



Service Standard 1.1.7

Code of Conduct and Ethics

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1. Purpose

The Code of Conduct and Ethics (**the Code**) establishes standards of behaviour expected of all members of the RFS.

2. Policy

2.1 Every member of the RFS has a responsibility of maintaining the high standards of the RFS, and to make decisions and take actions in accordance with the values of the RFS.

The RFS values:

- Mutual Respect
- Adaptability and Resourcefulness
- One Team, Many Players, One Purpose
- Integrity and Trust
- Support, Friendship, Camaraderie
- Community and Environment
- Knowledge and Learning

2.2 If anyone after reading the Code, is still unsure about any ethical-related matter, they should seek advice and assistance from their supervisor, manager or the Corruption Prevention Officer who is the Manager Professional Standards.

2.3 The Code does not replace, nor is it a substitute for, the general law. Every member of the RFS must comply with all relevant State and Federal laws in common with other members of the community.

2.4 Every member of the RFS must act in accordance with the Code and attached SOP 1.1.7-1 Code of Conduct and Ethics – Detailed Guidelines, when:

- a. acting in the capacity of a member of the RFS;
- b. participating in any RFS activity; or
- c. on RFS premises.

3. Links

- SOP 1.1.7-1 The Code – Detailed Guidelines
 - Form: Gifts & Benefits Register
 - Form: Conflicts of Interest Register
- RFS Policies:
 - 1.1.1 Corporate Credit Cards
 - 1.1.8 Petty Cash
 - 3.1.2 Internal Reporting Systems
 - 3.1.3 Representing the NSW Rural Fire Service
 - 4.1.13 Bullying in the Workplace
 - P2.1.2 Management of HQ and Regional Assets
 - P3.1.1 Equal Employment Opportunity
 - P3.1.2 Harassment
 - P4.1.1 Delegations
 - P4.1.7 Fuel Cards
 - P5.1.2 Acceptable Use of Information Communications and Technology (ICT)
 - P8.1.1 Passenger Motor Vehicle Usage
- RFS Service Standards
 - [1.1.2 Discipline](#)
 - [1.1.3 Grievance](#)
 - [1.1.4 Health, Safety and Welfare Consultative Committees](#)
 - [1.1.5 Environment](#)
 - [1.1.6 Media Relations](#)
 - [1.1.9 Child-related Activities](#)
 - [1.1.14 Personal Information and Privacy](#)
 - [1.1.16 Fundraising Activities \(Provision of Goods and Services\)](#)
 - [1.1.21 Stand Down/Removal from Membership & Notification of Criminal Charges & Convictions](#)
 - [1.1.26 Volunteer and Visitor Access to Network Services and Data](#)
 - 1.1.27 Brigade Websites and Internet Postings
 - [2.1.2 Brigade Constitution](#)
 - [2.1.9 Participation by Staff in Brigade Activities](#)
 - [8.1.1 Uniforms incorporating Corporate Wardrobe](#)
- S13(2)(l) of the *Rural Fires Act 1997* and Regulations
- NSW Ombudsman's Office
- *Public Sector Employment and Management Act 2002* and Regulations
- *Crimes Act 1900*
- *Anti-Discrimination Act 1997*
- *Occupational Health and Safety Act 1983*
- *Public Finance and Audit Act 1983*
- *Freedom of Information Act 1989*

- *Independent Commission Against Corruption Act 1988*
- *Protected Disclosure Act 1994*
- *Privacy and Personal Information Act 1998*
- *Charitable Trusts Act 1993*
- NSW Rural Fire Service Corruption Prevention Strategy

4. Who is responsible for implementing this Service Standard?

Director Executive Services and Director Membership Services

5. Amendments

- Clause 3.4 addition of paragraph
- Clause 9 – incorporates legal advice on use of alcohol on RFS premises

September 2009



SOP SS 1.1.7-1 Code of Conduct and Ethics

These SOPs form part of Service Standard 1.1.7 Code of Conduct and Ethics

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Introduction

From time to time all members of the NSW Rural Fire Service (**RFS**) will be faced with situations where difficult decisions need to be made as to the most appropriate course of action. Our Code of Conduct and Ethics (**the Code**) will assist us make decisions that reflect the high standards expected by the community of NSW and ourselves.

