


Ministerial Staff Guidelines

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1. Introduction

1.1 Definitions under the Guidelines

Family is defined in these Guidelines in a broad sense to include both **Immediate Family** and **Extended Family**.

Immediate Family means:

- (i) a spouse, de facto partner, child, parent, grandparent, grandchild, or sibling of the Ministerial Staff; or
- (ii) a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the Ministerial Staff.

Extended Family means:

- (i) a spouse of the Ministerial Staff's child (e.g. daughter-in-law);
- (ii) a spouse of the Ministerial Staff's sibling (e.g. sister-in-law);
- (iii) an aunt, uncle, niece, nephew or first cousin of the Ministerial Staff; or
- (iv) someone who, under Aboriginal kinship or other contemporary social practice, is a relative of the Ministerial Staff.

Political Activities means conduct engaged in for the sole purpose of advancing the election campaign (whether this occurs during the Caretaker period or not) of a party or individual candidate(s), including:

- (i) preparing and distributing posters, flyers, videos, social media posts and other materials which bear political party logos, names of candidates and/or party colour/branded schemes
- (ii) door knocking or face to face participation in other election/party driven campaign activities
- (iii) undertaking **campaigning activity** as defined in the [Electoral Act 2004](#) to mean any of the following:
 - canvassing for votes;
 - soliciting the vote of a person;
 - inducing a person not to vote for a particular candidate;
 - inducing a person not to vote at the election;
 - exhibiting a notice or sign relating to the election.
- (iv) all steps preparatory to any of the above activities.

Public Duties means conduct engaged in to:

- (i) advance governmental and ministerial policy objectives
- (ii) support governmental and / or ministerial decision making
- (iii) communicate ministerial and government decisions, policies, objectives and viewpoints
- (iv) support a Member of the Legislative Assembly (MLA) to perform official functions as a member; and
- (v) to otherwise advance the public interest, as distinct from the interests of a political party or candidate(s).

1.2 Need for Guidelines

The importance of the role of Ministerial Staff in providing advice and assistance to Ministers in the performance of their functions is well recognised and accepted. Their closeness to the most significant

decisions of government is a privilege that carries with it an obligation to act at all times with integrity and awareness of the expectation of the Northern Territory community that the highest standards of conduct will be observed.

All Ministerial Staff (ministerial Advisers, Personal Assistants, ministerial Assistants, senior ministerial Advisers, and Communication Advisers) are employed under the [Contracts Act 1978](#) and are funded by the appropriate Minister's Office.

These Guidelines set out the minimum standards of conduct and ethical behaviour for all Ministerial Staff while providing greater clarity and precision in relation to the use of public resources and the distinction between Public Duties and Political Activities.

The standards provided in these Guidelines are not exhaustive and are intended to be complementary to the existing frameworks including, but not limited to:

- Ministerial Staff must comply with:
 - The [Code of Conduct for Staff of Members of the Legislative Assembly](#)
 - The Code of Conduct for Ministerial Officers
- Ministerial Staff are required to be familiar with:
 - The [Legislative Assembly \(Members' Code of Conduct and Ethical Standards\) Act 2008](#) and support their Ministers' compliance with this through their personal behaviour when carrying out their Public Duties
 - Part 1A of the [Public Sector Employment and Management Act 1993](#)

2. Roles and responsibilities

2.1 Dealing with departments

Ministerial Staff have a key role in facilitating direct and effective communication between their Minister's department and their Minister. They must respect protocols established to guide these relationships and ensure the prompt handling of paperwork and advice.

Ministerial Staff are engaged to undertake Public Duties during their ordinary business hours (as defined by the relevant individual employment contract). Ministerial Staff may only engage in political activities prior to or after their ordinary business hours.

Pursuant to the *Protocol of communication between the NTPS and the Government or Members of the Legislative Assembly*, contact of by Ministerial Staff is normally with the Chief Executive Officer or through the agency's Secretariat.

Any informal request such as briefing notes, speaking points, funding guidance, or background content on a matter should be directed through the agency's Secretariat, or Departmental Liaison Officer, to ensure the request and reply are managed through an accountable, clear and open process of records management and approval.

