

s 22(1)(a)(ii)

From: Help - HR
Sent: Thursday, 20 November 2025 4:43 PM
To: PMC ALL Staff
Subject: HR News and Current Vacancies - Thursday, 20 November 2025 [SEC=OFFICIAL]

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News

Plan for a safe silly season

With December upon us and teams coming together to celebrate the year's achievements, it's important to plan for safe and successful events.

If you're organising the fun, make sure you've completed the [Events Risk Assessment Checklist](#) to help ensure your event runs smoothly and you can relax and enjoy the celebration. If you're participating in the fun, please familiarise yourself with the [Alcohol and Illicit Substances Policy](#), the [APS Values and Code of Conduct](#), and the [Appropriate Workplace Behaviour Policy](#).

Keep in mind work-related social events are considered an extension of the workplace, so let's keep each other safe while celebrating.



s 22(1)(a)(ii)

From: Help - HR
Sent: Thursday, 27 November 2025 4:54 PM
To: PMC ALL Staff
Subject: HR News and Current Vacancies - Thursday, 27 November 2025 [SEC=OFFICIAL]

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News

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Plan for a safe silly season

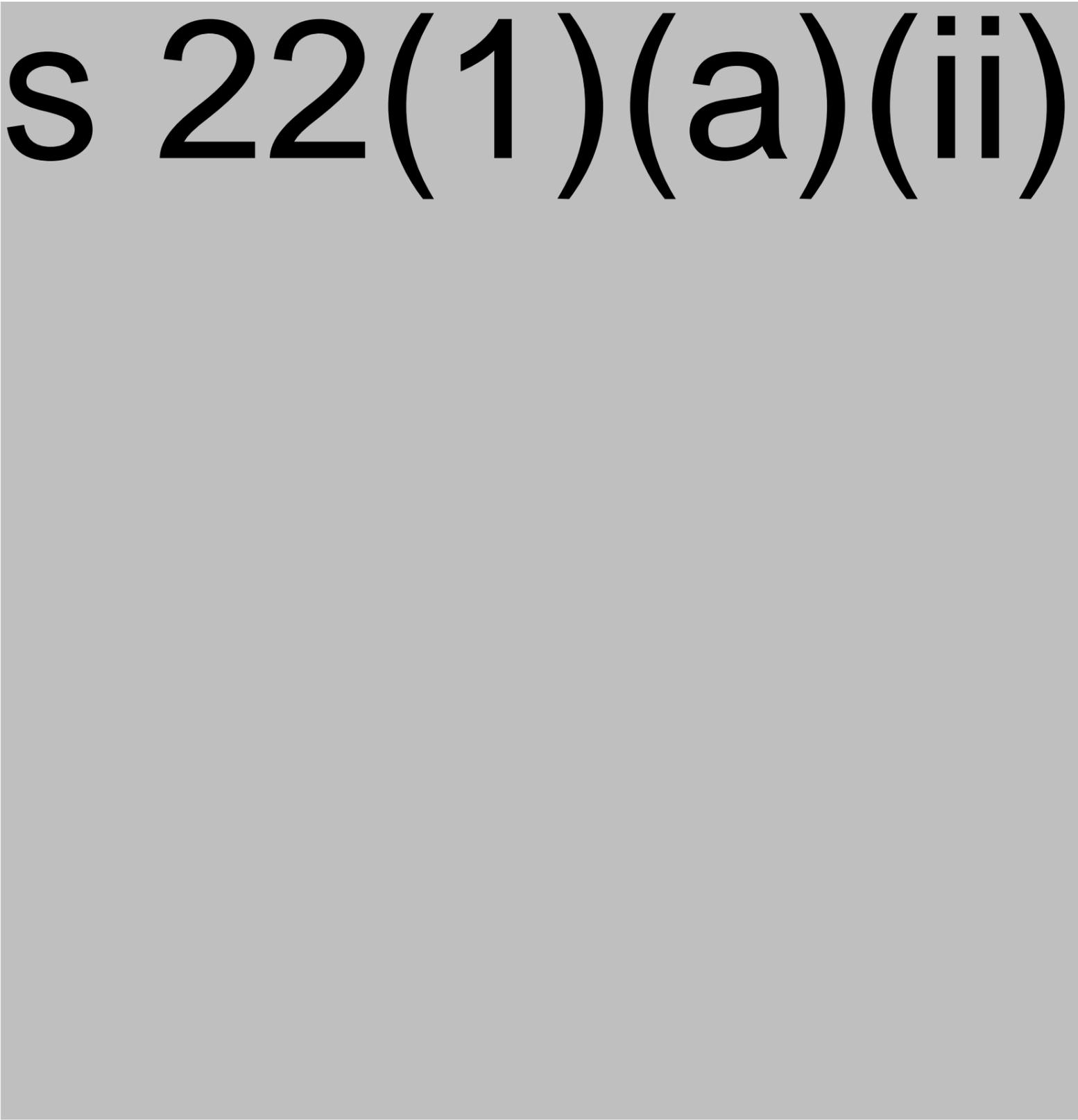
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From: Help - HR
Sent: Thursday, 4 December 2025 1:46 PM
To: PMC ALL Staff
Subject: HR News and Current Vacancies - Thursday, 04 December 2025 [SEC=OFFICIAL]

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s 22(1)(a)(ii)

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From: Help - HR
Sent: Friday, 12 December 2025 9:50 AM
To: PMC ALL Staff
Subject: HR News and Current Vacancies - Friday, 12 December 2025 [SEC=OFFICIAL]

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News

s 22(1)(a)(ii)

Plan for a safe silly season

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Keep in mind work-related social events are considered an extension of the workplace, so let's keep each other safe while celebrating.

s 22(1)(a)(ii)



Official

Alcohol and Illicit Substances Policy

Last approved March 2024

Responsible Branch - People Branch

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1. PM&C policy commitment and principles

PM&C is committed to maintaining a safe and healthy workplace which includes preventing and minimising any risk of injury or harm to the health and safety of its workers from the use of alcohol or illicit substances.

1.1 Key Policy Principles

- Workers must not attend the workplace or undertake duties while impaired by alcohol or affected by illicit substances. PM&C has zero tolerance for the use of illicit substances at work or work related events.
- Workers must behave in accordance with the [APS Code of Conduct, uphold the APS Values](#) and [Employment Principles](#) and model appropriate workplace behaviours.
- PM&C is committed to promoting behaviours which ensure the appropriate and responsible use of alcohol at work or work related events.
- PM&C recognises the importance of inclusive networking and engagement opportunities which respect people's individual choices in relation to alcohol.
- Workers will be supported to seek assistance to address abuse or misuse of alcohol or illicit substances.

2. Overarching authority

In accordance with Section 13, [Public Service Act 1999 \(Cth\)](#), all APS employees are required to behave in a manner consistent with the [APS Values and Code of Conduct](#), which includes acting with care and diligence in connection with APS employment.

The [Work Health and Safety Act 2011](#) (WHS Act 2011) requires PM&C to take reasonably practicable steps to protect the health and safety of workers and eliminate hazards as much as reasonably practicable. Workers are also required to take reasonable care for their own health and safety in the workplace.

3. Who is covered by this policy

All workers (including PM&C employees, contractors or sub-contractors, secondees, consultants and volunteers) are expected to comply with this policy, however only APS employees can be investigated under the APS Code of Conduct.

If there are concerns about a workers' behaviour where they are not a PM&C employee, PM&C will notify the relevant authority or employer and may cease the employment relationship or contract.

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4. Definitions

Term	Definition
Affected	A worker is considered to be affected if they have consumed any quantity of an illicit substance.
Alcohol	Any drink containing ethyl alcohol such as beer, wine or spirits.
Illicit substances	<p>Any drug prohibited by Australian state, territory or Commonwealth law that applies to the location of the primary workplace.</p> <p>Relevant Commonwealth legislation includes (but not limited to) the Commonwealth Criminal Code 1995 and the Narcotic Drugs Act 1967 (Cth).</p> <p>Information regarding drug laws in each state or territory can be found on the Australian Department of Health drug laws webpage.</p> <p>Drugs available from a pharmacy, over-the-counter or by prescription, or substances which may be subject to misuse, when used for purposes, or in quantities, other than for the medical purposes for which they were prescribed</p>
Impaired	A worker is considered to be impaired if they are unfit to perform their duties and responsibilities safely, effectively and/or productively.
Work related social events	Events or activities that are arranged by a worker during the course of their duties. They may occur during work time or outside of hours, including but not limited to social club and team building activities. This does not include private social gatherings between colleagues that are not connected to the workplace.
Worker	Has the meaning of employee as defined under Division 3, Part 7 of the WHS Act 2011 . Broadly, any person carrying out work in any capacity for PM&C including APS employees (including secondees) and non-APS employees (including contractors or sub-contractors, consultants and volunteers).
Workplace	Any place where work is carried out for PM&C, including but not limited to a worker's home, PM&C buildings, or other off-site facilities.

5. Contact and support

In the first instance, employees are encouraged to review this Policy and speak with their manager, or manager once removed, for advice or support if needed. Alternatively, the Professional Standards and Wellbeing Team in People Branch can be contacted through [s 47E\(d\)](#) or via phone (02) 6271 6000 (option 2).