Each of us has a responsibility to foster an environment that is ethical and equitable by abiding by the standards set in the Code. This is an expectation that we should have of ourselves and of each other.

The RFS is committed to the standards and principles outlined in this Code. The Code is designed to attract the highest level of confidence from colleagues and our community, and also to protect us by providing guidelines on expected standards of behaviour.

Access the RFS' Intranet site for more policies, standards & relevant legislation.

1. Our Values

- 1.1. It is important that the decisions we make and the actions we take for the RFS reflect the values of the RFS.
- 1.2. Our values define how we evaluate our decisions and actions, and how we conduct our business. The Code translates the RFS' values into work practices.
- 1.3. Our Values (and the associated behaviours) are:

Mutual Respect

- We actively seek and value everyone's contribution
- We acknowledge differences in people
- Constructive comment is accepted as a positive contribution to the richness of our organisation
- We encourage accepting responsibility and accountability while avoiding a "blaming" culture
- We respect the dignity of each and every person in all our communications

Adaptability and Resourcefulness

- We encourage creativity and flexibility, while approaching our work sensibly and with safety
- Initiative and continuous development are necessary and to be encouraged within our approved standards, procedures and guidelines
- We encourage open mindedness
- We are analytical in our approach to tasks and the Service encourages progression in new methods, alternatives, equipment and processes

One Team, Many Players, One Purpose

- We encourage diversity:
our organisation is reflective of our communities
- We encourage contribution from all areas
- Consultation and engagement of stakeholders are essential to the success of RFS
- We target a diverse range of groups in our communications and the promotion of our organisation

Integrity and Trust

- We communicate clearly what we expect from each other
- We take personal responsibility for actions and commitments that we make
- We are both respectful and open with each other
- We foster a climate of trust and reliability
- Open and informed decision making is promoted and encouraged

Support, Friendship, Camaraderie

- We provide a welcome atmosphere for all
- We support each other in all activities
- We foster a sense of belonging, purpose, enjoyment and involvement
- We mentor our people to help develop their full potential

Community and Environment

- We go above and beyond to make a difference in the community and our environment
- We undertake our roles and behave in a way that is inspiring to others
- We see building community capacity as central to our mission
- We engage with the youth of our communities to ensure the sustainability of the Service
- We are mindful of the ecological and environmental impact of our activities

Knowledge and Learning

- We foster a climate of continuous learning and sharing of information
- We encourage self reflection and personal growth
- We enhance our knowledge through participation in a range of forums
- We actively participate in research and embed the learning into our organisation
- Debriefing is important, necessary and to be encouraged to improve our standards, procedures and guidelines

2. Ethical Decision Making

2.1. In discharging your responsibilities you should consider the following points:

- Is the decision or conduct lawful?
- Is the decision or conduct consistent with government policies and the RFS' Service Standards and in line with the RFS' objectives and our Code of Conduct?
- What will the outcomes be for you, other members, the RFS and the community?
- Do these outcomes raise a conflict of interest or lead to private gain at public expense?
- Can the decision or conduct be justified in terms of the public interest and would it withstand public scrutiny?

2.2. If involved with decisions it is your duty to ensure that these decisions are properly taken and that parties involved in the process are dealt with fairly. You must not only avoid impropriety, but must at all times avoid any occasion for suspicion and any appearance of improper conduct.

2.3. The RFS is committed to fostering a safe, secure and open work environment in which all members can be confident in seeking advice about any questions that they have.

Related Policies and Standards

- 3.1.2 Internal Reporting Systems (Policy)
- P4.1.1 Delegations

3. Our Responsibilities

Accountability

- 3.1.** We are to provide service to the community with the responsible use of all our available resources. We are all accountable for working to meet the objectives of the organisation.

Related Policies and Standards

- 3.1.3 Representing the NSW Rural Fire Service (Policy)
- P2.1.2 Management of HQ and Regional Assets

Fairness and Equity

- 3.2.** We are expected to act honestly, fairly and with integrity when dealing with other members, stakeholders, our clients and suppliers, members of the public and the community. It is important that our decisions are fair and equitable.

We all have a responsibility of contributing to an ethical & equitable RFS environment free of all forms of harassment and any suggestion of bullying.

