



**Mana Tohu Mātauranga o Aotearoa**  
New Zealand Qualifications Authority

# **NZQA CODE OF CONDUCT**

Made under the provisions of Section 57(3) Public Service Act 2020

## Message from the Chief Executive

Thank you for being part of NZQA, an organisation committed to ensuring our work in relation to qualifications, assessment and quality assurance improves the learning journeys and life outcomes of students / learners. Your mahi and dedication is very much appreciated.

The New Zealand Qualifications Authority (NZQA) expects a high standard of behaviour of all employees and others carrying out work for or providing services to NZQA (or on its behalf). This standard reflects the basic requirements of fairness, impartiality, responsibility and trustworthiness needed to ensure that a high-quality service is provided to the public and NZQA customers, and that a pleasant and safe working environment exists for us all.

This document is consistent with the Standards of Integrity and Conduct issued by the Public Services Commissioner and it is this, combined with NZQA's policies, procedures and directives, that all employees and others carrying out work for, or providing services to, NZQA (or on its behalf) are required to comply with.

Underpinning all that we do is our Values – Ngā Mātāpono, comprising:

- Mana – respect
- Rangatiratanga – empowering and leading others
- Kotahitanga – collaboration and unity
- Ngaiotanga – doing our job in the best possible way
- Kaitiakitanga – guardianship
- Whakapono – open and transparent
- Manaakitanga – caring for and valuing others.

It is important that NZQA personnel understand that NZQA is a Crown Agency and has a responsibility to establish and regulate an education system that honours Te Tiriti o Waitangi and supports Māori-Crown relationships. NZQA demonstrates this responsibility in a number of ways including the implementation of a strategic action plan for ākonga Māori success – Te Kōkiritanga - that requires the input of all its personnel.

NZQA also has a deliberate focus on equitable outcomes for Pacific learners and learners with disabilities through the implementation of Takiala Pasifika and the Disability Action Plan. If you want to know more about how you can contribute to these three action plans, please have a kōrero with your direct line manager or the DCE Māori or DCE Pasifika.



**Grant Klinkum (Dr.)**  
**Chief Executive NZQA**

## **Introduction**

This Code of Conduct incorporates the Chief Executive's message and the Standards of Integrity and Conduct set out in the code of conduct issued by the Public Services Commissioner under the Public Service Act 2020, section 57(3).

## **Coverage**

This Code applies to all NZQA employees and others carrying out work on its behalf, which are referred to in this Code of Conduct as 'NZQA Personnel'.

NZQA Personnel who are not employees include but are not limited to:

- Contractors
- Exam setters
- Markers
- Moderators.

## **New Zealand Qualifications Authority – Shared Expectations**

NZQA can operate effectively and provide a quality service to the public when there are shared expectations between NZQA Board and all NZQA Personnel. The conduct expected of NZQA is given effect in policies, procedures and directives and a failure to follow such policies, procedures or directives may be a breach of this Code of Conduct and may lead to disciplinary action including dismissal. The policies, procedures and directives are published from time to time on the NZQA intranet as part of the Quality Management System.

**NZQA commits to the following principles and expects all NZQA Personnel to do the same.**

### **Fair**

We must:

- treat everyone fairly and with respect
- be professional and responsive
- work to make NZQA services accessible and effective
- respect the rights of colleagues, the public and NZQA customers
- respect the ownership of NZQA’s property, including intellectual property
- comply with all lawful and reasonable instructions.

### **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.

## **Expectations of Behaviour**

### **1. Personal Behaviour**

As a general principle, personal behaviour that does not interfere with the performance of official duties or services or reflect on the integrity or standing of NZQA is no concern of NZQA. NZQA may, however, have a legitimate interest in the private activities of NZQA Personnel where these activities may reasonably be considered to reflect negatively on NZQA.

NZQA Personnel are to avoid any activities whether work-related or private, which might bring NZQA or the State Services into disrepute, or jeopardise NZQA's relationships with ministers, state agencies, customers, or the general public.

Whether such activities constitute misconduct, will depend on the circumstances. Cases that involve breaches of trust or which impair the ability of NZQA Personnel to perform their duties will be of concern to NZQA. In relation to employees, such activities are likely to constitute misconduct or serious misconduct.