[First Aid Officers](#) are available to provide immediate treatment or care to a person suffering from an injury or illness until more advanced care is provided or the person recovers. The First Aid Hotline is [s 47E\(d\)](#).

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The [Employee Assistance Program \(EAP\)](#) provides confidential, free counselling and coaching on a wide range of topics to PM&C employees, and their family members. Managers can also access EAP's MyCoach for People Leaders, which offers proactive support to help work through any workplace issue or challenge, including wellbeing and sensitive discussions. The EAP can be contacted on 1300 360 364, 24 hours a day, 7 days a week.

There are also a range of publically available support services available for employees seeking support and assistance in addressing or managing concerns relating to the misuse of alcohol or illicit substances.

Support Service	Contact Details
Alcoholics Anonymous	https://aa.org.au/ Phone 1300 222 222
Family Drug Support Australia	www.fds.org.au/ Phone 1300 368 186
Employee Assistance Program	Please visit the Employee Assistance Program (EAP) intranet page
Beyond Blue	www.beyondblue.org.au/ Phone 1300 22 4636
Lifeline	www.lifeline.org.au/ Phone 13 11 14

6. Expectations and responsibilities

6.1 Mutual (everyone)

- Take reasonable care for your own health and safety in the workplace, adhere to the [APS Code of Conduct, and uphold the APS Values and Employment Principles](#).
- Respect individual choices by not expecting or pressuring another person to consume alcohol or contribute funds towards alcohol for work related events.
- Not attend or perform work if you are impaired by alcohol or affected by illicit substances.
- Comply with reasonable directions from managers and other designated officers, such as Security Officers and First Aid Officers, as well as those responsible for the service of alcohol at work or work related events.
- Inform your manager and/or the Professional Standards Team via [s 47E\(d\)](#) if you are concerned that another person in the workplace may be impaired by alcohol or illicit substances.
- Respect the privacy and confidentiality of other workers reported for the misuse of alcohol or illicit substances, and do not unreasonably raise matters that do not have a direct connection with the workplace or work environment.
- If you are prescribed medication that may cause impairment or affect your ability to work, obtain information from a qualified medical practitioner about potential side effects prior to commencing duties

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and inform your manager where they may impact performance or the safety of yourself or others in the workplace.

- Submit a [Change of Circumstances Report](#) to the Australian Government Security Vetting Agency (AGSVA) for illicit drug use or alcohol problems that may affect your suitability to hold a security clearance.

6.2 Managers

- Set clear expectations around appropriate alcohol consumption and respectful workplace behaviours prior to relevant work events or functions and ensure non-alcoholic options are readily available.
- Seek advice from the Professional Standards Team via [s 47E\(d\)](#) where there are concerns about a workers conduct or behaviour likely linked to alcohol impairment or illicit substances.
- Exercise duty of care by taking appropriate action if a worker is impaired by alcohol or affected by illicit substances in the workplace (in accordance with Section 8). Exercise discretion and respect when initiating any action, including speaking to an individual in private to maintain confidentiality and ensure procedural fairness before making any decision to direct them to cease work.
- Maintain the privacy and confidentiality of workers, to the extent practicable, when concerns are identified.
- Document interactions with any worker in relation to the inappropriate use of alcohol or illicit substances.
- Engage with the Wellbeing Team via [wellbE](#) to provide reasonable support to workers who are seeking or participating in treatment or rehabilitation for alcohol or illicit substances.

7. Work related activities, events, functions and breaks

Workers may attend work or work related events or functions during normal work time (including during work breaks) where alcoholic beverages are available and may be consumed. This may include official PM&C endorsed events or functions (e.g. approved PM&C social club events or Christmas parties).

Limited alcohol consumption is permitted in these circumstances, providing the worker is not impaired, causing harm to self or others or putting self or others at risk and continues to behave appropriately.

PM&C has a zero tolerance for illicit substances whilst undertaking duties or attending work related functions.

Work events, activities or functions should have a clear start and finish time to differentiate from work and personal time.

Work related social events that occur outside of normal work time are considered an extension of the workplace and when attending workers must maintain appropriate, respectful, responsible and lawful behaviour.

The requirement of the [APS Code of Conduct](#) to behave in a way that upholds the APS Values and Employment Principles, and the integrity and good reputation of PM&C and the APS continues to apply at all times.

Some example scenarios applying this Policy are provided at [Attachment A](#).

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7.1 Organising an official function or event with alcohol

Any sale or supply of alcohol at an official work related function or event must be approved by the relevant Senior Executive Service (SES) Delegate before the function or event, in accordance with PM&C [Financial Delegations](#) and [Official Hospitality and Business Catering Policy](#).

Where alcohol is sold or supplied at an official PM&C function or event, including PM&C social club events:

- non-alcoholic and low-alcoholic beverages and food must also be made available, and
- the responsible service and consumption of alcohol must be promoted and monitored throughout the event in line with local state/territory legislation and the Responsible Service of Alcohol (RSA) requirements.

For approved PM&C social club events, at least one bar manager, displayed on the club's liquor permit, must be present throughout the duration of the event.

The event coordinator is responsible for conducting and seeking SES manager approval of a risk assessment, in accordance with the Department's [hazard and risk management procedure](#), and ensuring that the appropriate liquor licences or permits have been obtained. Appropriate enquiries must be undertaken to determine the requirements of the relevant state or territory legislation.

Alcohol must not be purchased using public funds, unless it is for an official PM&C business purpose where the requirements of the [Accountable Authority Instructions](#) 2.3 – *Official Hospitality*, and the *Public Governance, Performance and Accountability Act 2013* are met.

7.2 Local activities

PM&C recognises that teams may wish to celebrate or recognise achievements informally at a local level through social activities, which may include the optional consumption of alcoholic beverages in the workplace, or at informal work related events that occur offsite, such as lunch. Workers should be mindful that work related social events, including work events at offsite venues, are considered an extension of the workplace. As such, relevant policies and standards apply as they would in the office, including the [APS Values and Code of Conduct](#), the [Appropriate Workplace Behaviour Policy](#), and this Policy.

Managers should set clear expectations around appropriate alcohol consumption, ensuring workers are aware that they may be unable to return to their duties if they are impaired by alcohol and will need to access leave, flex or TOIL. Managers should also remind workers about appropriate and respectful workplace behaviours and that workers should not pressure others to consume alcohol.

Where an activity is held on Departmental premises, alcohol may only be consumed if an appropriate SES manager has provided prior approval for the consumption of alcohol onsite. Non-alcoholic beverages must also be made available.

7.3 Driving to and from events and activities

Workers who drive to a work event, function or informal activity and are intending to drive home or back to work must closely monitor their alcohol intake.

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The APS Code of Conduct requires employees to comply with all applicable Australian laws when acting in connection with APS employment – this includes road and driving laws. Workers who are legally unable to drive must organise alternative transportation such as a taxi, public transport, a lift from a colleague, friend or family member, or a rideshare service such as Uber.

7.4 Official travel

When undertaking official travel, workers are considered to be on duty and must not consume alcohol to a point where they are impaired. In accordance with the [Official Travel Policy](#), officials can only charge one alcoholic beverage with a meal, which cannot exceed 50% of the total meal value.

Whilst travelling, employees must continue to comply with the [APS Code of Conduct and Values](#).

8. Managing an employee who may be impaired at work

8.1 Recognising alcohol impairment or illicit substance use

The effects of alcohol and illicit substance use can cause health and safety risks that may lead to workplace accidents, increased unscheduled absence, workplace conflict, and a break down in working relationships.

In the absence of alcohol and/or illicit substance testing, no person (manager or otherwise) can formally determine whether someone else is impaired by alcohol or affected by illicit substances.

Managers must focus on the observable behaviours and signs of impairment, at the relevant time, and assess whether the worker is:

- Capable of performing their role effectively and productively.
- At risk of harming themselves and/or others around them.
- Presenting a reputational, security or integrity risk to PM&C.

Observable signs of concern may include but are not limited to:

- | | |
|--|---|
| - Frequent absences from work or inconsistent/irregular working hours. | - Mood swings. |
| - Declining work performance or inconsistent work quality. | - Slurred speech. |
| - Ignoring activities that used to be important to them. | - Smelling of alcohol. |
| - Deterioration in personal appearance or personal hygiene. | - Poor concentration and/or drowsiness. |
| | - Withdrawing socially. |
| | - Irritability or erratic behaviour. |

It is important to recognise that workers can display these types of signs or appear impaired for a range of reasons unrelated to alcohol or illicit substance use, such as a medical condition, side effects from prescription medication, work or personal stressors, or disabilities. Managers must always have regard to procedural fairness by providing workers with an opportunity to respond to enquires or concerns.

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8.2 Raising general concerns

Sensitivity is required when respectfully raising concerns about alcohol or illicit substance use or abuse, particularly where the worker has not disclosed any use or sought support. The [Appropriate Workplace Behaviour Manager's Conversation Guide](#) provides guidance on setting expectations and structuring check-in conversations. This action may be appropriate where general concerns are held for the welfare of a worker in the absence of a specific or serious incident.

Advice and support is also available from the Professional Standards Team at [s 47E\(d\)](#) in People Branch.

8.3 Managing an immediate issue

If a manager has concerns that a worker is impaired by alcohol or affected by illicit substances at work, prompt and proportionate action must be taken with an immediate focus on safety.