The RFS is also responsible for respecting the rights of each of us and that includes being treated honestly and fairly, having our privacy and opinions respected and receiving due recognition and compassion.

Related Policies and Standards

- P3.1.1 EEO
- P3.1.2 Harassment
- 4.1.13 Bullying in the Workplace (Policy)

Exercising our Authority

- 3.3.** When making decisions, providing advice or taking action under a delegated authority, we have a duty to ensure that:
- the decision, advice or action is within our delegation;
 - it complies with all decision-making requirements and procedures required by the delegation;
 - it is appropriate that you provide the decision, deliver the advice or take such action on behalf of the RFS;
 - we act according to the spirit and the letter of any relevant legislation; and
 - the decision, advice or action and the evidence upon which it is based are properly documented.

Related Policies and Standards

- 3.1.2 Internal Reporting Systems (Policy)
- P4.1.1 Delegations

Environment

- 3.4. The RFS, its staff and volunteers have environmental responsibilities. As we work with the community, we should have regard to the principles of ecologically sustainable development and be mindful of the environmental impact from all activities we undertake.
- 3.5. All members of the RFS have environmental responsibilities. When we work with the community we should at all times, be mindful of the environmental impact of all activities we undertake.

Related Policies and Standards

- [1.1.5 Environment](#)

Safety

- 3.6. We are responsible for our own safety and the safety of people with whom we work.

In turn, the RFS is responsible for providing safe systems of work, a safe work environment and by always putting the safety of staff, volunteers and the public first.

Related Policies and Standards

- [SS 1.1.9 Child-related Activities](#)
- [SS 1.1.4 Health Safety and Welfare Consultative Committees](#)

Discrimination and Harassment

- 3.7. RFS members must not harass or discriminate against their colleagues or members of the public on the grounds of sex, marital status, race, colour, nationality, ethnic or national origin, ethno-religious identity, descent, age, disability, sexual preference or transgender. This behaviour is an offence under the Anti-Discrimination Act 1977. All positions with delegated responsibility must ensure that the RFS environment is free from all forms of harassment and discrimination. Violence in this environment will never be tolerated.

Related Policies and Standards

- P3.1.2 Harassment

Bullying

- 3.8. You must not bully or support others who engage in such behaviour.

Bullying is repeated and unreasonable behaviour directed towards a RFS member or a group of RFS members that creates a risk to health and safety. Bullying comprises behaviour that intimidates, offends, degrades, insults or humiliates a RFS member, clients or customers either physically or psychologically.

Related Policies and Standards

- P3.1.2 Harassment
- 3.1.2 Internal Reporting Systems (Policy)
- 4.1.13 Bullying in the Workplace (Policy)

Supervision

- 3.9.** Supervisors, managers and senior officers should provide a good example to all members of the RFS and ensure they are aware of the requirements of this Code and what is expected of them at all times. Supervisors, managers and senior officers have a responsibility to provide all the information necessary so that the RFS can achieve its objectives.

Related Policies and Standards

- P3.1.1 Equal Employment Opportunity

4. Conflicts of Interests

- 4.1.** A conflict of interest arises if it is likely that a personal interest could conflict, or be reasonably seen to conflict, with the impartial performance of our official duties and the public interest.
- 4.2.** It is essential that members of the public and other members of the RFS, when dealing with the RFS, can be confident that decisions made are free of any conflicts of interests.
- 4.3.** We need to ensure that if any conflict exists between our interests and those of the RFS, it must always be resolved to the satisfaction of the RFS.
- 4.4.** Conflicts of interests can be of two types:
- **Pecuniary Interest**
Is an interest that you have in a matter because of a reasonable likelihood or expectation of a financial gain or loss to you, or to another person with whom you are associated. This would include your spouse, de facto partner or a relative.
 - **Non-Pecuniary**
Is a private or personal interest, which you have, and does not relate to money. For example, a friendship, family, membership of a club and the like where a financial gain or loss is not involved.

May also be motivated by ill-will.
- 4.5.** A conflict of interest would exist where:
- we have a personal interest that would lead us to be influenced in the way we carry out our duties.
 - we have a personal interest that could lead a reasonable person to think we could be influenced in the way that we carry out our duties.