### **2. Respect for the Rights of Others**

NZQA Personnel have a duty to treat their colleagues, other NZQA Personnel, customers and the public with courtesy and respect. This means that NZQA Personnel are expected to:

- avoid behaviour which might reasonably cause distress to other NZQA Personnel, or disruption of the workplace
- ensure that any workplace relationships do not have a negative effect on work performance or provision of services
- not show bias or favouritism to an individual or organisation
- treat everybody fairly and provide a high-quality standard of service
- respect the privacy of individuals when dealing with personal information
- be non-judgmental and not discriminate or harass colleagues, other NZQA Personnel or customers
- have due regard for the safety of others in the use of NZQA's property and resources and comply with the Health and Safety at Work Act 2015
- work co-operatively together and maintain positive relationships with ministries, agencies, education providers and students.

Behaviours considered to be misconduct or serious misconduct can be found in Appendix A of the Code of Conduct.

### **3. Integrity and Avoidance of Conflicts of Interest**

NZQA Personnel must perform their duties honestly and impartially and avoid situations that lead to conflicts of interest.

The requirements stated below help to protect both Personnel and NZQA from inappropriate conflicts of interest:

- NZQA Personnel must inform NZQA if they are involved in any activity, or have a personal or financial interest or commitment, which may, or could be seen by others to conflict with the performance of their duties or services and the goals of NZQA. A personal interest or commitment would include having a close family member or partner working in the same office or in a reporting relationship within NZQA.

- NZQA Personnel must not approve NZQA expenditure in respect of themselves (e.g., increased salary, travel expenses, a training course or own overtime).
- NZQA Personnel must declare any personal relationship with other NZQA Personnel where the relationship involves cohabitation or involvement of a sexual nature.
- NZQA Personnel must complete an annual Conflict of Interest declaration.
- NZQA Personnel, (e.g. accountants), who abide by a professional Code of Ethics must inform NZQA if there are any conflicts between their professional Codes of Ethics and the duties they are directed to perform.
- If NZQA Personnel are unsure as to whether a particular situation is or could be seen to be a conflict of interest, they should discuss with their manager or person they report to.

#### **4. Gifts and Rewards**

NZQA Personnel may not seek or accept any form of reward (including gifts, favours, prizes, rewards or benefits) for performing their duties as NZQA Personnel. Others could perceive this as an inducement or reward, which might place NZQA Personnel under an obligation to someone other than NZQA.

If NZQA Personnel are offered any form of reward they should inform their Deputy Chief Executive or the Chief Executive who will decide the appropriate response in accordance with NZQA policy on Sensitive Expenditure and Koha.

#### **5. Security and Confidentiality**

All NZQA personnel are expected to maintain the highest standards of confidentiality and security in the workplace.

NZQA personnel are to observe the security policies that provide pathways for successfully protecting people, information and assets.

As NZQA personnel your responsibilities include:

- familiarising yourself with, and following, the policies and procedures at NZQA
- knowing who is responsible for protective security within NZQA
- reporting any security incidents that have occurred or might occur to the Chief Security Officer (CSO).

There are three areas of particular importance: general security and confidentiality of information, computer systems security, and physical security of the premises.

#### **6. General Security of Information**

All NZQA personnel must ensure that reasonable security arrangements are maintained in relation to all confidential information in their own area of work.

Unacceptable behaviours include:

- allowing unauthorised persons access to the workplace
- careless behaviour with confidential information e.g. leaving files unattended, or leaving the office or filing cabinets unlocked
- unauthorised disclosure of information to any person, whether orally, in writing, or electronically.

## **7. Confidentiality of Information**

Information about NZQA and/or its employees or other NZQA personnel and customers and/or government departments or other crown entities given to or learned by NZQA Personnel during the course of their employment or engagement will be treated as confidential and will not be published or in any way passed to others:

- unless the information is publicly available, and/or
- unless NZQA gives permission for its disclosure, and
- except in accordance with the requirements of the position held, or
- unless disclosure is required by law.

## **8. Computer Systems Security**

NZQA is responsible for the use and content of the electronic computer-based communication facilities (the "system") provided by NZQA, e.g. email, intranet, shared directory services and Internet access.

Information and the technology used to communicate this information are major assets of NZQA. It is the responsibility of NZQA Personnel to ensure that they are used appropriately.

The use of NZQA information management technologies, including those technologies provided by third-party 'cloud' computing providers with whom NZQA engages, must not endanger the integrity of NZQA-held information, or the privacy of personal information, by permitting information to enter or leave NZQA systems, or be amended while within them, without NZQA's prior awareness and explicit consent.

The Computer and Information Security Policy applies to all NZQA personnel, and any other persons who are provided access to the system. The purpose of this policy is to provide standards for the appropriate use of NZQA's technology. The Acceptable Use Guidelines section of the Policy outlines the standards of language, activity and behaviour required when communicating through this technology.

