?

- Almost always viewed as a breach of the Code
- People will assume you have ‘insider information’
- Consider the negative reputational effects
- There are better ways to raise criticisms
- Social media can be a useful way for you, or your agency, to promote the good work you do—but be careful!

## Does it criticise your Minister?

- You are required to be professional and impartial
- The public may, wrongly or rightly, assume you have personal insights into your Minister
- As risky as criticising your agency
- Applies to criticism of your shadow Minister, leader of the Opposition, or relevant spokespeople from minor parties

# Language and tone

- Be mindful of tact and tone
- What are the public's expectations about how we communicate
- Be considered and demonstrate a well-rounded opinion, not blunt and argumentative
- Be respectful of alternate points of view

# Personal criticism, or policy debate?

- You are not prohibited from engaging in political debate
- Avoid attacking character
- Make your point intelligently and respectfully
- Remember, your comments must not lead others to question your impartiality
- Criticisms can be viewed as a lack of respect and courtesy

# Constitutionality

- Does the 'at all times' requirement infringe on the implied right of freedom of political communication under the Australian Constitution?
- Banerji case

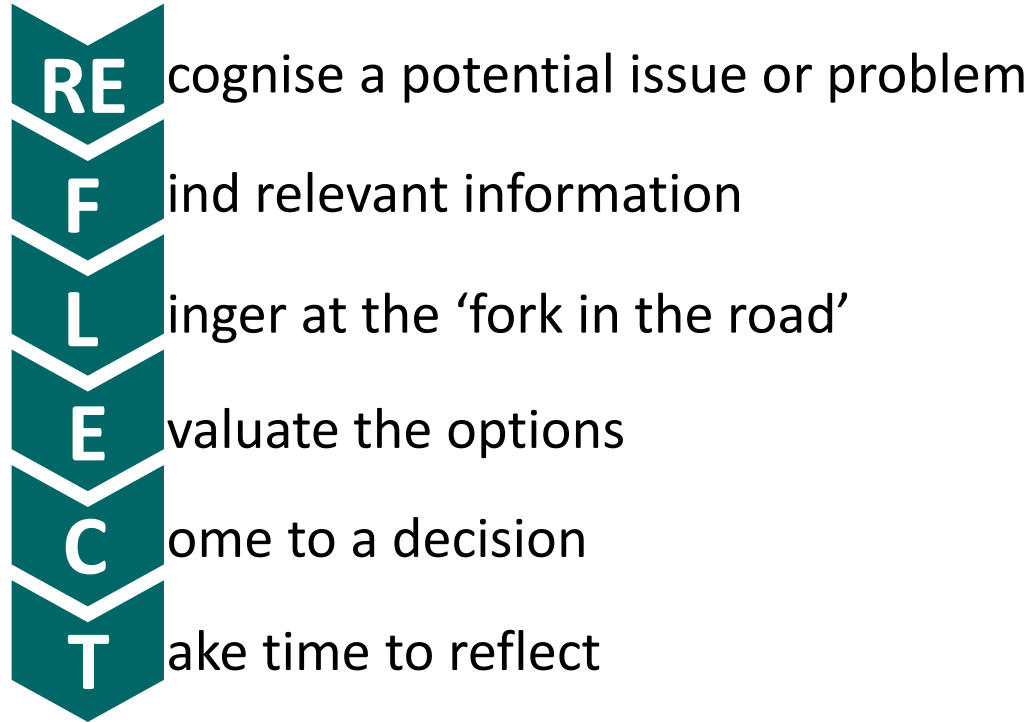
# Summary

- You can have a social media presence
- You have a right to participate in public and political debate
- Consider your words and tone
- Consider what you may be seen to endorse





# REFLECT—being ethically conscious



# Ethics Advisory Service

Phone and email service available to APS staff

The EAS aims to empower employees to make good choices.

# Other guidance and resources

- **Integrity**—your questions answered enquiry and news service
- Integrity **website** resources, including
  - APS Values and Code of Conduct in Practice
  - Handling Misconduct
  - Managing Integrity Risks Toolkit
- **Posters** and **bookmarks**



QUESTIONS?

# Thank you

Ethics Advisory Service

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<https://www.apsc.gov.au/integrity-aps>



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