- we have knowledge that a family member, relative, friend, associate or anybody else close to us has an interest that could lead to us being influenced, or a reasonable person to think that we could be influenced, in a way that we carry out our duties.
- 4.6. Perceptions of conflicts of interest can be as important as actual conflicts of interest. Therefore, even if we do not consider that we have a conflict, it is important to consider how a reasonable person would view the situation. Thus in many cases, only we will be aware of the potential for conflict.
- 4.7. You should not use your position in the RFS for personal business benefit.
- 4.8. If we believe that we are faced with, or could be seen to be faced with, a conflict or pecuniary interest, it is our responsibility to disclose the conflict. You must advise your manager, Director or the Commissioner who will discuss ways of resolving the conflict with you, and decide if the disclosure should be in writing. All written notifications will to be placed on the RFS' Conflict of Interest Register.
- 4.9. Each Director's office shall maintain a Conflict of Interest Register. The Register shall be maintained with strict confidentiality and held for significant notifiable matters of staff. Matters deemed to be of a minor nature will not be recorded on this Register but dealt with and resolved at the local level by the staff member and their manager.

Related Policies and Standards and Legislation

- NSW Rural Fire Service Corruption Prevention Strategy
- [SS 1.1.16 Fundraising Activities](#)

5. Hospitality, Gifts or Benefits (Staff members only)

- 5.1. During the course of our work, offers of gifts, hospitality or benefits, in a variety of forms, may be made by members of the public, contractors and business associates. Gifts, benefits or hospitality are rarely acceptable and we need to ensure that such offers do not compromise, or give the perception of compromising, our ethical standards.
- 5.2. We should never ask for a gift or benefit. We should never accept a gift or benefit if we think it would affect our partiality or other people are likely to think it might affect our partiality.

Token Gifts or Benefits

- 5.3. Token gifts or benefits may be accepted if they are not seen to be compromising. Token gifts and benefits do not have significant monetary value. They are generally offered in appreciation, ideally can be shared and are not offered on a regular basis. Token gifts may include items such as chocolates, cup of coffee to field staff, small Christmas presents from customers.
- 5.4. Any quantity of alcohol, whilst it may be considered token, must be brought to the attention of your supervisor/manager who will arrange, if necessary, for the details to be recorded in the Gifts and Benefit Register.

- 5.5. If you are uncertain whether a gift or benefit is token, you should discuss it with your supervisor/manager.

Non-Token Gifts or Benefits

- 5.6. If offered hospitality, or a gift or benefit that is considered more than token, you should bring it to the attention of your supervisor/manager. They will assist in determining whether the gift or benefit is acceptable.
- 5.7. Examples of non-token gifts or benefits could include tickets to a corporate box at a sporting event or theatre tickets, invitations to a restaurant and discounts to selected staff on products or services.
- 5.8. Non-token gifts or benefits would rarely be acceptable. If we do consider that a non-token gift or benefit is acceptable, we would have to seek approval from our manager, Director or Commissioner.
- 5.9. In seeking approval we would need to be able to demonstrate that by accepting the gift or benefit there would be a benefit to the RFS.
- 5.10. In order to protect the RFS, and each of us, all non-token gifts or benefits accepted will be recorded in the Gifts and Benefits Register, held by nominated officers at Head Office and each of the regions. It is the responsibility of the approving officer to ensure the details are recorded in the register.
- 5.11. Gifts of cash (any amount) and gift vouchers are never considered acceptable.
- 5.12. If a substantial gift or benefit is offered to you to influence the way you do your work, you are required to report this immediately to your supervisor/manager who should bring it to the attention of the Corruption Prevention Officer (the Manager Professional Standards) or by mail marked confidential to NSW Rural Fire Service, Locked Mail Bag 17, Granville NSW 2142.

6. Corporate and Personal Information

- 6.1. Information is an important asset of our organisation. We must take care to maintain the integrity and security of confidential documents or information in your possession, or for which we are responsible.
- 6.2. Some of the information that we have access to will be confidential and we must protect it.
- 6.3. When dealing with personal information, you must abide by the NSW Privacy and Personal Information Protection Act which controls the collection, holding, use, correction, disclosure or transfer of any personal information obtained through your position with the RFS. If you deal with personal information in your duties you should acquaint yourself, and adhere, with the privacy principles in this legislation.

