

Code of Conduct

POLICY

Division

Office of the Chief Executive Officer

Policy number

Updated

April 2022

Implemented

Review date

June 2025

Reviewed by

Approved by

Kara Thomson
President

Date

02 June 2022

Signed



Print name

Kara Thomson

1. Policy Validity Statement

If this document has passed its review date (as shown above), it may be invalid. Please ensure you're referring to the most current version before relying on its contents.

2. Purpose

2.1. The purpose of this Code of Conduct policy is to:

- 2.1.1. govern the conduct of the Society's Councillors, employees, Committee members, volunteers, work experience students, contractors, subcontractors and agents (collectively Society **Workers or Workers**).
- 2.1.2. outline the minimum required standard of acceptable conduct and behaviour that is expected of all Workers in the performance of their duties and interactions within and relating to the workplace, including external venues where Workers are representing the Society.

3. Scope

3.1. The Code of Conduct applies to all of the Society's Workers.

4. Our values statement

4.1. The Society's values are:

Value	Meaning	Behaviours Service non-negotiables
RESPECT	Valuing people and acknowledging their contributions	I will be polite and courteous in all my actions. I will treat others with dignity. I will value contributions, opinions and diversity.
INTEGRITY	Being honest and fair in all our actions	I will be accountable for my actions. I will be honest and fair. I will follow through with my promises.
SERVICE	Working together to anticipate needs, exceed expectations and honour commitments	I will actively listen and respond. I will provide efficient service. I will look for new ways to do things better.

4.2. The profession's values are:

- 4.2.1. courage;
- 4.2.2. service; and

4.2.3. fidelity.

5. Our Code of Conduct

5.1. The Society's Code of Conduct (the **Code**) is based on the ethics principles set out in section 4(2) of the *Public Sector Ethics Act 1994*:

- 5.1.1. integrity and impartiality;
- 5.1.2. promoting the public good;
- 5.1.3. commitment to the system of government; and
- 5.1.4. accountability and transparency.

5.2. In complying with the Code the Society's Workers must consider the following:

- 5.2.1. compliance with relevant laws;
- 5.2.2. fairness and equity in dealing with people;
- 5.2.3. safe and healthy work practices and a concern for wellbeing;
- 5.2.4. honesty, courtesy and acting in accordance with these principles; and
- 5.2.5. acting in the best interests of the Society, fellow Workers and its members.

5.3. The Code is not intended to displace any duty or liability under the common law, or the statute law of the Commonwealth, a state or territory, and should be read in conjunction with those duties or liabilities. Nor is the Code intended to be an exhaustive list of what is appropriate. The Code is intended to be a broad framework that guides the Society's Workers on the minimum standards for honest and ethical behaviour.

5.4. The Code provides that our behaviour is to be of the highest ethical standard and must contribute to a harmonious and productive workplace that reflects favourably on us, the legal profession and the Society. Therefore, all Society Workers must make all reasonable efforts to:

- 5.4.1. comply with the laws of the State and other relevant legislation;
- 5.4.2. perform duties in a safe, honest and diligent manner;
- 5.4.3. treat all people with respect and fairness;
- 5.4.4. take action in relation to any conduct that is unlawful, corrupt, fraudulent, unsafe, dishonest or inappropriate;
- 5.4.5. engage in continuing professional development to maintain competency and credibility;
- 5.4.6. respect the codes of other professional or trade associations relevant to their responsibilities;

