

Code of Conduct

FROM THE CHIEF REVIEW OFFICER

The Education Review Office *Code of Conduct* is based on the *Standards of Integrity and Conduct* issued by the State Services Commission under section 57 of the State Sector Act 1988, and was developed in response to the requirement for ERO to have its own code of conduct embodying those standards.

This code of conduct is for all Education Review Office staff and reinforces the spirit of service that we demonstrate in the way we carry out our work. It outlines expectations of us as public servants to act with professionalism and integrity and to carry out our official duties honestly, faithfully and efficiently, respecting the rights of the public and our colleagues. It also offers a framework to support staff in making appropriate judgements when faced with potential conflicts of interest.

Working for ERO puts us all in a position of influence. Designated review officers have powers of entry and inspection in schools and early childhood education services that need to be exercised responsibly and in a fair and impartial manner.

If you are unsure of the appropriate action to take at any time, you should not hesitate to talk to your manager.

As far as responsibilities inside our organisation are concerned, I am required to act as a good employer. I undertake to operate a personnel policy containing provisions necessary for the fair and proper treatment of all ERO employees in all aspects of employment. We are all responsible for making this a good place to work, for treating our colleagues with respect, and for making sure that ERO's excellent reputation for integrity is maintained.



Graham Stoop
Chief Review Officer

The Education Review Office Code of Conduct

Ko te tamaiti te pūtaka o te kaupapa | The child – the heart of the matter

As ERO staff we have powers, responsibilities and discretion to administer public resources. Therefore we must act in ways that reassure the public and government that we are carrying out our functions responsibly and effectively and are worthy of their continuing trust and confidence. We are all expected to publicly demonstrate a high standard of efficiency (with due consideration to sustainability) in the management of resources and a commitment to achieving ERO's outcomes and specific output targets.

We are obliged to serve the aims and objectives of the government of the day. We should ensure that our personal interests or activities do not interfere with, or appear to interfere with, this obligation.

This Code of Conduct applies to all ERO employees.

The Code sets out the standards of integrity and conduct expected of us all as ERO employees and the standards of behaviour expected of us in our day to day work.

The Code does not provide detailed explanations of appropriate behaviour in every situation. ERO has policies to guide

our behaviour and practice and these include disciplinary procedures that may need to be implemented in the event of a breach of this Code.

The State Services Commission website helpdesk: codeofconduct@ssc.govt.nz is another avenue of support if we are unsure or want independent guidance.

The Code:

- incorporates and builds on the minimum requirements and expectations of public service employers and employees set out in the State Services Commission's *Standards of Integrity and Conduct*;
- reflects the legislation applying to ERO and employees;
- outlines general principles that should be applied with judgement, and with a regard for:
 - the spirit of service to the public;
 - the obligations ERO has as a government department; and
 - the role of ERO as a government department in supporting parliamentary democracy; and
- has elements that are specific to the work of a review officer.

ERO's *Code of Conduct* incorporates the four elements of the *Standards of Integrity and Conduct*.

WE MUST BE FAIR, IMPARTIAL, RESPONSIBLE AND TRUSTWORTHY.

FAIR WE MUST: treat everyone fairly and with respect; be professional and responsive; work to make our services accessible and effective; strive to make a difference to the well-being of New Zealand and all its people.

We must treat everyone fairly and with respect
Treating people fairly means that we do not show any favouritism, bias or self interest in our work. We are required to administer the law and to give effect to government policy fairly and reasonably, with respect for the people we serve.

Our decisions must be based on accurate and relevant information, observing the principles of natural justice.

We must treat everyone with respect – the public we serve and the colleagues we work with.

We must be professional and responsive

Being professional requires us to act with personal integrity at all times, to be committed to ERO's responsibilities, and to be aware of the constitutional framework within which we operate.

We must be objective in the way we manage our work, ensuring we are fair, consistent and transparent in what we do.

Our obligations to the public mean that we should report any serious integrity concerns.

We must work to make our services accessible and effective

Being accessible requires us to take personal responsibility for responding in a way that is helpful to those using our services and that takes account of particular interests, sensitivities and backgrounds of people using those services.

We must strive to make a difference to the well-being of New Zealanders

ERO's focus is on providing for the well-being of New Zealanders through promoting high quality education.