Behaviour that would be considered unacceptable by NZQA includes:

- allowing a personal computer password to any NZQA system to be used by any other person – either by giving it directly or by leaving a written record of it
- using NZQA's computer systems in any way that may corrupt or disrupt their normal function – including introducing unauthorised software or hardware and/or introducing software or files that may introduce a virus to NZQA's computer systems
- accessing, or attempting to access, computer systems by unauthorised means - for example, unauthorised use of dial-in modems
- damaging computers or ancillary equipment
- failing to ensure that personal computers are locked off at times of absence from the workspace
- failing to ensure that all necessary processes and procedures have been undertaken to prevent the access of information contained on computers being accessed by others before, during and after disposal.

## **9. Physical Security of the Premises**

NZQA has an obligation to provide safe and secure premises for employees and others present in the workplace. NZQA Personnel are expected to assist in maintaining the general safety and security of the premises and thereby help maintain a safe working environment.

## **10. Media**

The External Communication Policy applies to NZQA Personnel. Only authorised NZQA Personnel can communicate on behalf of NZQA.

NZQA Personnel must not respond directly to an enquiry from a Member of Parliament or media unless they have authority and have consulted with the Chief Executive. If there is any doubt about the propriety of a request, the matter should be referred through the Chief Executive to the Minister.

## **11. Intellectual Property & Copyright**

All work produced by NZQA Personnel in the performance of his/ her duties or provision of services is the property of NZQA, and NZQA is entitled to any copyright or merchandising rights in or arising from such work.

NZQA acknowledges that some NZQA Personnel are members of professions and may be required to publish papers or conduct seminars or undertake similar activities in order to maintain standing within their profession.

NZQA expects NZQA Personnel to apply to their manager (or other person they report to) in writing in the following circumstances:

- for approval to prepare papers for seminars for professional or public presentation or debate. This is required for the protection of unpublished or confidential departmental information.
- for approval to license publication of any papers including those which may have already been presented in a professional forum.
- to ensure it clearly contains a statement of NZQA copyright.

## **12. Breaches of the Code of Conduct**

This Code of Conduct describes the standards of behaviour expected of NZQA Personnel. Behaviour or actions that are considered unacceptable by NZQA, colleagues, other NZQA Personnel, customers or the public may result in disciplinary action against employees and other action against contractors and/or others providing services to NZQA or acting on its behalf.

## **13. Sanctions**

Minimum standards of behaviour and performance are necessary so that a harmonious and safe environment may exist in the workplace. It is expected that all parties will act in a responsible manner towards each other.



In any case where there is misconduct, serious misconduct, a breach of the Code of Conduct, or serious breach of policy, NZQA may:

- commence disciplinary action against employees, which in cases of serious misconduct may conclude in dismissal, or
- terminate and/ or invoke other action pursuant to the terms of engagement for other NZQA Personnel.

In the case of NZQA Personnel, disciplinary procedures may include formal disciplinary action, depending on the nature of the behaviour or complaint, and will be conducted in accordance with NZQA's applicable policies and procedures.

## **APPENDIX A – Indicative behaviours considered to be Misconduct or Serious Misconduct.**

### **Misconduct**

This list is not exhaustive but aims to provide a list of examples where the behaviour of NZQA staff may be considered inappropriate and may give rise to disciplinary action:

- failing to report you are unable to commence work at the expected time
- failure to perform work to the required standard
- failure to follow workplace policies or procedures
- possession of property belonging to NZQA or NZQA Personnel, without proper authorisation
- irresponsible conduct that could impact on others' health and safety
- damaging, misusing or irresponsibly using NZQA supplies, property or equipment including fire protection or safety equipment.

Behaviours that may be considered Misconduct could also be considered Serious Misconduct when the context or impacts of the behaviour are taken into consideration.

### **Serious Misconduct**

This list is not exhaustive but aims to provide a list of examples where the behaviour of NZQA staff may be considered to be serious misconduct:

- frequent, repetitive or more serious commission of any acts described in the misconduct section
- bringing illegal drugs or unauthorised alcohol onto NZQA premises or using illegal drugs or unauthorised drinking of alcohol on the premises
- reporting for work in such a condition of intoxication that you are unable to perform duties properly and safely
- use of abusive, obscene or threatening language or behaviour to colleagues, other NZQA Personnel or customers
- sexual harassment or bullying
- misuse, abuse or improper use of your position, or of any statutory authorities or powers that may be delegated to that position
- disclosure or misuse of confidential information regarding providers, NZQA Personnel or the business of NZQA
- refusal to obey reasonable lawful instructions, comply with NZQA policies or perform assigned duties
- fraudulent activity including falsification of timesheets.