PSPETHC601B Maintain and enhance confidence in public service

Revision Number: 3

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Modification History

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

Unit Descriptor

This unit covers the provision of effective leadership by those in public service to encourage in others the highest standards of ethical conduct. It includes providing ethical leadership, balancing competing public interests and establishing and monitoring processes and practices that encourage integrity.

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.

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 Provide ethical leadership	1.1 *Ethical conduct* is modelled, and reinforced in others. 1.2 The *professionalism* required of public servants is communicated and encouraged in ways suited to the diversity of the workforce. 1.3 Staff are encouraged to raise ethical dilemmas, are provided with frameworks for ethical decision making and policy setting, and coached in their application. 1.4 Staff are provided with opportunities to develop skills in identifying and resolving situations requiring ethical judgment. 1.5 Clarification of the ethical aspects of decisions/actions and advice and guidance on more *complex ethical problems* are provided promptly and documented in accordance with organisational policy and procedures. 1.6 The *reporting* of suspected *unethical conduct* is encouraged, dealt with in a confidential manner and acted on promptly, and in accordance with policy and procedures. 1.7 The work environment is monitored and policies/organisational procedures are evaluated for consistency with public sector standards, and changes are recommended where necessary.
2. Balance competing public interests	2.1 Consideration of relevant facts is undertaken comprehensively, and weightings given to competing interests are unbiased, transparent and defensible. 2.2 Decision making processes are used transparently, and accountably and reasoning/grounds for decisions are documented in accordance with policy and procedures. 2.3 Objective and impartial advice is provided to government regarding policy decisions relating to the public interest. 2.4 Where staff indicate *conflicts of interest,* action is taken immediately to resolve the situation in accordance with policy and procedures.
3. Establish and monitor processes and practices that encourage integrity	3.1 *Organisational processes* and practices are developed or reviewed to ensure they meet the requirements of *procedural fairness* and accountability. 3.2 Processes are developed containing mechanisms to ensure that public resources are used in accordance with public sector ethics standards, *legislation, policy and/or guidelines*. 3.3 Risk management strategies are included in processes and meet client, staff and organisational needs for transparency and accountability. 3.4 Processes and practices are monitored to ensure they encourage and support those reporting unethical conduct and protect them from reprisals. 3.5 Action is taken to ensure that the ethical standard of conduct of contractors is consistent with the requirements of the

ELEMENT	PERFORMANCE CRITERIA
	contracting organisation.

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:

- using 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 assisting others to apply them in the workplace
- using strategies to clarify understanding
- preparing written advice and reports requiring precision of expression
- accessing legislation and codes of ethics electronically or in hard copy
- responding to diversity, including gender and disability
- ensuring staff apply occupational health and safety procedures relating to ethical work practices

Knowledge requirements
Look for evidence that confirms knowledge and understanding of:

- public sector ethics
- organisational code of ethics/conduct
- legislation related to privacy, freedom of information, human rights, whistleblower protection
- procedural fairness
- equal employment opportunity, equity and diversity principles
- procedures for declaring conflicts of interest
- procedures or protocols for reporting unethical conduct
- 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, a range of (2 or more) generalist or specialist units of competency at Advanced Diploma level or above. Choice from the following units is recommended:
	  • PSPGOV601B Apply government systems
	  • PSPGOV603B Develop a tender submission response
	  • PSPGOV604A Foster leadership and innovation
	  • PSPGOV605A Persuade and influence opinion
	  • PSPLEGN601B Manage compliance with legislation in the public sector
	  • PSPMNGT602B Manage resources
	  • PSPMNGT606B Manage quality client service
	  • PSPPROC607B Direct the management of contracts
	  • PSPPM601B Direct complex project activities

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 • ethical leadership modelled and promoted in a range of (3 or more) contexts (or occasions, over time) where contexts may include generalist or specialist work activities such as managing client services, managing financial resources, managing regulatory compliance, managing procurement etc
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 models
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 working ethically, and ensuring ethical processes and behaviour in others in a public sector environment, including coping with ambiguity, difficulties, irregularities and breakdowns in routine

- ethical leadership modelled and promoted in a range of (3 or more) contexts (or occasions, over time) where contexts may include generalist or specialist work activities such as managing client services, managing financial resources, managing regulatory compliance, managing procurement etc

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
- questioning
- scenarios
- simulation or role plays
- 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.

Ethical conduct includes:	• respect for the law • integrity • objectivity • accountability • honesty • openness • responsibility • impartiality • reliability • diligence • trustworthiness • respect for persons • responsible care
Professionalism may include:	• ethical conduct • commitment • diligence • courtesy • respect for others • conduct free of cultural and gender bias • able to withstand external scrutiny
Complex ethical problems may include:	• conflict between public sector standards and personal values • 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
Actions relating to the ***reporting*** of unethical conduct may include:	• protection and support of those reporting unethical conduct • confidential review and evidence gathering to confirm allegations prior to subsequent reporting • referral to authority identified in guidelines • use of confidant programs (whistleblower protection programs, organisational professional reporting procedures)
Unethical conduct may	• fraud, corruption, maladministration and waste

include:	• 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

Conflicts of interest may include:	• both potential and actual conflicts • bribery • improper use of official information • gifts • entertainment • previous and outside employment, including voluntary work • favours for friends, relatives and others • memberships of organisations • political activity • pecuniary and non-pecuniary conflicts
Organisational processes may include:	• strategic planning • 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.
Procedural fairness may include:	• the right to be heard/put your case • the right to be informed of a complaint or case against you • the right to know reasons for decisions affecting you • the right to know the outcome/recommendations of an investigation involving you • the right to privacy • the right to representation • the right to remain silent • the decision maker should not be a judge in his/her own cause • in accordance with the law.
Legislation policy 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.

Unit Sector(s)

Not applicable.

Competency field

Ethics and Accountability.