IMPARTIAL WE MUST: maintain the political neutrality required to enable us to work with current and future governments; carry out the functions of our organisation, unaffected by our personal beliefs; support our organisation in providing robust and unbiased advice; and respect the authority of the government of the day.

We must maintain the political neutrality required to enable us to work with current and future governments

Our responsibility to the government is to work in a politically neutral manner. Our commitment to Ministers must be unaffected by any party-political concerns.

We must also act in a way that ensures we are able to establish professional and impartial relationships with future Ministers.

We must avoid making public comment that might be, or perceived to be, critical of government policy.

As a general rule, we are free to belong to any lawful organisation. Our rights to participate in social campaigns and the activities of political parties, unions and professional associations are not precluded because we work in ERO. But we need to be aware always of the perceptions others may have of our ability to be politically impartial in the way we do our work. When expressing views on behalf of such groups, we must ensure that we will not be seen as speaking on behalf of ERO.

As always, it is a matter of judgement. The State Services Commission has published 'fact sheets' as a guide on political neutrality.

We must carry out the functions of our organisation, unaffected by our personal beliefs

The work we do should not be influenced by bias, personal beliefs or commitments. Personal interests can include our interest or involvement in party political, religious or philosophical matters. If our interests or beliefs could affect our work in any way, we should discuss this with our manager.

We must obey any lawful and reasonable instructions given and work as directed. We are never justified in ignoring operational procedures, interpreting government policy or exercising our decision-making responsibilities to suit our personal beliefs.

We must support ERO in providing robust and unbiased advice

Our advice, whether it be written or oral, will be based on information gathered in an open, responsible and ethical manner, and our judgements will be based on robust evidence.

We must respect the authority of the government of the day

It is generally unacceptable for us in our personal capacity to comment on matters of government policy if we:

- use or reveal any information gained in the course of our work where this is not already known by, or readily available to, the general public;
- purport to express or imply an organisational view;
- act in a way that constitutes a personal attack on a Minister, work colleagues or other State servants; or
- criticise in such strong or persistent terms that our ability to give full effect to the executive government responsibilities of our organisation in an impartial way is called into question.

We must not make public comment on behalf of ERO, except in accordance with ERO's policies.

RESPONSIBLE WE MUST: act lawfully and objectively; use ERO’s resources carefully and only for intended purposes; treat information with care and use it only for proper purposes; work to improve the performance and efficiency of our organisation.

We must act lawfully and objectively

We must obey the law and act within the letter and spirit of the law. The exercise of our powers shall comply with both New Zealand law and any international conventions given effect through statute.

When making decisions, we must act within the scope of the power or discretion conferred on us, and within our delegated authority.

We must use ERO’s resources carefully and only for intended purposes

We must keep firmly in mind that ERO’s resources are publicly owned and are funded by public money.

ERO is committed to using resources in an economic and sustainable manner.

We must treat information with care and use it only for proper purposes

We have a duty to handle official information appropriately and ensure that personal privacy rights are preserved.

We must maintain accurate records.

We should not allow personal beliefs or individual beliefs to influence the manner in which information is handled.

We must work to improve the performance and efficiency of ERO

We have an obligation to consider how we can carry out our functions in better and more successful ways.

ERO is required to perform efficiently, effectively and with a spirit of service to the public. We must always act in the public interest.

TRUSTWORTHY WE MUST: be honest; work to the best of our abilities; ensure our actions are not affected by our personal interests or relationships; not use our position for personal gain; decline gifts or benefits that place us under any obligation or perceived influence; and avoid any activities that may harm the reputation of ERO or of the State Services.

We must be honest

We are expected to act honestly. Honesty means that we are truthful and open. Public trust in ERO will be determined primarily by the degree to which New Zealanders believe that at all times we act with honesty. This obligation is not only work-related – it arises at any time when the consequences of dishonest conduct may have an impact on public trust or on the confidence that Ministers, Parliament, or others in the State Services, can have in ERO.

We must work to the best of our abilities

Working to the best of our abilities is a way of demonstrating our spirit of service, and our respect for the taxpayers who fund our employment.

We must ensure our actions are not affected by our personal interests or relationships

We must not allow our relationships either workplace or personal to adversely affect the proper performance of our responsibilities or create a conflict of interest. We must obtain approval before we undertake secondary employment and not engage in any activity, paid or unpaid, which impinges on, or is likely to impinge on our official duties.