The following steps should be initiated immediately by the manager (or an alternate or more senior manager) in consultation with the Professional Standards Team in the People Branch.

- Assess whether it is safe to speak with the worker.
- Sensitively arrange to speak with the worker. This may include finding an appropriate and private location (i.e. meeting space away from the immediate work area) or if working remotely confirming the worker can have a sensitive conversation without distractions.
- Provide the worker with the opportunity to bring a [support person](#) to the meeting, and consider bringing a witness to the meeting.
- Respectfully advise the worker of your observations and concerns.
- Allow the worker an opportunity to respond to the concerns.
- Ensure the worker is aware of supports available to them and agree on future communication in respect to the issues discussed.

If urgent medical attention is required, call an ambulance (000) and notify a [First Aid Officer](#).

If the worker becomes aggressive or violent, terminate the meeting and notify the Security Team via Help-Security@pmc.gov.au or phone [s 47E\(d\)](#). Where behaviour causes or threatens physical harm contact the Police (000) immediately.

If, after the discussion, concerns are no longer held for the individual no immediate further action is required.

8.3.1 Requesting or directing an employee to cease duties

If the behaviour is continuing to place the safety of the individual or others at risk or impacting performance, the manager can request the worker cease their duties and where relevant leave the workplace.

If the worker refuses, a formal direction can be issued. Typically this is verbal in the first instance and must be followed up in writing.

For example, I am formally directing you to cease duty and (if applicable) leave the workplace immediately as I believe you may be impaired by alcohol or affected by illicit substances. I can arrange transportation for you to ensure you get home safely. You must not attend or perform work when impaired by alcohol or

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affected by illicit substances, this includes attending the PM&C premises or undertaking duties whilst working from home (or any other location).

A formal direction should be capable of being complied with, use clear and directive language, and provide the worker with no discretion in relation to their behaviour.

If a worker has been requested or directed to leave the workplace, both the Security Team via Help-Security@pmc.gov.au and the Professional Standards Team via s 47E(d) must be advised. A [WHS incident report](#) must also be submitted in the Service Portal by the relevant manager.

Where a worker is uncooperative with a direction of this nature, it is recommended to contact the Police (000) to assist in escorting the employee from the premises, and notify the Security Team via Help-Security@pmc.gov.au and the Professional Standards Team via s 47E(d)

8.3.2 Worker safety when leaving the workplace

Where a worker has been requested or directed to leave the workplace, the manager must discuss with them how they are intending to get home safely (if applicable), along with arrangements for contacting/communicating with them to ensure that they have arrived at their intended destination and any further check-in communications (e.g. contacting the next day should they be absent from work).

It is important that the worker does not drive and an appropriate mode of transport is arranged. Managers can exercise judgement in determining the most appropriate means of transport, which could include:

- calling a family member or friend if permission is provided by the worker, or
- arranging and paying for a taxi through PM&C funds.

8.3.3 Next steps

Managers must document the incident and discussion (i.e. date/time, detailed description of the incident, any witnesses, and actions taken). A summary of the conversation should also be provided by email to the worker, including (where relevant) a written direction to comply with this policy in the future.

On return to work, the manager must ensure the employee enters appropriate leave to cover the absence in Aurion and accurately records their work time on their timesheet (for APS1-6).

The worker's behaviour and performance must be closely monitored going forward and relevant supports provided.

Managers are encouraged to contact the Professional Standards Team via s 47E(d), the Wellbeing Team via s 47E(d) or EAP My Coach – People Leaders (1300 360 364) for advice or support.

9. Fitness for Duty (APS employees only)

If an employee continues to exhibit signs of impairment which detrimentally affects, or is likely to detrimentally affect, their capacity to perform their functions, it may be appropriate for the employee's fitness for duty to be assessed.

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An Agency Head, or their [Delegate](#), has the authority under the [Public Service Regulations 1999](#) to direct an APS employee to attend a medical assessment where they consider the health of the APS employee:

- may be affecting the employee's work performance
- has caused, or may cause, the employee to have an extended absence from work
- may be a danger to the employee
- has caused, or may cause, the employee to be a danger to other employees or members of the public, and/or
- may be affecting the employee's standard of conduct.

9.1 Worker's compensation

Claims made for worker's compensation are subject to strict conditions in relation to alcohol or illicit substance use. An entitlement to worker's compensation under the [Safety, Rehabilitation and Compensation Act 1988](#) (section 14(3)) may be impacted if the worker is impaired by alcohol or illicit substances, and injures themselves in the course of, or arising out of, their employment.

10. Seeking a review of decision

PM&C acknowledges the right of employees to raise concerns and make complaints professionally and in good faith, and to have them received and considered fairly. Employees are encouraged to raise concerns about decisions relating to their employment with their manager in the first instance, or with another senior manager. Where concerns cannot be resolved locally, employees can seek assistance from People Branch by contacting HR Help.

A non-SES employee may seek a formal review of APS actions under section 33 of the Public Service Act 1999. See the [Review of Action Procedures](#) for further information.

11. What happens if this policy is not followed

If an employee behaves in contravention of this Policy, formal action may be taken in accordance with [PM&C's Procedures for Determining Suspected Breaches of the APS Code of Conduct and the Imposition of Sanctions](#) or the [Performance Policy](#).

Managers that do not comply with this Policy will be reminded or counselled on how to meet their responsibilities under the Policy.

Contractors, secondees, volunteers or consultants who breach this Policy may have their relevant employment contract or agreement terminated.

Where a worker is suspected of breaching criminal law, the matter may also be referred to the Police.

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12. Useful resources

[PM&C Appropriate Workplace Behaviour Policy](#)

[APS Values and Code of Conduct in Practice \(APSC\)](#)

[PM&C Procedures for Determining Suspected Breaches of the APS Code of Conduct and the Imposition of Sanctions](#)

[PM&C Enterprise Agreement 2024 – 2027](#)

[Human Resource Delegations](#)

[Fitness for Duty Guidelines](#)

13. Attachments

Attachment A – Example scenarios

14. Document control

Date published	Approved by	Brief description of change
22 February 2019	Charlotte Tressler, Chief Operating Officer	Creation of policy.
June 2022	Melinda Bopping, Chief People Officer	Updated policy format and refresh of content. Manager guidance incorporated into the policy.
March 2024	s 22(1)(a)(ii) , Director Employee Relations and Analytics	Updated policy for compliance with PM&C Enterprise Agreement 2024 – 2027

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Attachment A – Example scenarios

The below scenarios are a guide only. Each situation needs to be assessed and managed on a case by case basis.

Scenario	Application of Policy
<p>A worker raises wellbeing concerns with their manager in respect to one of their colleagues making ad-hoc comments about their dependence on alcohol to get through the working week. The manager can't recall any notable signs of impairment in their recent interactions with the employee.</p> <p>The manager was about to schedule team afternoon drinks to recognise the completion of a significant project.</p>	<p>In this scenario, the manager should consider the appropriateness of proceeding with scheduling 3pm drinks and whether another activity, such as afternoon tea, may be more appropriate. If the manager considers it appropriate to proceed with the team drinks, they should ensure non-alcoholic beverages and food are available, consider limiting the supply of alcohol, and setting a clear end time.</p> <p>Separately, the manager may consider having a conversation with the worker in accordance with this Policy (see Raising general concerns) if they noticed any signs of impairment. The manager may wish to contact the Professional Standards Team via s 47E(d) in People Branch for further guidance and support prior to the conversation occurring.</p>
<p>The PM&C Social Club plan to hold a regular Friday afternoon happy hour in the office and have alcohol available for purchase.</p>	<p>The Social Club must obtain written approval from an appropriate SES delegate for alcohol to be available for purchase and consumed. The event coordinator or approving SES must ensure an appropriate liquor licence exists. A Social Function Risk Assessment should also be completed.</p> <p>When setting up an event, the Social Club should remind all attendees to uphold appropriate workplace behaviours and promote the availability of non-alcoholic drink options (for example, in the invite). Food must also be made available. Workers must not undertake their duties or drive a vehicle if they become impaired.</p> <p>Responsible Service of Alcohol (RSA) requirements apply, and RSA qualified staff must be used. Alcohol must not be purchased using public funds, it can be purchased by staff as a personal expense.</p> <p>Inappropriate behaviour at a social club event may be referred to the Professional Standards Team via s 47E(d) as an alleged breach of the Code of Conduct.</p>
<p>A team attends lunch at a local restaurant where alcohol is available.</p>	<p>No approval is required to attend a lunch that is not an official PM&C event.</p> <p>Managers must set clear expectations prior to the lunch and lead by example in relation to appropriate alcohol consumption and behaviours. Workers must not return to the workplace or continue working if they are impaired.</p>