2.2 Professional and courteous behaviour

Ministerial Staff must:

- carry out their duties objectively, impartially, professionally with integrity and to the best of their skill and ability

- be accountable for their own actions and decisions
- treat other Ministerial Staff and all members of the public, particularly the most vulnerable, fairly, equitably and with proper courtesy, respect and consideration
- apply the principles of natural justice in decision making
- take all reasonable steps to ensure that information and knowledge relied upon to make decisions or take actions is evidence based, transparent, correct and current
- comply with all lawful and reasonable direction given to them by a person with authority to give the direction
- not be absent from duty without authority or good cause
- report workplace accidents in accordance with work health and safety standards and programs as soon as practicable after they occur
- take care of their own, and others, health and safety and follow reasonable directions relating to workplace health and safety
- conduct themselves in a manner that is free from all forms of bullying, discrimination, sexual harassment and violence.

3. Integrity

3.1 Using public funds and tendering

When expending public funds, Ministerial Staff should adhere to the [Financial Management Act 1995](#) and its related framework.

When entering into contracts on behalf of the Northern Territory under appropriate delegation, Ministerial Staff should comply with the [Contracts Act 1978](#).

Ministerial Staff should also adhere to the [Procurement Act 1995](#) through the Northern Territory Government procurement framework.

3.2 Use of public resources

Ministerial Staff must ensure the effective, efficient and appropriate use of public resources and avoid waste or excessive use, including information and communication technologies and intellectual property. Staff are required to ensure the legitimacy and accuracy of any claim for entitlements and must be responsible and accountable for their use of these resources.

Ministerial Staff must be aware of the legislative obligations of Members of Legislative Assembly (MLAs) and Ministers when using public resources. This includes Ministerial Staff acting ethically, reasonably and in good faith when using, and accounting for the use of, government and Parliamentary resources in relation to the performance of their own professional duties.

The use of public resources procured for the purposes of advancing and supporting the discharge of Public Duties is not permitted for Political Activities. These resources include, but are not limited to, computer and communications systems, photocopiers, cameras, digital recording (audio and video) and any other publicly funded assets, equipment or systems.

3.3 Conflict of interest

Ministerial Staff must:

- avoid any perceived, potential or actual conflicts of interests between their personal interests and their employment
- ensure their personal or financial interests do not influence or interfere, or be perceived to influence or interfere, with the performance of their duties or role
- ensure the interests of family, friends or associates do not influence or interfere, or be perceived to influence or interfere, with the performance of their duties and/or role
- complete a Declaration and Management of Conflict of Interest form (see Annexure 1) to the Chief of Staff regarding any perceived, potential or actual conflict of interest at the earliest opportunity, and comply with any lawful and reasonable direction by an authorised officer to manage the conflict of interest
- disclose a declaration of bankruptcy to their Chief of Staff at the earliest possible opportunity.

3.4 Acceptance of gifts and benefits

Ministerial Staff must comply with the gifts and benefits policies set out in the *Code of Conduct for Ministerial Officers* which refer to the Gifts, Benefits and Hospitality – Ministerial Staff policy.

3.5 Criminal offences

Ministerial Staff must advise their Chief of Staff at the earliest opportunity in writing if they have been:

- charged with any criminal offence and the details of the charge(s) relating to the alleged criminal offence including court dates
- convicted of any criminal offence including any sentence imposed
- acquitted of any criminal offence.

This obligation relates to any charge, conviction and acquittal of an offence which occurs during a period of employment as a Ministerial Staff member.

4. Accountability

4.1 Party roles and political office

Where a Ministerial Staff member is to take part in Political Activities during ordinary business hours, that staff is to take leave for so long as those activities are undertaken. Volunteering outside of work hours in Political Activities, including membership on a campaign committee, is permitted but staff must be mindful of their professional responsibilities and their position as representatives of their Minister, ensuring a clear separation between Public Duties and Political Activities at all times.

Ministerial Staff must not hold office as a Local Government Councillor, MLA or Federal Member. Ministerial Staff must take leave from their position if they nominate for elected office at Local, State/Territory or Federal level, from the time they lodge their nomination, to the time that polls are declared.

All Ministerial Staff nominating for preselection must establish appropriate work arrangements with their Chief of Staff and notify the Chief Minister's Chief of Staff or their delegate. Campaign activities relating to preselection are permitted outside of work hours, but staff must be mindful of their professional responsibilities and their position as representatives of their Minister.

4.2 Public appearances, submissions to publications and social media

Ministerial Staff must not, in an official capacity, make any public appearances, or make any submission to a written publication (electronic or otherwise) or accept any invitation to speak publicly without the approval of the Chief Minister's Chief of Staff or their delegate.