- 5.4.7. respect the confidentiality of all information in accordance with the *Legal Profession Act 2007*, the Society's employment and confidentiality agreements (if applicable), Committee Charters and policy requirements and legislative privacy obligations;
- 5.4.8. be accountable for all personal actions;
- 5.4.9. uphold the reputation of the Society, by demonstrating integrity and exercising ethical judgment in all activities;
- 5.4.10. make every reasonable effort to protect the environment and, wherever possible, improve the quality of our work environment;
- 5.4.11. represent the Society in an appropriate manner at all functions and events;
- 5.4.12. project a professional image and behave in a way that represents the Society in the best possible way;
- 5.4.13. ensure that when making a discretionary decision under a statutory power, the Worker has the appropriate delegation and regard to the Administrative Decision Making Guideline located on the Society's intranet;
- 5.4.14. avoid being placed in a situation where there is a potential or apparent conflict of interest;
- 5.4.15. disclose any actual or potential conflict of interest and provide this information to the Chief Executive Officer and register the conflict on the Society's Conflicts of Interest Register maintained by the Office of General Counsel;
- 5.4.16. not to speak on behalf of the Society unless there has been approval from the President or the President's delegate;
- 5.4.17. ensure that resources (i.e. material, equipment, electronic communications, telephones), are used appropriately, efficiently and for Society- related purposes only;
- 5.4.18. observe all safety rules, procedures and approved methods of work having regard to the work being performed;
- 5.4.19. report promptly any unsafe or unhealthy work practices or conditions;
- 5.4.20. wear protective clothing or equipment where required;
- 5.4.21. not smoke in Law Society House;
- 5.4.22. be fit to carry out duties, unimpaired by the influence of alcohol or other drugs;
- 5.4.23. observe all security procedures such as procedures for entry to and exit from Law Society House.

6. References

6.1. The Code incorporates key principles from the following references, as amended from time to time:

6.1.1. Legislation

- a) [Financial Accountability Act 2009](#)
- b) [Financial and Performance Management Standard 2009](#)
- c) [Work Health and Safety Act 2011](#)
- d) [Anti-Discrimination Act 1991 \(Qld\)](#)
- e) [Auditor-General Act 2009](#)
- f) [Crime and Corruption Act 2001](#)
- g) [Legal Profession Act 2007](#)
- h) [Public Sector Ethics Act 1994](#)
- i) [Public Interest Disclosure Act 2010](#)
- j) [Public Interest Disclosure Standards](#)
- k) [Information Privacy Act 2009](#)
- l) [Public Records Act 2002](#)
- m) [Human Rights Act 2019](#)
- n) [Privacy Act 1988 \(Cth\)](#)

6.1.2. Queensland Law Society Policies

- a) *Queensland Law Society Employment Agreement*
- b) *Administrative Decision Making Guideline*
- c) *QLS Procurement Policy*
- d) *QLS Public Interest Disclosure Policy*
- e) *QLS Gift Policy*
- f) *QLS Workplace Bullying, Sexual Harassment and Discrimination Policy*
- g) *QLS Grievance Policy*
- h) *Relevant Information Security Policies*

7. Definitions

- 7.1. *The Society* means the Queensland Law Society Incorporated.

8. Resolving ethical dilemmas

- 8.1. It is not practical to detail in the Code all possible ethical dilemmas that may arise.
- 8.2. However, the Code is to remind Workers of their obligations and what should inform Worker's decision-making and actions.
- 8.3. The following decision-making process may assist in addressing an ethical dilemma:
- 8.3.1. gather the facts; do not make a decision based on assumptions and hearsay;
 - 8.3.2. define the ethical issues;
 - 8.3.3. identify the affected parties;
 - 8.3.4. identify the implications of different decisions;
 - 8.3.5. consider if there are any broader ethical considerations that need to be taken into account;
 - 8.3.6. identify obligations and the reasons for these obligations;
 - 8.3.7. consider your values, the Society's values and your feelings in respect of your decision;
 - 8.3.8. consider seeking guidance from work colleagues where appropriate; and
 - 8.3.9. summarise your reasons for undertaking a course of action in resolving an ethical dilemma.
- 8.4. The Society encourages and expects Workers to engage in ethical behaviour to foster a corruption-resistant culture and promote an open and honest culture in the Society.

9. Failure to comply with the Code

- 9.1. The Society's Code is designed to promote and support the ethical behaviour of all Society Workers.
- 9.2. Behaviour that is inconsistent with the standards set out in this Code, or failure to comply with the processes or responsibilities outlined, may result in disciplinary action, including:
- For employees, Committee members, volunteers, work experience students, contractors, subcontractors and agents:*
- 9.2.1. informal or formal counselling;
 - 9.2.2. action as set out in applicable Society policies or contracts;

- 9.2.3. various action(s) affecting a Worker, including a written warning, referral to Council, termination of employment or removal from Committee membership and/or referral of the Worker's conduct to an appropriate law enforcement authority.