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Scenario	Application of Policy
	Inappropriate behaviour at a team lunch may be referred to the Professional Standards Team via s 47E(d) as an alleged breach of the Code of Conduct.
A worker has attended an offsite lunch and consumed alcohol. When they return, there is no obvious indication they are impaired except that you can smell alcohol on them. They intend to attend a project meeting in person with PM&C colleagues and external stakeholders.	<p>Smelling alcohol on the worker indicates there may be some level of impairment. As such, in accordance with his Policy, the manager needs to assess whether the employee is:</p> <ul style="list-style-type: none"> - Capable of performing their role effectively and productively. - At risk of harming themselves and/or others around them. - Presenting a reputational, security or integrity risk to PM&C. <p>Even if the manager believes the worker could otherwise work safely, effectively and productively there is a reputational risk to the project team and PM&C if the employee was to attend the meeting. As such, the manager may determine that it is not appropriate for the worker to attend the project meeting on this occasion.</p> <p>The manager should privately speak to the worker to inform them of their decision and the reasons for the decision (referencing this Policy), and determine whether it is appropriate for them to continue performing their duties or take leave, flex or TOIL. If appropriate, wellbeing support can also be offered to the worker.</p>
A worker attends an external conference as a part of their role that includes networking dinner and drinks.	The consumption of alcohol is permitted however workers must act in a manner that is consistent with the APS Values, Code of Conduct , and Employment Principles and while representing PM&C and the APS. Employees must not return to the workplace, undertake their duties or drive a vehicle if they become impaired.
Participants of a regular committee meeting each contribute money to a fund that enables them to share a drink on PM&C premises after each meeting for networking purposes.	<p>The secretariat for the meeting should obtain written approval from a relevant SES manager.</p> <p>Committee members should be reminded by the Chair or relevant SES manager of appropriate workplace behaviour and respect the individual choices of members to contribute funds and consume alcohol during the networking events. Non-alcoholic drinks and food must also be available. Workers must not undertake their duties or drive a vehicle if they become impaired.</p> <p>Inappropriate behaviour at networking drinks may be referred to the Professional Standards Team via s 47E(d) as an alleged breach of the Code of Conduct.</p>
An SES manager invites colleagues (of various classification levels) to the kitchen for drinks at the end of	In this scenario, the SES inviting colleagues for drinks is considered to have approved this consumption.

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Scenario	Application of Policy
the day which the SES manager has paid for.	<p>The SES manager must remind staff to uphold appropriate workplace behaviours and ensure non-alcoholic drink options and food are available, and ensure the invite to drinks is optional only.</p> <p>SES are expected to lead by example in relation to appropriate alcohol consumption and behaviour. Workers must not undertake their duties or drive a vehicle if they become impaired.</p> <p>Alcohol must not be purchased using public funds unless for official business and in line with the Official Hospitality and Business Catering Policy.</p> <p>Inappropriate behaviour at social events may be referred to the Professional Standards Team via s 47E(d) as an alleged breach of the Code of Conduct.</p>
A branch attends an end of year event at a public bar where alcohol is available. The formal end time for the event is 6pm, however many of the attendees decide to stay and continue socialising into the evening.	<p>As work-related events/functions are considered an extension of the workplace, in this scenario, relevant Departmental policies and legislation (such as the APS Code of Conduct) continue to apply until the event has formally concluded.</p> <p>Whilst Departmental policies would no longer be in effect when the event concludes at 6pm, workers must be aware that the APS Code of Conduct continues to apply at all times and inappropriate behaviour may be referred to the Professional Standards Team via s 47E(d) as an alleged breach of the Code of Conduct.</p>

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Appropriate Workplace Behaviour

Last approved December 2024

Responsible Branch - People Branch

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1. PM&C policy commitment and principles

This policy sets out what constitutes appropriate and inappropriate workplace behaviour, and makes clear everyone's obligations and responsibilities in preventing and managing inappropriate behaviour (including harassment, bullying or discrimination).

Key Policy Principles

- PM&C is committed to promoting and maintaining a safe and respectful workplace, where everyone can thrive, and illness and injury are prevented.
- The most effective way to eliminate inappropriate behaviour is to stop it before it starts by demonstrating safe, respectful, kind and inclusive behaviour to others at all times.
- Appropriate workplace behaviour includes respectfully contesting ideas, engaging in constructive discussion and debate to achieve fresh thinking and outcomes.
- Inappropriate workplace behaviour is not accepted or tolerated, and may pose a risk to psychological safety in the workplace. We support those impacted by inappropriate workplace behaviour to achieve reasonable, proportionate and safe outcomes.
- Leaders play a particularly important role in modelling appropriate workplace behaviour at all times by establishing clear expectations for appropriate workplace behavioural standards, and taking action to address concerns early to ensure the psychological safety of our workforce.

2. Overarching authority

Section 13 of the [Public Service Act 1999 \(Cth\)](#) (PS Act) requires APS employees to behave in a manner consistent with the APS Values and Code of Conduct. More information is available in the [APS Values and Code of Conduct in practice | Australian Public Service Commission \(apsc.gov.au\)](#)

The [Work Health and Safety Act 2011](#) (WHS Act) requires PM&C to take reasonably practicable steps to protect the health and safety of workers and to eliminate hazards. The WHS Act requires employers to meet a [positive duty to manage psychosocial hazards](#) as far as reasonably practicable, and to acknowledge inappropriate workplace behaviour as a workplace psychosocial hazard.

The [Fair Work Act 2009](#) (FW Act) sets out the definition of workplace bullying and provides protections.

Australian [anti-discrimination legislation](#) sets out unlawful discriminatory behaviour.

The [Anti-discrimination legislation and Human Rights Legislation Amendment 2002 \(Respect@Work\)](#) provides a positive duty on employers to take reasonable and proportionate measures to eliminate sex discrimination and sexual and sex-based harassment.

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3. Who is covered by this policy

This policy applies to all PM&C workers, which includes non-SES and SES ongoing and non-ongoing employees, secondees, contractors and volunteers. Complaints resolution processes may differ based on the nature of an individual's relationship to PM&C.

4. Contact and support

As being subject to, or witnessing, inappropriate workplace behaviour can be distressing, we encourage workers to seek support if they are subject to, or witness, inappropriate workplace behaviour. Please review this Policy and speak with your manager, or manager once removed, for advice or support in the first instance where you feel safe to do so.

Aboriginal and/or Torres Strait Islander staff can visit the [First Nations staff Hub](#) for information and resources to support wellbeing.

People Branch are available to provide further guidance as required. Queries for support when involved in these processes can be submitted to HR Help via **s 47E(d)** or emailed to [Wellbeing](#). Procedural queries can be emailed to [Professional Standards](#).

Other support options include:

- [Employee Assistance Program \(EAP\)](#). The EAP provides confidential, free counselling and coaching on a wide range of topics to PM&C employees and their immediate family and can be contacted by phone on 1300 307 912. Managers are also able to access EAP's Manager Assist, which offers proactive support to help managers work through any workplace issue or challenge, including individual and staff wellbeing and how to have a sensitive discussion.
- [Workplace Respect Officers \(WRO\)](#) are PM&C workers trained to provide information on reporting options and support avenues in respect to inappropriate workplace behaviour. WRO are not responsible for resolving or managing complaints and are not advocates.
- [Health and Safety Representatives \(HSR\)](#). Where workplace behaviour poses a risk to employee health or safety (either physical or psychological), and HSR can provide assistance regarding eliminating hazards and reporting incidents.
- [APSC Ethics Advisory Service](#). This service is available to all APS employees seeking advice on the application and interpretation of the APS Values and Code of Conduct, as well as strategies and techniques for ethical decision making. Contact ethics@apsc.gov.au or phone 02 6202 3737.
- The [Fair Work Commission](#) can assist in resolving disputes in the workplace, including issuing an order to stop bullying or an order to stop sexual harassment.

A chosen [support person](#) or representative (may be a union representative) can provide support by attending meetings with a worker where the meeting is in relation to employment matters. For example to assist in clarifying a process or options and taking notes. The role of a support person is not to provide advice, investigate or advocate. Managers immediately involved in a matter cannot act as a support person.

Employees have the right to be represented by a representative of their choice in matters relating to their employment. Where the employee chooses, this may include representation from the [Community and Public Sector Union](#). For more information see the [Employee Representative Rights Policy](#).

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5. Expectations and responsibilities

5.1 Mutual (everyone)

Everyone is responsible for their own conduct in the workplace and must behave in a manner consistent with the APS Values and Code of Conduct.

This includes conducting ourselves with honesty, impartiality and integrity at times. As employees of the Commonwealth, the APS Values articulate the requirement for us to remain apolitical, and behave with respect in everything that we do, and most particularly in the workplace.

Under the WHS Act, everyone has a role to play in ensuring their own safety at work and the safety of their fellow employees by:

- Demonstrating appropriate workplace behaviours.
- Calling out and /or reporting inappropriate behaviour when witnessed, where you feel comfortable and safe to do so.
- Reporting suspected inappropriate behaviour to an appropriate person.
- Supporting diversity and fostering a culturally safe and inclusive workplace.

All PM&C employees must think critically about how their behaviour may be considered in connection to their APS employment when working flexibly. Considerations may include:

- Whether the behaviour occurs on a PM&C work device, or through a PM&C supported technology system such as Outlook, MS Teams or on Slido.
- Whether the behaviour occurs in connection with your role at PM&C, including as a direct manager, [financial delegate](#), team member, enabling service provider, or when [representing the department in an official capacity](#).
- Whether the behaviour occurs in connection with your employment at PM&C including at a conference, [off-site event, social work or sporting event](#), or on [social media](#).

All workers are required to undertake mandatory annual training on integrity and health and safety.