- 6.4. If you have any doubts about the handling of any personal or confidential information, you should discuss this with your supervisor, manager or the RFS' Privacy Contact Officer i.e. the Group Manager Membership Services.

Ceasing Employment / Membership

- 6.5. After ceasing employment/association with the RFS, you may use the job knowledge and skills gained during your time with the RFS. However, you must not release or use confidential or personal information obtained during your time with the RFS.

Related Policies and Standards and Legislation

- [1.1.14 Personal Information and Privacy](#)
- [SS 1.1.26 Volunteer and Visitor Access to Network Services and Data](#)

7. Use of NSW Rural Fire Service's Resources

- 7.1. We are expected to be efficient and economical in our use and management of the RFS' resources.
- 7.2. We are entrusted with the RFS' resources and we must protect these resources from loss, damage, misuse or theft.
- 7.3. All suspected and actual losses must be reported.
- 7.4. Resources include:
- material, equipment and vehicles;
 - cash, cheques, credit cards, accounts and securities;
 - documents, records, data and information; and
 - time (RFS members).
- 7.5. The RFS' resources, equipment and copyrighted materials must not be used in any circumstances, in relation to a second job or business.
- 7.6. RFS clothing of any type or description bearing the insignia of the RFS issued to members of the RFS should only be worn within the authorised capacity of their duties.

Related Policies and Standards and Legislation

- 1.1.1 Corporate Credit Card
- P4.1.1 Delegations
- 1.1.8 Petty Cash
- P4.1.7 Fuel Cards
- P5.1.2 Acceptable Use of ICT
- [2.1.2 Brigade Constitution](#)
- P8.1.1 Passenger Motor Vehicle Usage
- [8.1.1 Uniforms Incorporating Corporate Wardrobe Service Standard](#)
- *Charitable Fundraising Act 1991*

8. Other Employment or Business (Staff members only)

- 8.1. An employee seeking approval to engage in private employment or to significantly vary existing approvals must submit written information concerning the nature of the employment and the time involved. The written submission is to be lodged with the employee's line manager for initial approval and then referred to the relevant Director for final approval. The submission is to include an assurance in writing that:
- the work does not arise from, nor will it interfere with, the employee's official duties;
 - the work will not involve a conflict of interest with the employee's official duties;
 - no RFS Intellectual Property will be used in undertaking the secondary employment;
 - the work will be undertaken outside working hours;
 - no relevant information has been withheld in relation to clause 8.1; and
 - the arrangements will not be varied without further application.
- 8.2 An applicant is not required to divulge any personal circumstances associated with the application to engage in private employment.

Related Policies and Standards and Legislation

- *Public Sector Employment and Management Act 2002* and Regulations

9. Alcohol and Other Drugs

Note - For the purposes of this section:

"RFS premises" includes fire stations, training facilities, district/zone/team offices, regional offices, headquarters, and the grounds surrounding or immediately adjacent to those premises.

"RFS sponsored events" includes functions or events organised by a brigade or brigade social committee, field days, training courses (whether or not they are conducted on RFS premises) and meals provided at, or social gatherings held in conjunction with meetings or training courses.

- 9.1. The RFS prohibits the:
- a. sale of alcohol on RFS premises and at RFS sponsored events, other than on licensed premises;
 - b. supply of alcohol to minors on RFS premises and at RFS sponsored events by any person, including the minor's parent or guardian;
 - c. consumption of alcohol by minors on RFS premises and at RFS sponsored events;
 - d. consumption of alcohol on RFS premises or at RFS sponsored events unless an officer is present who is willing to assume responsibility for:
 - I. ensuring compliance with relevant Service Standards and Policies; and