If there is any doubt about what may constitute a conflict of interest, we must contact our manager in the first instance.

We must not use our position for personal gain

We have a range of roles, responsibilities and powers that enable us to carry out ERO functions. These must be applied, and the information and resources of ERO used, only for the intended purpose and in the intended way.

We must act in a manner consistent with ERO’s objectives, functions, policies and procedures.

We must decline gifts or benefits that place us under any obligation or perceived influence

We must be very careful about accepting any form of benefit (including gifts, hospitality or purchasing discount) that is not provided by ERO, and be aware always of the public perception that can result from accepting favours.

We must avoid any activities (work or non-work) that may harm the reputation of ERO or of the State Services

As a general principle, what we do in our personal lives does not concern ERO unless it interferes with our work performance or reflects badly on the integrity or standing of ERO.

We must avoid being connected publicly with behaviour that creates a sense of public disquiet; that, implicitly, diminishes trust in ERO; or that is likely to bring ERO into disrepute.

ERO’s process for responding to complaints about aspects of school or early childhood education reviews is available to the public on request and on our website: www.ero.govt.nz

Expectations of Review Officers

All the requirements and undertakings under the State Services Commission's *Statement of Integrity and Conduct* and in ERO's own *Code of Conduct* apply to review officers.

Through their work, review officers have a particular relationship with schools and early childhood education services. They hold a statutory position that gives them responsibilities and powers that must be used wisely, prudently and with due consideration for the people who participate in every evaluation. In choosing to do this work review officers express their commitment to helping improve education for New Zealand's children.

Review Officers are statutory officers designated under Part 28 of the Education Act 1989, and they exercise powers of entry, investigation and reporting through the various sections of that Part of the Act. In designating Review Officers, the Chief Review Officer must be satisfied that review officers are suitably qualified and fit both to carry out the work of a review officer and to exercise those powers of entry, investigation and reporting.

It is for these reasons that this part of the Code has specific reference to review officials exercising those powers in their work of review.

Rationale

The *Code of Conduct* reinforces high standards of performance by:

- making explicit the principles which should guide review officers in the performance of their duties;
- maintaining the confidence in the reputation and authority of ERO with those people with whom review officers come into contact professionally;
- indicating to outside groups that they can have confidence in the quality of service provided by ERO as a corporate body, independently of the individuals providing the service; and
- providing legal protection for review officers, whereby ERO acknowledges responsibility for actions taken and statements made, in the course of review officers' professional duties, provided that these are consistent with ERO policy and procedures.

Review Officers

Review Officers accept that they must be able to justify their actions and decisions in the light of current legislation, educational knowledge and standards of practice.

Review officers must:

- perform their professional duties in accordance with the law, ERO standard procedures, recognised standards of agreed practice and educational knowledge;
- base conclusions on data that can be verified as being accurate, valid and reliable;
- prepare reports and recommendations which are based on appropriate analysis of relevant and reliable data; and
- maintain a high level of professional competence through ongoing development of their knowledge and skills.

Impartiality

- Review officers have a duty to apply objective consideration and judgement to their work at all times. They will remain free of any conflicting interest or improper influence and should avoid any situation which may be construed as constituting a conflict of interest or which may impair objectivity.
- Review officers must be impartial when undertaking reviews and will interpret and present evidence fairly. They will resist any pressures that would influence their impartiality.
- Their oral and written reports will be open, direct and honest. They will not knowingly prepare or certify as true any statement that is false, incorrect or misleading.
- Review officers will recognise and communicate any professional or personal limitations or other constraints that would preclude responsible judgement and successful performance of reviews.

Conduct During a Review

- Review officers have legal powers of entry and inspection and are entitled to receive such information as they consider necessary for the purpose of review.
- Review officers receive information on the basis that it will be used without prejudice only for the purpose of review.
- Review officers respect the confidentiality of information acquired in the course of their duties.
- Review officers handle the disclosure of any information lawfully.
- Review officers have a responsibility to respect the powers vested in them by legislation.
- Review officers listen to individuals or groups and value and respect their integrity.
- Review officers identify themselves to the participants in a review, by showing their certificate of designation.

STATE SERVICES COMMISSION

Standards of Integrity and Conduct

A code of conduct issued by the State Services Commissioner under section 57 of the State Sector Act 1988.

We must be fair, impartial, responsible, and trustworthy

The State Services is made up of many organisations with powers to carry out the work of New Zealand's democratically elected governments.