5.2 Managers

Managers have a [leadership role](#) and are responsible for preventing incidents and taking prompt action if inappropriate workplace behaviour occurs. Some managers have [additional responsibilities under the WHS Act](#), and must exercise due diligence to ensure PM&C complies with our work health and safety duties. If unsure what action to take, refer to the [Internal Employee Complaints and Grievances Policy](#) and seek support from a more senior leader and/or from People Branch.

Managers contribute to creating a culturally and psychologically safe place of work, and discouraging inappropriate workplace behaviours by:

- Modelling appropriate workplace behaviours at all times.
- Supporting diversity and fostering a culturally safe and inclusive workplace.

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- Creating a psychologically safe and trusted environment where employees feel safe to call out inappropriate workplace behaviours when they are observed.
- Understand the potential effects of inappropriate behaviour on individuals and teams, such as mental health impacts, and a lack of respect and trust.

If an individual raises a concern about inappropriate workplace behaviour, the manager must take proactive steps to ensure the individual's wellbeing and psychological safety, such as:

- Asking them how they coping.
- Encouraging the individual to seek support from a trusted source, such as their first or second level manager, a support person or WRO.
- Offering EAP or other supports such as Wellbeing Case Management.

5.3 People Branch

People Branch supports PM&C's capability to create and sustain a culturally and psychologically safe workplace by:

- Administering this policy.
- Providing training and resources to managers and staff that promotes:
 - the APS Values and Code of Conduct,
 - a workplace free from inappropriate workplace behaviour, and
 - cultural and psychological safety.
- Providing an inclusive workplace culture through the Inclusion and Diversity Strategy.
- Providing support to managers and staff who have raised concerns under this policy.
- Actioning reports of inappropriate workplace behaviour according to the [Employee complaints](#) process.

6. Workplace Behaviour

6.1 Appropriate Workplace Behaviour

Appropriate workplace behaviours are respectful, fair, professional, courteous, and considered reasonable.

6.1.1 Reasonable management action

Reasonable management action may be confronting and feel unfair; however, reasonable management action undertaken in an appropriate manner is appropriate workplace behaviour, and is part of a manager's responsibilities to assist staff to perform at work.

Reasonable management action may include feedback and performance management, providing reasonable direction/asking for reasonable duties to be performed, addressing conduct and attendance concerns, and manager decisions in line with PM&C policy, for example regarding leave, flexible work, learning opportunities or other employment conditions.

Concerns regarding management actions may be resolved through the application of the [Review of Action procedures](#).

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6.2 Inappropriate Workplace Behaviour

Inappropriate workplace behaviours are unwelcome and unreasonable behaviours that effect and have a negative impact on the rights, productivity and/or wellbeing of workers or stakeholders, and can create a psychologically or culturally unsafe workplace.

Inappropriate workplace behaviour includes behaviour which is inconsistent with the APS Values and Code of Conduct and other relevant laws, and may include harassment, sexual and sex-based harassment, bullying, racism, violence, aggression or victimisation. Inappropriate workplace behaviour that may not meet the threshold to be characterised as any of the above behaviours may still be unprofessional or undesirable workplace behaviours that are discourteous, exclusionary and cause conflict or undue cultural load, and should be addressed under this policy.

Inappropriate workplace behaviour may occur verbally or in person, via Teams, in written or online correspondence, via text message or through other means such as social media posts in connection with work.

For further information on what constitutes inappropriate workplace behaviour, refer to [Attachment A](#).

7. Addressing Inappropriate Workplace Behaviour

Consistent with the [Internal Employee Complaints and Grievances Policy](#), PM&C encourages employees to resolve workplace behaviour concerns informally at the individual and/or local level where you feel comfortable and safe to do so. If you witness, or are subject to, inappropriate workplace behaviour you are also strongly encouraged to seek support and address and/or report the behaviour.

Options for addressing inappropriate workplace behaviour may include:

- Informally addressing directly with the individual.
- Addressing with the support of a manager, manager-once-removed, or People Branch.
- Mediation or facilitated conversation with the assistance of an objective third party.
- Management action, such as counselling, formal warning or formal direction.
- Coaching and professional development, including Appropriate Workplace Behaviour, Cultural competency or leadership training.
- Performance Management.
- Preliminary Assessment by People Branch.
- Formal investigation.

Refer to Contacts and Support at [section 4](#) for avenues of support.

Refer to the [Internal Employee Complaints and Grievances Policy](#) for more detail on options to address inappropriate behaviour.

8. What happens if this policy is not followed

Inappropriate workplace behaviour may be considered a breach of this Policy and of the [APS Code of Conduct](#) and may result in disciplinary action up to and including dismissal. Some inappropriate workplace behaviour may be considered a criminal offence.

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9. Useful resources

PM&C resources, policies and guidance material

- [PM&C Enterprise Agreement 2024 - 2027](#)
- [PM&C HR Delegations](#)
- [PM&C Procedures for Determining Suspected Breaches of the APS Code of Conduct and the Imposition of Sanctions](#)
- [Review of Action procedures](#)
- [Internal Employee Complaints and Grievances Policy](#)
- [PM&C Social Media Policy](#)
- [Work Health and Safety](#)
- [Reasonable Adjustment Guidelines](#)
- [Inclusion and Diversity](#)
- [Privacy at PMC](#)

Other resources

- [APS Values and Code of Conduct in Practice \(APSC\)](#)
- [Respect@Work](#)
- [Safe Work Australia – psychosocial hazards](#)
- [Comcare resources – Psychosocial hazards, sexual harassment, bullying](#)

Related legislation

- [Age Discrimination Act 2004 \(Cth\)](#)
- [Disability Discrimination Act 1992 \(Cth\)](#)
- [Fair Work Act 2009 \(Cth\)](#)
- [Human Rights and Equal Opportunity Commission Act 1986](#)
- [Privacy Act 1988 \(Cth\)](#)
- [Public Service Act 1999 \(Cth\)](#)
- [Public Interest Disclosure Act 2013](#)
- [Racial Discrimination Act 1975 \(Cth\)](#)
- [Sex Discrimination Act 1984 \(Cth\)](#)
- [Work Health and Safety Act 2011 \(Cth\)](#)

10. Attachments

Attachment A – Descriptions and Examples of Inappropriate Workplace Behaviour

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11. Document control

Date published	Approved by	Brief description of change
	Leonie Graham – Chief People Officer	Complete re-write.

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Attachment A – Descriptions and Examples of Inappropriate Workplace Behaviour

Descriptions	Examples
<p>Racism is the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on their race. Racism is more than just prejudice in thought or action, it occurs when this prejudice is accompanied by the power to discriminate against, oppress or limit the rights of others. Home Racism. It Stops With Me (humanrights.gov.au)</p>	<ul style="list-style-type: none"> • Dismissive, offensive, exclusionary or belittling behaviour and language. • Microaggressions, such as insensitive statements, questions or assumptions based on race. • Lateral aggression. i.e.: inappropriate behaviours directed towards members within a marginalised community by members of that community.
<p>Cultural safety in the workplace means that behaviours, policies and structures enable all workers to work effectively cross-culturally and where contributions are valued and stereotypical barriers recognised and avoided.</p> <p>Cultural load is the additional, often invisible workload borne by Aboriginal and Torres Strait Islander people in the workplace, where they are either the only Indigenous person or one of a small number of Indigenous people.</p>	<p>Cultural load may include, but is not limited to, the following behaviours:</p> <ul style="list-style-type: none"> • expecting First Nations employees to contribute and lead cultural activities in the workplace. • expecting First Nations employees to educate non-Indigenous colleagues about First Nations peoples, culture and racism. • expecting First Nations employees to talk on behalf of all First Nations peoples. • expecting a small cohort of First Nations employees to provide pastoral care, advice and guidance to other First Nations employees when it is not a component of their employment role or agreed additional duties (such as a Workplace Respect Officer). • not acknowledging or providing support and flexibility for First Nations employees and their cultural responsibilities and experience, such as caring for family and extended family, being part of local advisory bodies and living and working off Country.

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Descriptions	Examples
<p>Bullying is repeated and unreasonable behaviour directed towards a worker, or group of workers, that creates a risk to health and safety. Bullying behaviour can be intended or unintended, as well as overt or covert.</p> <p>In order for behaviour to be bullying, it must be repeated, unreasonable behaviour. This means that:</p> <ul style="list-style-type: none"> the behaviour must have occurred more than once, or be a range of different behaviours occurring over time; and a reasonable person, considering all the circumstances, would see the behaviour as unreasonable. <p>In order for behaviour to be bullying, it must create a risk to an individual's health and safety. A "risk to health and safety" will arise where there is at least a possibility of danger to the physical or psychological health and safety of a worker as a result of the conduct. This can include the harmful effect on a person witnessing or experiencing the behaviour.</p> <p>Bullying does not include reasonable management action carried out in a reasonable manner.</p> <p>Bullying that occurs via electronic means is cyber-bullying and is inappropriate workplace behaviour.</p> <p>Bullying may include intolerant or antagonistic behaviours of racism, homophobia, transphobia, ageism, ableism and bigotry. These behaviours contribute to a lack of psychological and cultural safety and are not tolerated by PM&C.</p>	<p>Bullying may include the following behaviours:</p> <ul style="list-style-type: none"> aggressive or intimidating conduct. belittling or humiliating comments. spreading malicious rumours. singling out. physical, verbal and emotional abuse. making vexatious allegations against a worker. teasing or practical jokes. exclusion from work-related events. interfering with a worker's personal property or work equipment. displaying offensive material. unreasonable work expectations including too much or too little work, or work below or above a worker's classification or work level standards. pressuring a worker to behave in an inappropriate matter. deliberately changing work arrangements to inconvenience particular workers. deliberately withholding information that is required for effective work performance. deliberately withholding work-related information or resources or supplying false information.

