

State Training Services Code of Conduct

As you are aware, the Department of Education State Training Services has transferred to NSW Department of Industry. Under the Department of Education, members were directed to sign a Smart and Skilled Confidentiality Form.

The PSA understands concerns have been raised by members in relation to signing a separate Code of Conduct, in particular, regarding Points 6 through to Point 10.9.

Please see attached.

Members have raised their concerns both formally and informally with management since 2015.

The PSA is of the view that signing a further Confidentiality Agreement is an unnecessary process as the Department of Industry's own Code of Conduct Policy and legislative requirements are more than adequate.

The legislation that applies to NSW Department of Industry staff is the *Government Sector Employment Act 2013*.

The following legislation is also applicable and can be found [HERE](#)

www.legislation.nsw.gov.au

- Anti-Discrimination Act 1977
- Crimes Prevention Act 1916
- Government Information (Public Access) Act 2009

- Independent Commission Against Corruption Act 1988
- Industrial Relations Act 1996
- Ombudsman Act 1974
- Privacy and Personal Information Protection Act 1998
- Public Interest Disclosures Act 1994
- Public Finance and Act 1983
- State Records Act 1998
- Work Health & Safety Act 2011

The PSA has made strong representations on behalf of members by advising the Department of Industry, Industrial Relations Unit that members should not be forced to sign a further Confidentiality agreement as the Department of Industry's own policies, procedures and legislation are more than adequate in defining the accountabilities of staff.

The PSA has been advised that State Services Management is currently considering the our representations. Members will be advised when the PSA receives a response from the Department.

The PSA has also made representations that members should be allowed to monitor RTOs whilst this decision is being made.

