PSPETHC701A Lead and influence ethical practice in the public sector

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Modification History

Release	TP Version	Comments
3	PSP12V1	Unit descriptor edited.
2	PSP04V4.2	Layout adjusted. No changes to content.
1	PSP04V4.1	Primary release.

Unit Descriptor

This unit covers ethical leadership and responsibility for influencing ethical practice in the public sector. It includes embodying and modelling public service values, embedding ethical practice into the organisation's culture and processes and promoting ethical leadership and decision making at all levels of the organisation.

In practice, ethical conduct is demonstrated in the context of other generalist or specialist work activities such as managing client services, managing financial resources, providing strategic HR services, managing regulatory compliance, managing contracts etc.

No licensing, legislative, regulatory or certification requirements apply to this unit at the time of publication

Application of the Unit

This unit supports the attainment of skills and knowledge required for applying ethical conduct and accountability required in those working in government employment.

Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Not applicable.

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements are the essential outcomes of the unit of competency.	Together, performance criteria specify the requirements for competent performance. Text in ***bold italics*** is explained in the Range Statement following.

Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Embody and model public service values	1.1 Personal dealings within and on behalf of the organisation are used to consistently demonstrate a commitment to the *professionalism, ethical values and principles* of public service.
	1.2 A high level of expertise related to public sector ethics and standards is developed and maintained in accordance with current *legislation and guidelines*.
	1.3 *Complex ethical matters* are interpreted and advice is provided to resolve them in accordance with legislative requirements and public sector standards.
	1.4 The reporting of suspected unethical conduct is encouraged, dealt with in a confidential manner and acted on promptly in accordance with public sector standards and organisational policy and procedures.
2. Embed ethical practice into the organisation's culture and processes	2.1 Strengths, weaknesses and threats to ethical conduct in the organisation are identified through analysis of state, national and international trends, and strategies are developed to act on them in accordance with legislative requirements.
	2.2 Management and accountability structures in the organisation are analysed against public sector standards, and strategies put in place to ensure continuous improvement.
	2.3 Development/review of policy and *organisational processes* is influenced to include and address ethical considerations in accordance with public sector standards.
	2.4 Frameworks for ethical decision making and policy setting are developed and promoted in accordance with public sector standards.
	2.5 Policies and procedures are analysed/designed to allow individuals to safely report *breaches of ethical conduct* and for remedying breaches of ethical conduct.
3. Promote ethical leadership and decision making at all levels of the organisation	3.1 Dialogue on organisational values and ethics is fostered with and between staff to develop a strong understanding of and commitment to public sector standards.
	3.2 Leadership and guidance are provided to empower individuals and the organisation to address ethical issues in accordance with legislative requirements and public sector standards.
	3.3 Organisational patterns, trends and issues that require ethical consideration by managers and staff are identified and referred for action.
	3.4 Leadership programs that promote ethical and values-based behaviour are promoted and supported according to organisational requirements and the individual needs and capabilities of staff.

Required Skills and Knowledge

This section describes the essential skills and knowledge and their level, required for this unit.

Skill requirements

Look for evidence that confirms skills in:

- developing frameworks for ethical decision making
- analysing policies/organisational procedures for consistency with public sector standards
- using a variety of words and language structures to explain complex ideas to different audiences
- interpreting and explaining complex, formal documents and influencing others to apply them in the workplace
- using strategies to clarify understanding
- fostering dialogue on organisational values and ethics with and between staff
- undertaking strategic analysis leading to risk identification, mitigation and planning related to unethical practice
- accessing legislation and codes of ethics electronically or in hard copy
- responding to diversity, including gender and disability
- influencing others to apply occupational health and safety procedures relating to ethical work practices

Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

- state, national and international trends in the development of ethical organisations
- frameworks for ethical decision making/problem solving and policy setting
- public sector ethics, values and standards
- the role of organisational codes of ethics/conduct
- legislation related to privacy, freedom of information, human rights, whistleblower protection
- procedural fairness
- procedures or protocols for dealing with unethical conduct
- equal employment opportunity, equity and diversity principles
- occupational health and safety procedures relating to ethical work practices

Evidence Guide

The Evidence Guide specifies the evidence required to demonstrate achievement in the unit of competency as a whole. It must be read in conjunction with the Unit descriptor, Performance Criteria, the Range Statement and the Assessment Guidelines for the Public Sector Training Package.