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Descriptions	Examples
<p>Harassment can include any form of behaviour that is unwelcome and the person exhibiting the unwelcome behaviour would have anticipated that the person harassed would be offended, humiliated or intimidated. Harassment can be intended or unintended, as well as overt or covert. A one-off incident can constitute harassment.</p> <p>Harassment may include intolerant or antagonistic behaviours of racism, homophobia, transphobia, ageism, ableism and bigotry. These behaviours contribute to a lack of psychological and cultural safety and are not tolerated by PM&C.</p>	<p>Harassment may include the following behaviours:</p> <ul style="list-style-type: none"> • verbal harassment, such as inappropriate jokes, innuendos, slurs, or insults. • microaggressions, such as insensitive statements, questions or assumptions, particularly when related to diversity characteristics such as race, gender, sexuality, parental status or health and disability. • lateral aggression. i.e.: inappropriate behaviours directed towards members within a marginalised community by members of that community. • spreading malicious rumours or public statements of a derogatory nature. • making vexatious or malicious complaints. • physical harassment, such as hitting, pushing, and unwanted touching. • sharing inappropriate images, videos, emails, letters, or notes. • making offensive gestures. • abuse of power, such as making inappropriate requests for staff to attend to your personal responsibilities such as to pick up your dry cleaning. • interfering with a person's personal items or work materials or equipment in the workplace. • making offensive references to an individual's mental or physical disability. • making derogatory comments.
<p>Sexual harassment is an unwelcome sexual advance which is likely to offend, humiliate or intimidate. Sexual harassment and sexual assault is unlawful and is not tolerated.</p> <p>Whether the behaviour is unwelcome is a subjective test and depends on how the conduct in question was perceived and</p>	<p>Sexual harassment may include the following behaviours:</p> <ul style="list-style-type: none"> • looking or leering at someone in a sexual way. • phone calls, emails, texts or instant messages, etc. of a sexual nature.

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Descriptions	Examples
<p>experienced by the recipient of the behaviour, rather than the intention behind it.</p> <p>Sex-based harassment is any unwelcome conduct of a seriously demeaning nature by reason of the person's sex in circumstances in which a reasonable person would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.</p> <p>Sexual and sex-based harassment does not include behaviour which is consensual and based on explicit respect, mutual attraction, and/or friendship. If the interaction is explicitly welcomed, invited, reciprocated or consensual, it is not sexual harassment.</p>	<ul style="list-style-type: none"> • making comments or jokes that are degrading to a person's sexual orientation or perceived sexual orientation. • sexual gestures. • requests for sex. • uninvited touching of any kind. • uninvited touching of or fiddling with a person's clothing. • sexually explicit conversations and questions. • displays of sexually graphic material. • persistent invitations for social contact outside of work despite prior refusals. • sex-based insults, taunts, teasing or name calling.
<p>Discrimination is treating, or proposing to treat, a person or group of people unfavourably because of a personal characteristic protected by law. Discrimination can be direct or indirect.</p> <p>Direct discrimination occurs when a person, or a group of people, is treated less favourably because of characteristics such as their race, gender, colour, ethnicity, marital or relationship status, sexual orientation, gender identity or intersex status, age, disability, pregnancy or potential pregnancy, breastfeeding, family responsibilities and religious or political conviction.</p> <p>Indirect discrimination occurs when a policy, practice or behaviour seems to treat all workers the same way, but it actually operates to the detriment of a person or a group of people because of a characteristic of that person or group.</p>	<p>In a workplace context, discrimination can include treating people differently on the basis of protected attributes, in the following circumstances:</p> <ul style="list-style-type: none"> • in making decisions about a person's employment. • defining the terms, conditions and benefits that are offered to an employee as part of employment. • deciding who receives training and the sort of training that is offered; and • favourable or unfavourable allocation of work duties. <p>Specifically, this can include:</p> <ul style="list-style-type: none"> • using stereotypes or assumptions when making decisions about a person's career. • making an employment decision based on the sexual preference or religious beliefs of a person that has been posted on their social media pages.

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Descriptions	Examples
<p>Discrimination may include intolerant or antagonistic behaviours of racism, homophobia, transphobia, ageism, ableism and bigotry. These behaviours contribute to a lack of psychological and cultural safety and are not tolerated by PM&C.</p> <p>What is not discrimination?</p> <p>Treating someone differently is not necessarily unlawful discrimination. In terms of the FW Act, an action will only be unlawful discrimination if the person is being treated less favourably because of one or more of the above attributes or characteristics (i.e. race, sex, age, disability).</p> <p>Sometimes it may be necessary to treat people differently to achieve equality. Different treatment may not amount to unlawful discrimination if the criteria for the differentiation are reasonable and objective and if the aim is to achieve a purpose which is legitimate. An example of this is an 'affirmative measures' employment vacancy or position.</p> <p>Discrimination does not include action that is taken due to the inherent requirements of a particular position.</p>	<ul style="list-style-type: none"> not allowing a transgender person to use the bathroom facilities appropriate for their current gender.
<p>Victimisation means punishing or threatening to punish someone. It is against the law to punish or threaten someone because they have:</p> <ul style="list-style-type: none"> asserted their right to equal opportunity under law; have made, or intend to lodge a complaint; are involved in a process relating to a complaint (such as a witness); and/or 	<p>Victimisation in the context of this Policy may include, but is not limited to, the following behaviours:</p> <ul style="list-style-type: none"> threats to an employee. adverse changes in the working environment. denial of training or promotion. disadvantage to a person.

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Descriptions	Examples
<ul style="list-style-type: none"> helped someone else make a complaint. 	<ul style="list-style-type: none"> intimidation. loss or damage to property. making disparaging or disrespectful comments. exclusion.
<p>Interpersonal conflict is conflict that occurs between two or more individuals. Individual differences can lead to interpersonal conflict, including (but not limited to) differences in personalities, attitudes, values, and perceptions.</p> <p>Interpersonal conflict such as a difference of opinion or general disagreement, is unlikely to be considered inappropriate workplace behaviour unless it is disrespectful or falls within one of the other forms of inappropriate behaviour (bullying, harassment, discrimination or victimisation).</p> <p>For example, a difference of opinion or general disagreement are generally not considered to be workplace bullying. People can have respectful differences and disagreements in the workplace without engaging in repeated, unreasonable behaviour, that creates a risk to health and safety.</p> <p>Individuals must continue to be respectful and comply with behaviour standards (including the APS Code of Conduct) where there is an interpersonal conflict. Interpersonal conflict does not excuse and should not lead to disrespectful behaviour.</p>	<p>The following behaviours may be examples of respectful interpersonal conflict in the workplace, where respectful language and behaviours are maintained:</p> <ul style="list-style-type: none"> constructive discussions or disagreements between colleagues. generally not seeing eye to eye. having different approaches to completing a task. <p>The following behaviours may be examples of disrespectful interpersonal conflict in the workplace:</p> <ul style="list-style-type: none"> raising one's voice in a threatening or intimidating manner. adopting a dismissive, condescending, angry or threatening tone of voice. abusive and threatening behaviour, for example, swearing and yelling at a PM&C worker or manager, throwing an object, slamming a door, or hitting an object during a disagreement. objections or disagreement with others in the workplace without reasonable grounds. anti-social or disruptive behaviour such as being discourteous, impolite or violating workplace norms of behaviour. rude offensive language, written or verbal, directed at a colleague or manager during a disagreement or discussion.

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Australian Government

Department of the Prime Minister and Cabinet

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Official hospitality and business catering

Effective date: May 2023

Departmental policy



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1. Approvals

Document Owner: Financial Governance Team – Finance Branch (FB)

Authorisation: Chief Finance Officer (CFO)

2. Document history

Date	Version	Name	Approval
May 2023	1.0	s 22(1)(a)(ii)	Karyn Cooper

3. Introduction

This Official Hospitality and Business Catering Policy (OHBCP) provides process and procedural information in relation to the provision of official hospitality and business catering and sets out responsibilities of officials.

The OHBCP should be read in conjunction with the relevant authority documents listed in the Delegations section. The OHBCP is required to be consistent with the requirements of the Public Governance, Performance and Accountability Act 2013 (Cth) (PGPA Act), applicable PGPA Rules, and Accountable Authority Instructions (AAI's).

4. Definition of official hospitality

Official hospitality generally refers to the use of relevant funds to provide social or personal benefits, such as meals and entertainment, in order to facilitate the conduct of official business with persons who are providing either advice or service to the Commonwealth or who share business interests.

The number of Department of the Prime Minister and Cabinet (PM&C) officials attending the function must be limited to those whose attendance will benefit PM&C. As a general rule, the number of external persons (i.e. those providing advice or service to the Commonwealth) should equal or exceed the number of PM&C officials at functions where official hospitality is being provided (i.e. PM&C officials should comprise a minor proportion of those attending).