II. supervising the conduct of the members in attendance.

- 9.2. In the case of volunteer members, the responsible officer must be:
- a. a group or brigade officer over the age of 18 years; and
 - b. present at all times
- 9.3. In the case of staff members, the officer must be:
- a. an inspector or of higher rank or a manager, or if non-ranked, Manager or above; and
 - b. present at all times.
- 9.4. Soft drinks or other non-alcoholic drinks must be made available whenever liquor is consumed on RFS premises or at RFS sponsored events.
- 9.5. Members should, at all times, be mindful of the requirements of the Roads and Traffic Authority (RTA) and the laws governing NSW road users.
- 9.6. The RFS has a zero tolerance to the use of any prohibited substance (e.g. marijuana or illicit drugs) on any RFS premises or workplace. We should not report for duty, or return to duty, under the influence of alcohol or other drugs that could impair the carrying out of our duties or cause danger to ourselves or others.
- 9.7. If there is any medical condition or treatment that could affect your overall performance, the issues should be discussed with your manager, senior officer or the RFS' Chaplain. If this is not appropriate then the matter should be raised in the first instance with the Regional Manager or Group Manager Human Resources
- 9.8. If a manager/ senior officer deems that a member's capacity to perform his or her duties in a safe manner may be impaired, they have a responsibility to that person, and other persons who may be affected by their actions, to ensure that no one is in a position of personal risk.

Related Policies, Standards and Legislation

- Health Safety and Welfare
- *Liquor Act 2007*

10. Public Comment

- 10.1. As a general rule, all members can disclose official information that is normally given to members of the public seeking that information, but should only disclose other official information or documents when:
- 10.2. Public comment by members includes public speaking engagements, comments on radio and television, on internet websites and services or in letters to newspapers, and expressing views in books, journals or notices if it is expected that the comments will spread to the community at large.

RFS members, as individual members of the community, have the right to make public comment and enter into public debate on political and social issues. However, there are some circumstances in which this is inappropriate. For example, situations when the public comment, although made in a private capacity, may appear to be an official comment on behalf of the RFS. In such circumstances, members should preface their remarks with a comment that they are made in a private or union capacity and do not represent the official view of the RFS.

Members should follow the procedures established by the Service Standard for making public comment on the work of their section. As a general rule, they can disclose official information that is normally given to members of the public seeking that information, but should only disclose other official information or documents when:

- in the course of their duties;
- when proper authority has been given;
- required to, or authorised, do so by law; or
- when called to give evidence in court.

In these cases, comments made by members should be confined to factual information and should not, as far as possible, express an opinion on official policy or practice unless required to do so by the circumstances of the particular situation (for example, when asked to do so in court).

Comments made on matters pertaining to union business by members of unions in their capacity as a local delegate within the department or by union office holders employed by the department are permissible under this Code.

- 10.3.** You should only make comment about RFS matters within your area of expertise, for example, it would be unacceptable for a RFS member outside the development control area to make comment or provide advice to anyone about development control matters.
- 10.4.** Public comments or statements on RFS matters can only be made by the Commissioner or relevant Director. This function may be delegated to members as required.
- 10.5.** Audio, image and video postings referencing or containing RFS equipment or infrastructure, the RFS logo or RFS staff or volunteers engaged in RFS activities must not be posted to any public website or internet service without the written approval of RFS Media Services. Approval can be requested by emailing media@rfs.nsw.gov.au.

Related Policies and Standards

- [1.1.6 Media Relations](#)
- 1.1.27 Brigade Websites and Internet Postings

11. Reporting Breaches

Reporting Corruption, Maladministration and Wastage

- 11.1. In our duties with the RFS, we are not only required to act honestly but also to report any instances of possible corruption, maladministration or serious and substantial wastage.
- 11.2. Those who are unclear as to what constitutes corrupt conduct, maladministration or wastage, should refer to *Policy 3.1.2 Internal Reporting Systems* on reporting corruption. Maladministration and wastage and/or seek advice from your supervisor, manager, senior officer or the RFS Corruption Prevention Officer (Manager, Professional Standards).

Related Policies and Standards

- [1.1.3 Grievance](#)
- 3.1.2 Internal Reporting Systems (Policy)

12. Sanctions

- 12.1. Breaches of this Code, in addition to breaches by any member of policies, standards and procedures, may constitute a breach of discipline and may be actioned accordingly.
- 12.2. Reports of suspected corruption, maladministration or serious and substantial waste can be referred to the I.C.A.C, Ombudsman or the N.S.W Auditor General.
- 12.3. In all cases where a criminal offence has been committed, the matter will be referred to the police.

Related Policies and Standards

- [1.1.2 Discipline](#)
- [1.1.21 Stand down/Removal from Membership and Notification of Criminal Charges and Convictions](#)
- *Public Sector Management Act 2002* & Regulations
- *Rural Fires Act 1997*
- Rural Fires Regulation 2008