If Ministerial Staff make public comments (electronic or otherwise) in a private capacity, they must ensure their comments do not undermine policies or decisions of the Northern Territory Government or bring the Government or Minister into disrepute. Ministerial Staff must be clear that they are expressing their own view and not making an official public comment and must not compromise their ability to perform their role. Staff must not make any public comment that is contrary to a Government policy position.

Other than to fulfil their Public Duties, or to re-post approved content from Ministerial or MLA sites, Ministerial Staff should not post online commentary or photos about Government policy or decision making, visits or events they attend in the course of their duties.

Ministerial Staff use of the internet, email and social media is expected to be consistent with community expectations. This includes being polite and respectful, and complying with all relevant laws, including the [Public Information Act 2010](#). Ministerial Staff must not post or respond to material that is offensive, obscene, defamatory, bullying, harassing, threatening, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a court suppression order, threatens national security, or is otherwise unlawful.

Ministerial Staff should not solicit or send information that is inflammatory, hateful, obscene, vulgar or defamatory. While at work or using work systems, Ministerial Staff are also prohibited from accessing or downloading information of this kind. Standards of use apply regardless of whether an account is under the staff's name, or an alias is used.

5. Respect

5.1 Dealing with stakeholders

Ministerial Staff have an important role in dealing with stakeholders and the public and should act appropriately with all whom they have contact in the course of their employment.

5.2 Privacy and confidentiality

Ministerial Staff must familiarise themselves with the Information Privacy Principles in the [Information Act 2002](#) and ensure they maintain the confidentiality of personal information of individuals that they gain through their employment.

Ministerial Staff must observe appropriate confidentiality about their dealings with their Minister, other Ministers, MLAs, other Ministerial Staff, and Northern Territory Public Service and Parliamentary employees. This includes:

- (a) ensuring that official information obtained because of employment as a Ministerial Staff member is only used for official purposes and in an approved manner;
- (b) receiving and managing information in such a manner that its confidentiality will be maintained and that it will not be used to advantage a prospective employer or business, or disadvantage the Government;
- (c) continuing to respect the confidentiality of official information and ownership of intellectual property when they leave ministerial employment;
- (d) ensuring that the ongoing confidentiality of Cabinet and related records is maintained.

If you have any concerns regarding suspicious or unusual activity related to espionage, sabotage, or foreign interference, these should be raised with your Chief of Staff and the Chief Minister's Chief of Staff or their delegate.

6. Compliance

6.1 Reporting Unethical Behaviour

Ministerial Staff must comply with legislation, policies, and lawful instructions in the performance of their work. There is an expectation that Ministerial Staff report to their Chief of Staff, or the Office of the Chief Minister, any workplace behaviours that violate any law, rule or regulation or represents corrupt conduct, or is a danger to public health or safety. Ministerial Staff should report unlawful conduct to the Northern Territory Police Force.

Ministerial Staff are public officers as defined in the [Independent Commissioner Against Corruption Act 2017](#). Public officers and public bodies are subject to mandatory reporting guidelines and must report improper conduct to the Office of the Independent Commissioner Against Corruption.

6.2 Compliance with the Guidelines

These Guidelines are not a comprehensive statement of Ministerial Staff ethics. It is not a definitive compilation of obligations expected by the Chief Minister and the relevant Minister, and at no time does it replace the good judgement Ministerial Staff are expected to exercise in undertaking their duties.

Complaints relating to behaviour of Ministerial Staff may be raised by any person with the relevant Chief of Staff or the Chief Minister's Chief of Staff, or their delegate.

Ministerial Staff are required to comply with all applicable laws, codes of conduct and abide by any guidelines issued by the Chief Minister or the Chief Minister's Chief of Staff. Any breaches of these frameworks may result in disciplinary action under the relevant employment contract, or result in actions under other legislative frameworks.

7. Relevant Legislation

[Contracts Act 1978](#)

[Electoral Act 2004](#)

[Financial Management Act 1995](#)

[Independent Commissioner Against Corruption Act 2017](#)

[Information Act 2002](#)

[Legislative Assembly \(Members' Code of Conduct and Ethical Standards\) Act 2008](#)

[Procurement Act 1995](#)

[Public Information Act 2010](#)

[Public Sector Employment and Management Act 1993](#)