



Policy – Code of Conduct

1.0 Policy Statement

1. The Mental Health Review Tribunal (**Tribunal**) is committed to creating and maintaining a work environment which values diversity and promotes worker health and well-being.
2. The Tribunal requires all workers, both staff and members, to commit to high standards of ethical behaviour. This policy aims to:
 - support the Tribunal's commitment to a culture of human rights within the Queensland public sector.
 - demonstrate the Tribunal's commitment to the highest levels of integrity and accountability.
 - reflect the principles and values underlying good public administration.
 - identify consistent standards of conduct for all workers.
 - provide a framework for ethical culture.
 - clarify for the public what they, and we, as workers of the Tribunal, expect of ourselves, our colleagues and our organisation.

2.0 Scope

This policy applies to all workers, including staff and members.

3.0 Legislation and associated documents

- *Anti-Discrimination Act 1991*
- *Human Rights Act 2019*
- *Industrial Relations Act 2016*
- *Mental Health Act 2016*
- *Public Sector Ethics Act 1994*
- *Public Service Act 2008*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- Code of Conduct for the Queensland Public Service
- Administrative Review Council Guide to Standards of Conduct
- Policy – Work Health and Safety
- Policy – Managing individual worker grievances
- Procedure – Managing individual worker grievances
- Policy – Human Rights

4.0 Background

1. Section 10 of the *Public Sector Ethics Act 1994* (**PSE Act**) provides that codes of conduct are to apply to public sector entities and public officials in performing their official functions. Section 18 of the PSE Act requires public officials of public sector entities to comply with the standards of conduct stated in the entity's code of conduct.



2. The definition of public official for the purposes of the PSE Act includes staff of the Tribunal, and the definition of public sector entity includes the Tribunal.
3. Members of the Tribunal are appointed by the Governor-in-Council on terms set out in the *Mental Health Act 2016* and as otherwise set by the Governor-in-Council.

5.0 Policy

Staff

4. All staff of the Tribunal must comply with the code of conduct published by the Public Sector Commission, being the Code of Conduct for the Queensland Public Service (**QPS Code**). The QPS Code is published on the For Govt website.
5. The QPS Code applies at all times when staff are performing official duties, including when they are representing the Queensland Government at conferences, training events, on business trips and attending work-related social events.

Members

6. The Tribunal has adopted the Administrative Review Council's document titled '*A Guide to Standards of Conduct for Tribunal Members*' as a code of conduct (**ARC Code**) for members. The ARC Code is published online (<https://coat.asn.au/a-guide-to-standards-of-conduct-for-tribunal-members/>).
7. Members are also expected to meet the standards particularised in the Tribunal's Member Competencies Framework. To the extent of any inconsistency, the Member Competencies Framework will take precedence.
8. The Tribunal expects that the ARC Code and Member Competencies Framework apply equally in members' conduct and dealings during the conduct of Tribunal hearings, in carrying out their duties outside of the hearings environment and when they are representing the Tribunal at conferences, training events, on business trips and attending work-related social events.

6.0 Custodian of Procedure

President, Mental Health Review Tribunal

7.0 Review Date

Date of Procedure: January 2025
Date of Next Review: January 2027