5. Definition of business catering

For the purposes of this policy, business catering includes modest food and non-alcoholic beverages provided in the course of conducting business. It is only to be used when the duration of the activity warrants the provision of catering and there are cost advantages in continuing an event through the meal break, rather than having to reconvene (i.e. light refreshments made available during an all-day

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training course). Alcohol should only be provided by the department for business catering under exceptional circumstances and must be approved by the relevant delegate as stated in the PM&C Financial Delegations.

The provision of business catering may comprise the below types of expenses:

- 1) Morning/Afternoon teas (light refreshments)
- 2) Non-alcoholic beverages;
- 3) Light lunch; and/or
- 4) Dinner.

The cost of the provision of business catering will be met by the line area responsible for the meeting (normal approval requirements for expenditures and arrangements apply).

Business catering can be provided on PM&C premises or offsite in circumstances where a suitable location is unavailable.

6. Underlying principles

When assessing the appropriateness of offering official hospitality or business catering, officials need to consider the following:

- 1) Whether the expenditure promotes or supports a government policy objective or outcome, or is otherwise in accordance with Commonwealth policies;
- 2) Whether the expenditure will make proper (efficient, effective, economical and ethical) use of relevant money, specifically that:
 - a) the activity facilitates the conduct of public business in a transparent manner;
 - b) the costs incurred are reasonable and appropriate and could withstand public scrutiny;
 - c) no officials involved have real or apparent conflicts of interest; and
 - d) proposals are evaluated with consistent standards.
- 3) What obligations or expectations may arise as a result of official hospitality; and
- 4) Whether it would create an inappropriate perception/impression.

7. Exclusions

Departmental funding must not be used to cover the below types of staff functions:

- 1) Celebratory or farewell lunches, morning or afternoon teas;
- 2) Non-work related section, branch or division events; and
- 3) Flowers for farewells, condolences, or other occasions related to a staff member.

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For further information contact [s 47E\(d\)](#).

8. When official hospitality and business catering may be provided

Pre-approval for official hospitality and business catering must be made prior to an event. Business areas are to complete and gain approval within the Entertainment Application Form in the Lighthouse Financial Management Compliance System (FMCS) prior to an event.

Table 1 summarises the extent to which particular activities can be classified as official hospitality or business catering.

For more information, refer to [Schedule 2 - Official Hospitality and Business Catering Flowchart](#) to assist in classifying expenditure.

Table 1: Official Hospitality – Business Catering Activity Identification

Activity	Official Hospitality	Business Catering
The provision of sustenance at a meeting (excluding regular team/branch meetings).	No – Not Official Hospitality.	Yes - Business Catering. If the 'meeting' is in an official capacity but does not meet the official hospitality definition as defined in Clause 4 'Definition of Official Hospitality'.
Working lunch as part of a meeting.	No – Not Official Hospitality.	Yes - Business Catering.
Gifts to officials (e.g. flowers, cards, farewell functions).	No – Not Official Hospitality.	No – Not Business Catering.
The Deputy Secretary – Governance may approve a gift to an official only in exceptional circumstances.	Departmental funding cannot be used to pay for gifts to officials.	Departmental funding cannot be used to pay for gifts to officials.
Business Catering for routine departmental activities or semi-social events (e.g. all staff meetings).	No – Not Official Hospitality.	Yes - Business Catering.
A meeting with officials from a State Government agency, where light refreshments are provided.	No – Not Official Hospitality.	Yes - Business Catering.

A meeting with officials from a State Government agency.	Yes – Official Hospitality.	No - Business Catering.
<i>The meeting is adjourned and all attendees move to a restaurant and have dinner together. There is no continuation of the meeting at dinner.</i>	<i>Only for the after meeting dinner component.</i>	<i>The dinner would only be business catering if it was a continuation of the meeting (see example below).</i>
A meeting with officials from a State Government agency.	Yes – Official Hospitality	Yes - Business Catering.
	<i>If alcohol <u>is</u> consumed, perception will need to be considered in terms of</i>	

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<p>A meeting with officials from a State Government agency.</p> <p><i>The meeting is adjourned and all attendees move to a restaurant and have dinner together. There is no continuation of the meeting at dinner.</i></p>	<p>Yes – Official Hospitality.</p> <p><i>Only for the after meeting dinner component.</i></p>	<p>No - Business Catering.</p> <p><i>The dinner would only be business catering if it was a continuation of the meeting (see example below).</i></p>
<p><i>The meeting is adjourned and all attendees move to a restaurant and have dinner together, where the meeting is continued.</i></p>	<p><i>it being a continuation of the meeting.</i></p>	<p><i>If alcohol is not consumed, and it is a continuation of the meeting.</i></p>
<p>Overseas visitors and diplomatic corps attend a meeting at PM&C.</p>	<p>No – Not Official Hospitality.</p>	<p>Yes - Business Catering.</p>
<p>Overseas visitors and diplomatic corps attend an official dinner catered for by PM&C and alcohol is served.</p>	<p>Yes – Official Hospitality</p>	<p>No – Not Business Catering.</p>
<p>PM&C officials hold an offsite planning day, lunch is provided.</p>	<p>No – Not Official Hospitality.</p>	<p>Yes - Business Catering.</p>
<p>PM&C officials have a meeting with staff from another Commonwealth agency and sustenance is provided.</p>	<p>No – Not Official Hospitality.</p>	<p>Yes - Business Catering.</p>
<p>A Community or Cabinet meeting is held, people from the local community are in attendance and light refreshments are provided.</p>	<p>No – Not Official Hospitality.</p>	<p>Yes - Business Catering.</p>
<p>PM&C officials travelling overseas on official business hosting foreign dignitaries.</p>	<p>Yes – Official Hospitality</p> <p><i>If alcohol is consumed, perception will need to be considered in terms of it being a continuation of the meeting.</i></p> <p><i>Tips and gratuities in line with customary practice in the relevant overseas location are an allowable charge.</i></p>	<p>No – Not Business Catering.</p>

9. Provision of alcohol

All official hospitality and/or business catering involving alcohol requires approval by the appropriate delegate as stated in the PM&C Financial Delegations.

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10. Delegations

Refer to the [PM&C Financial Delegations](#).

Officials must not enter into an arrangement to provide official hospitality and business catering, unless:

- a) The Official has been delegated the authority, or authorised by a delegate, under PM&C's financial delegations; and
- b) The requirements for the commitment of relevant money have been met.

Officials must act in accordance with the Commonwealth Procurement Rules (CPRs) when procuring goods or services to provide official hospitality or business catering.

Any decision to spend relevant money on official hospitality and business catering must be publicly defensible and represent a proper use of Commonwealth resources.

A delegate cannot approve official hospitality if they may personally benefit from the hospitality. This includes partaking at the event.

11. Hospitality involving ministers

The range of events hosted and funded by PM&C (which may include Ministerial representation) could include:

- 1) Formal, large occasions involving overseas visitors and/or Ministers from States and Territories;
- 2) Formal official functions catering to private sector representatives or advisory council meetings;
- 3) Overseas events hosted by PM&C officials and attended by the Minister and/or staff of the Minister's office;
- 4) Smaller scale formal functions held at the parliamentary dining room, at a public venue or within PM&C premises; or
- 5) Informal hospitality for visitors or persons who are in attendance to conduct business related to the portfolio (e.g. a working lunch or refreshments in the Minister's office).

Where an event includes Ministers, it is to be funded by the relevant line area in PM&C.

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12. Fringe Benefits Tax

Fringe Benefits Tax (FBT) may be payable by PM&C where food and drink is provided to an official, unless the provision of the food and drink falls into an exempt category (e.g. morning and afternoon teas, light lunches that do not include alcohol).

All other expenditure on official hospitality which involves officials is to be classed as a fringe benefit, and is therefore liable for FBT. Examples are promotional functions, launches, openings etc.

Where Business catering is provided offsite and/or where Commonwealth officials are attending, there may be FBT implications. A financial delegate must consider any FBT implication in their 'value for money' assessment.

To assist the tracking of FBT, any expenditure on official hospitality or business catering must be entered into the online Entertainment Application Form in FMCS. The form will capture the total cost of the function, the number of people attending and the number of officials and non-officials in attendance.

Expenditure for ministerial hospitality is to be included in PM&C's FBT return.

For further advice on FBT requirements, contact s 47E(d)

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Schedule 1 – Frequently asked questions

What is considered Official Hospitality?

Official hospitality generally involves the use of public resources to provide hospitality to persons other than PM&C officials to facilitate the achievement of Commonwealth objectives. Official hospitality may include the provision of refreshments, entertainment or other benefits.

Generally, providing official hospitality will be part of the ordinary services and functions of government and the arrangement will be entered into under section 23 of the PGPA Act. In PM&C there are specific financial delegations pertaining to entering into an arrangement to provide official hospitality and the approval of relevant money.

What is considered Business Catering?

Business catering includes modest food and non-alcoholic beverages provided on the department's premises or off site in circumstances where a suitable PM&C location is unavailable in the course of business meetings. It is only to be used when the duration of the activity warrants the provision of catering and there are cost advantages in continuing an event through the meal break, rather than having to reconvene (i.e. light refreshments made available during an all-day training course). In PM&C there are specific financial delegations pertaining to entering into an arrangement to provide business catering and official hospitality and the approval of relevant money.