Whether we work in a department or in a Crown entity, we must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything we do.

We must comply with the standards of integrity and conduct set out in this code. As part of complying with this code, our organisations must maintain policies and procedures that are consistent with it.

FAIR

We must:

- treat everyone fairly and with respect
- be professional and responsive
- work to make government services accessible and effective
- strive to make a difference to the well-being of New Zealand and all its people.

TE KOMIHANA O NGĀ TARI KĀWANATANGA

Ngā Paerewa mō te Ngākau Tapatahi me te Whanonga

He tikanga kawē i tukuna e te Kai-kōmihana o Ngā Tari Kāwanatanga i raro i te Ture Rāngai Kāwanatanga, wāhanga 57.

Ko tā tātau me tika, me tōkeke, me takohanga me matatika hoki.

He maha ngā tari whakahaere o te Kōmihana o Ngā Tari Kāwanatanga, me ō rātau mana ki te mahi i ngā mahi a ngā kāwanatanga pōti o Aotearoa.

Ahakoā tātau ka mahi i roto i tētahi tari, hinonga Karauna rānei, i roto i a tātau mahi me ū ki te wairua ratonga ki te hapori me te whakatutuki i ngā paerewa o te ngākau tapatahi me te whanonga i roto i ā tātau mahi katoa. Me ū tātau ki ngā paerewa o te ngākau tapatahi me te whanonga i roto i tēnei tikanga. Mō te ū ki tēnei tikanga, me pūmau ō tātau tari whakahaere ki ngā kaupapa me ngā tikanga whakahaere e hāngai ana ki tērā.

TIKA

Ko tā tātau:

- kia tika, me te whakaaro nui hoki ki ngā tāngata katoa
- me ngaio me whai urupare hoki
- me mahi kia whai wāhi mai me te whai take anō o ngā ratonga kāwanatanga
- me whakapau kaha ki te whakarerekē i te ora o Aotearoa me ōna tāngata katoa.

IMPARTIAL

We must:

- maintain the political neutrality required to enable us to work with current and future governments
- carry out the functions of our organisation, unaffected by our personal beliefs
- support our organisation to provide robust and unbiased advice
- respect the authority of the government of the day.

RESPONSIBLE

We must:

- act lawfully and objectively
- use our organisation's resources carefully and only for intended purposes
- treat information with care and use it only for proper purposes
- work to improve the performance and efficiency of our organisation.

TRUSTWORTHY

We must:

- be honest
- work to the best of our abilities
- ensure our actions are not affected by our personal interests or relationships
- never misuse our position for personal gain
- decline gifts or benefits that place us under any obligation or perceived influence
- avoid any activities, work or non-work, that may harm the reputation of our organisation or of the State Services.

TŌKEKE

Ko tā tātau:

- me noho kūpapa tonu i roto i ngā take tōrangapū kia pai ai te mahi tahi me ngā kāwanatanga o te rā me ērā e whai mai.
- me whakahaere i ngā mahi a ō tātau tari whakahaere, ahakoā ō tātau ake whakapono
- me tautoko i tō tātau tari whakahaere ki te whakarato i ngā tohutohu whai take, tōkeke hoki
- me whakaaro nui ki te mana o te kāwanatanga o te rā.

TAKOHANGA

Ko tā tātau:

- me hāngai ā tātau mahi ki te ture, me te tōkeke hoki
- me āta whakamahi i ngā rauemi ā te tari whakahaere, ka mutu mō ngā
- kaupapa tōtika anake
- kia tika te tiaki i ngā pārongo me te whakamahi anō mō ngā kaupapa e
- hāngai ana
- me mahi ki te whakapakari i te mahinga me te kaha o te tari whakahaere.

MATATIKA

Ko tā tātau:

- me pono
- me mahi ki te taumata o ō tātau kaha
- kia kaua e pā mai ōu ake hiahia, hononga hoki ki roto i ō mahi
- kia kaua e whakaare atu ki ngā takoha, ohaoha rānei e here i a tātau, e riro ki ngā hiahia rānei a tētahi
- kia kaua e uru ki ngā kaupapa e tukino ai i te mana o te tari whakahaere, o Te Kōmihana o Ngā Tari Kāwanatanga rānei, ahakoā mahi, mahi rānei i te waho o te tari.