Units to be assessed together	• *Pre-requisite* units that <u>must</u> be achieved <u>prior</u> to this unit:*Nil*
	• *Co-requisite* units that <u>must</u> be assessed <u>with</u> this unit:*Nil*
	• *Co-assessed units* that <u>may</u> be assessed with this unit to increase the efficiency and realism of the assessment process include, but are not limited to:
	   • PSPHR702B Formulate a strategic human resource plan
	   • PSPHR703A Provide leadership in strategic human resource management
	   • PSPMNGT701B Provide strategic direction
	   • PSPMNGT702A Influence and shape diversity management
	   • PSPMNGT703A Lead and influence change
	   • PSPMNGT704A Undertake enterprise risk management
	   • PSPPOL701A Influence strategic policy
	   • PSPPROC703B Evaluate and improve procurement performance

Overview of evidence requirements	In addition to integrated demonstration of the elements and their related performance criteria, look for evidence that confirms: • the knowledge requirements of this unit • the skill requirements of this unit • application of Employability Skills as they relate to this unit • leadership and influence in ethical practice in a range of (3 or more) contexts (or occasions, over time)
Resources required to carry out assessment	These resources include: • ethics-related legislation and guidelines • codes of conduct and codes of ethics • public sector standards, procedures and protocols • ethical decision making/problem solving frameworks • state, national and international data on trends in organisational ethics management
Where and how to assess evidence	Valid assessment of this unit requires: • a workplace environment or one that closely resembles normal work practice and replicates the range of conditions likely to be encountered when developing an ethical organisational culture, processes and conduct in a public sector environment, including coping with ambiguity, difficulties, irregularities and

breakdowns in routine
- leadership and influence in ethical practice demonstrated in a range of (3 or more) contexts (or occasions, over time)

Assessment methods should reflect workplace demands, such as literacy, and the needs of particular groups, such as:

- people with disabilities
- people from culturally and linguistically diverse backgrounds
- Aboriginal and Torres Strait Islander people
- women
- young people
- older people
- people in rural and remote locations

Assessment methods suitable for valid and reliable assessment of this competency may include, but are not limited to, a combination of 2 or more of:

- case studies
- portfolios
- questioning
- scenarios
- authenticated evidence from the workplace and/or training courses

| **For consistency of assessment** | Evidence must be gathered over time in a range of contexts to ensure the person can achieve the unit outcome and apply the competency in different situations or environments |

Range Statement

The Range Statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The Range Statement also provides a focus for assessment. It relates to the unit as a whole. Text in **bold italics** in the Performance Criteria is explained here.

Professionalism may include:	• ethical conduct • commitment • diligence • courtesy • respect for others • able to withstand external scrutiny
Ethical values and principles may include:	• respect for the law • integrity • objectivity • accountability • honesty • openness • responsibility • impartiality • reliability • diligence • trustworthiness • respect for persons • responsible care
Legislation and guidelines may include:	• legislation for public sector management • freedom of information legislation • privacy legislation • equal employment opportunity and anti-discrimination law • public sector standards • Ministerial directions • government policy • legal precedents • State/Territory/Commonwealth codes of ethics • equity guidelines/workplace diversity guidelines • organisational codes of conduct • organisational mission and values statements • organisational procedures/guidelines • organisational performance management policy
Complex ethical matters	• conflict between public sector standards and personal values

may include:	• conflict between public sector standards and other standards such as professional standards
	• conflict between public sector standards and directions of a senior officer or Minister
	• tension between two 'rights' such as the right to privacy versus the right to freedom of information
Organisational processes may include:	• strategic planning and risk assessment
	• policy development
	• recruitment
	• selection
	• induction
	• performance management
	• learning and development
	• promotion
	• redundancy
	• re-deployment
	• ceasing of temporary contracts
	• disciplinary and grievance procedures
	• establishment of an ethics committee within the organisation
	• investigations
	• procurement and contracting
Breaches of ethical conduct may include:	• fraud, corruption, maladministration and waste
	• unauthorised access to and use of information, money/finances, vehicles, equipment, resources
	• improper public comment on matters relating to the government and/or the organisation
	• falsifying records
	• giving false testimonials
	• dishonesty
	• improper use of equipment, telephones, credit cards, frequent flyer points, email and Internet
	• extravagant or wasteful practices
	• personal favours, preferential treatment
	• putting barriers in place, hindering, blocking action
	• compromising behaviour including sexual harassment
	• directing others to act unethically
	• oppressive/coercive management decisions
	• resorting to illegality to obtain evidence
	• not responding/following organisational and legislative requirements when responding to breaches

Government Skills Australia

Unit Sector(s)

Not applicable.

Competency field

Ethics and Accountability.