For Councillors:

- 9.2.4. action as set out in rules 21, 22, 56 and 57 of the *Legal Profession (Society) Rules 2007*.
- 9.3. Breaches of the Code by Councillors should be notified to the Chief Executive Officer and the President in writing. If the complaint is against the President, it should be notified to the Vice President or Deputy President.
- 9.4. Note that breaches of the Code by Councillors may result in action being taken by a statutory or enforcement authority and/or agency, where there is evidence of breaches of legislation, and may result in criminal action, fines or imprisonment.
- 9.5. Before any action is taken in relation to an alleged breach of the Code, the Worker will be provided with an opportunity to respond and the Society will ensure that the principles of natural justice and procedural fairness are adhered to.
- 9.6. Breaches of the Code may be dealt with under the Grievance Policy.

10. Criminal charges

- 10.1. All Workers must advise the Chief Executive Officer, President or Council in writing within 7 days if a Worker is charged with an indictable offence or convicted of any offence.
- 10.2. If a Worker is charged with an indictable offence or convicted of any offence, the Chief Executive Officer, President or Council as appropriate will consider:
- 10.2.1. the nature of the offence, and
 - 10.2.2. the potential adverse impact (including reputational impact) on the Society, and
 - 10.2.3. the impact on the Worker's role to uphold their obligations to the Society.
- 10.3. The Society may act to mitigate such impacts and, if warranted, you may for example, be suspended with pay, or your duties altered, suspended or removed from a Committee, suspended or removed from Council under the *Legal Profession (Society) Rules 2007*.
- 10.4. Where criminal acts of a Worker are directed against any Society Workers, disciplinary action is likely to be initiated immediately. In these cases, the Society may take a range of actions, including, for example:
- 10.4.1. immediately act to mitigate any potential negative impact on the Society and Workers.
 - 10.4.2. await the result of criminal investigations or charges before deciding whether or not to proceed with disciplinary action; or
 - 10.4.3. decide to investigate the matter prior to criminal matters being finalised.

- 10.5.** Disciplinary action may be taken where deemed appropriate even though the Worker is found not guilty of criminal charges.
- 10.6.** The Society may initiate a range of disciplinary actions, including termination of employment or contract or appointment or suspension, where a staff member, volunteer or contractor is found guilty of disciplinary breaches or criminal charges.
- 10.7.** Professional regulatory authorities (such as the Society) or statutory authorities such as the Crime and Corruption Commission may be required to be notified in the event a Worker is charged with an indictable offence.

11. Endorsement

QLS is committed to this policy and its equitable implementation. For further information, please contact the President or Chief Executive Officer.

Version No	Amendment details	Author	Date of issue
1.0	Updated with minor grammatical changes	D Firman	07/11/2012
1.1	Updated into new policy template	A Ashton	28/11/2012
1.2	Reviewed and updated	K McMahon	22/09/2015
2.0	Reviewed and updated with changes to the following headings: purpose, scope, our code, references, definitions, resolving ethical dilemmas, failure to comply with the code, criminal charges and endorsement. The gift clauses were removed as they are included in a separate policy referenced in the Code	Legal and governance	18/03/2020
3.0	Updated to apply to Councillors, Committee members and others, referred to as "Workers"	Office of General Counsel	
4.0	Updated in line with review date. Minor changes made.	People and Culture	



Attorney-General and Minister for Justice
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2/06/2022

Ms Kara Thomson
President
Queensland Law Society
president@qls.com.au

Dear Ms Thomson

Thank you for your correspondence dated 21 April 2022 regarding the request to approve the Queensland Law Society's revised Code of Conduct.

As the responsible authority under the *Public Sector Ethics Act 1994* (the Act) I have had regard to your correspondence as a written statement under section 17(2) of the Act. I have reviewed the revised Code of Conduct for the Queensland Law Society against the requirements of the Act. I approve the revised Code of Conduct pursuant to the Act, for application to the Queensland Law Society.

If you have any questions in relation to the above, I invite you to contact my Chief of Staff, Laura Fraser Hardy, on (07) 3719 7400 or at laura.fraserhardy@ministerial.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Shannon Fentiman".

Shannon Fentiman MP

Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of Domestic and Family Violence
Member for Waterford