Is paying for coffee for other people, when having a meeting with either APS officials or members of the public considered Business Catering or Official Hospitality? Can I use my PM&C corporate credit card to pay for the coffees?

The expense could be categorised business catering or official hospitality depending on the details of the event. In general terms, where the event involves external participants and is furthering PM&C business outcomes, it will be considered official hospitality; where the event is attended primarily by PM&C staff as part of conducting business - for events that warrant catering being provided - it would likely be considered business catering.

The only times that purchasing coffee may be permissible, are:

- 1) When you are travelling on official business and it is part of your travel expenses; or
- 2) When you are hosting a work meeting or official event and it is appropriate to provide refreshments.

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Where the spending falls within one of those categories, it is appropriate to use a PM&C corporate credit card to pay for the coffee. It is recommend you seek guidance as appropriate.

Officials must seek delegate approval via the online Entertainment Application Form in FMCS before considering this type of transaction. The Official Hospitality and Business Catering Flowchart (below) may also assist in determining if it is appropriate to provide refreshments.

Can we use departmental funding to purchase regular food items including fruit baskets for officials?

This expenditure is considered of a private nature if it does not form part of an official hospitality or business catering event.

The PM&C Enterprise Agreement (EA) refers to reasonable cost or reimbursement for a meal when working more than ten hours with limited notice. Please refer to the EA and related policies.

I am organising a planning day for my division, can we get lunch catered for and paid by the department?

The delegate can make a decision to provide catering at a planning day. This would be considered business catering.

We are organising an event which will include hosting a dinner with alcohol. Is it Official Hospitality or Business Catering? Are we able to offer alcohol? Can my delegate approve this?

Generally this would be considered official hospitality.

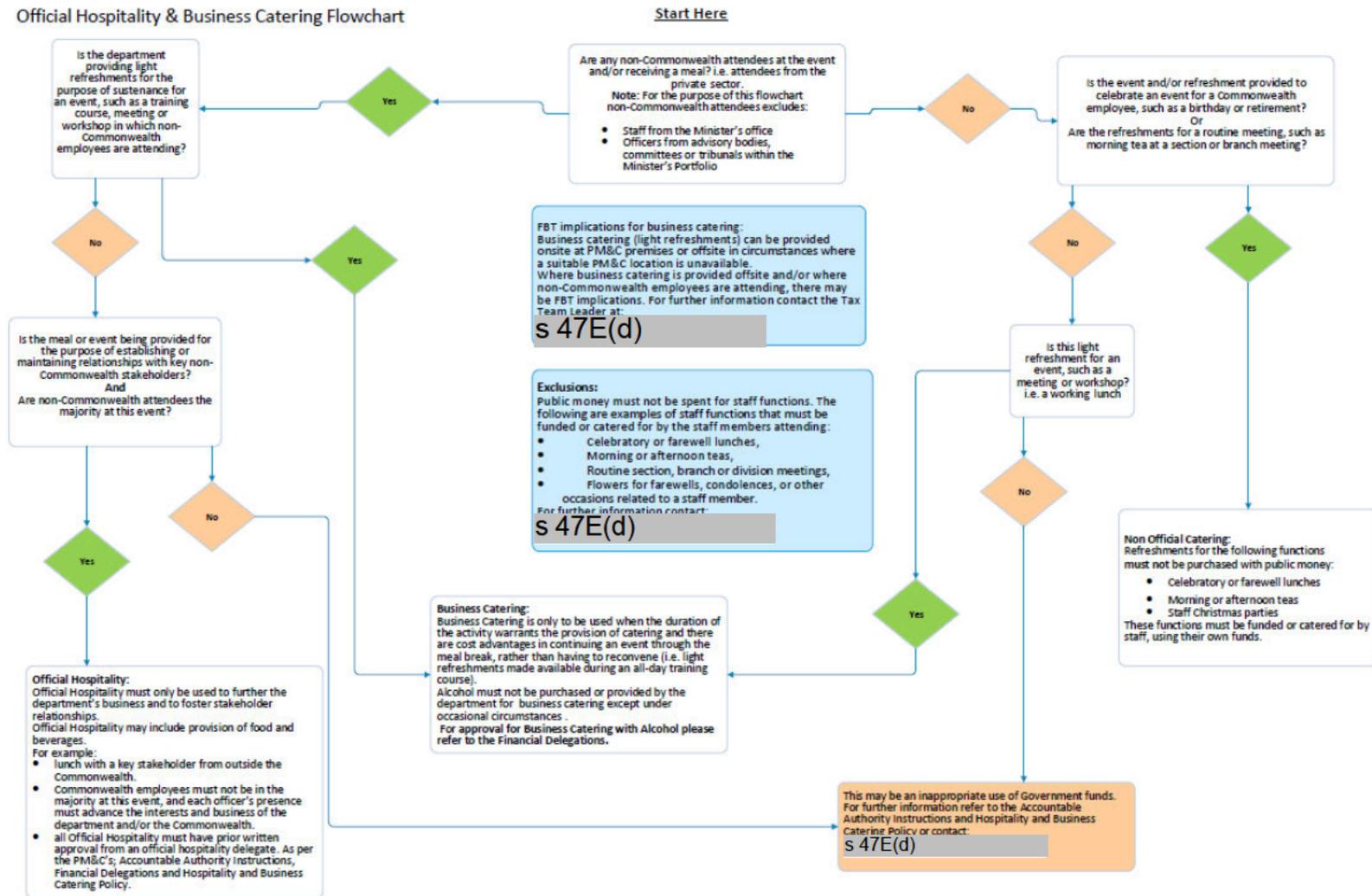
Official hospitality generally refers to the use of departmental funding to provide social or personal benefits, in order to facilitate the conduct of public business with persons who are providing either advice or service to the Commonwealth or who share mutual vocational, business or national interests.

All official hospitality and/or business catering involving alcohol requires approval by the relevant delegate as stated in the PM&C Financial Delegations.

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Schedule 2 – Official hospitality and business catering flowchart

Official Hospitality & Business Catering Flowchart



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Official Hospitality & Business Catering Flowchart – text version

Start Here

Are any non-Commonwealth attendees at the event and/or receiving a meal? i.e. attendees from the private sector.

Note: For the purpose of this flowchart non-Commonwealth attendees excludes:

- Staff from the Minister's office
- Officer's from advisory bodies, committee or tribunals within the Minister's Portfolio

Yes

Is the department providing light refreshments for the purpose of sustenance for an event, such as a training course, meeting or workshop in which non-Commonwealth employees are attending?

No

Is the meal or event being provided for the purpose of establishing or maintaining relationships with key non-Commonwealth stakeholders?

And

Are non-Commonwealth attendees the majority at this event?

Yes

Official Hospitality:

Official Hospitality must only be used to further the department's business and to foster stakeholder relationships.

Official Hospitality may include provision of food and beverages.

For example:

- Lunch with a key stakeholder from outside the Commonwealth.
- Commonwealth employees must not be in the majority at this event, and each officer's presence must advance the interests and business of the department and/or the Commonwealth.
- All Official Hospitality must have prior written approval from an official hospitality delegate. As per the PM&C's Accountable Authority Instructions, Financial Delegations and Hospitality and Business Catering Policy.

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No

This may be an inappropriate use of Government funds.

For further information refer to the Accountable Authority Instructions and Hospitality and Business Catering Policy or contact: s 47E(d)

Yes

Business Catering:

Business Catering is only to be used when the duration of the activity warrants the provision of catering and there are cost advantages in continuing an even through the meal break, rather than having to reconvene (i.e. light refreshments made available during an all-day training course).

Alcohol must not be purchased or provided by the department for business catering except under occasional circumstances.

For approval for Business Catering with Alcohol please refer to the Financial Delegations.

No

Is the event and/or refreshment provided to celebrate an event for a Commonwealth employee, such as a birthday or retirement?

Or

Are the refreshments for a routine meeting, such as a morning tea at a section or branch meeting?

No

Is this light refreshment for an event, such as a meeting or workshop? i.e. working lunch

No

This may be an inappropriate use of Government funds.

For further information refer to the Accountable Authority Instructions and Hospitality and Business Catering Policy or contact:

s 47E(d)

Yes

Non-Official Catering:

Refreshments for the following functions must not be purchased with public money:

- Celebratory or fare-well lunches

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- Morning or afternoon teas
- Staff Christmas parties

These functions must be funded or catered for by staff, using their own funds.

FBT implications for business:

Business catering (light refreshments) can be provided onsite at PM&C premises or offsite in circumstances where a suitable PM&C locations is unavailable.

Where business catering is provided offsite and/or where non-Commonwealth employees are attending, there may be FBT implications. For further information contact the Tax Team Leader at s 47E(d) .

Exclusions:

Public money must not be spent for staff functions. The following are examples of staff functions that must be funded or catered for by the staff members attending:

- Celebratory or farewell lunches,
- Morning or afternoon teas,
- Routine section, branch or division meetings,
- Flowers for farewells, condolences, or other occasions related to a staff member.
- For further information contact: s 47E(d)

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