
2.12 - LECC Employees: Prior Employment Restrictions policy

Section 21(4) of the *Law Enforcement Conduct Commission Act 2016* (the Act), precludes current and former NSW Police Force officers from employment by the LECC that would result in their exercise of power under Part 6 of the Act (integrity matters).

In addition, to ensure the LECC can provide independent oversight and assurance to the community of the integrity of law enforcement agencies, the *LECC Employees: Prior Restrictions Policy* also extends to preclude current and former NSW Police Force officers from all roles within the Commission, unless the circumstances are exceptional as determined by the Chief Commissioner.

The *LECC Employees: Prior Employment Restrictions* policy also precludes current and former NSW Crime Commission officers from employment in the LECC

Document Control

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| Approval | Chief Executive Officer |
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| V 1.1 | 20 June 2018 | Minor updates by Chief Commissioner |

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1. Definitions

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|---------------------------|---|
| LECC | Law Enforcement Conduct Commission |
| LECC employees / employee | Persons working with or on behalf of the LECC, including ongoing, temporary or term-basis employees and senior executives |

2. LECC Values

This Policy is consistent with the LECC values of trust, integrity, accountability, service, and collaboration. It supports the expectations of a values-led workplace culture. Employees are empowered to identify and raise policy issues and gaps and to forward policy and procedures proposals and amendments when a need is identified.

Employees are expected to comply with the Policy and with the LECC’s Code of Ethics and Conduct.

3. Know your responsibilities

3.1 Chief Executive Officer (CEO)

The CEO is responsible for all employment within the Commission with the exception of statutory appointments.

3.2 Manager Risk & Security

The Manager Risk and Security is responsible for the development and review of this policy.

3.3 All employees

Every employee is responsible for disclosing to the Commission all previous employment with the NSW Police Force and NSW Crime Commission.

4. LECC Employees: Prior Employment Restrictions Policy

Section 21(4) of the *Law Enforcement Conduct Commission Act 2016* (the Act), precludes current and former NSW Police Force officers from employment by the LECC that would result in their exercise of power under Part 6 of the Act (integrity matters).

In addition, to ensure the LECC can provide independent oversight and assurance to the community of the integrity of law enforcement agencies, the *LECC Employees: Prior Employment Restrictions* policy also extends to preclude current and former NSW Police Force officers from all roles within the Commission, unless the circumstances are exceptional as determined by the Chief Commissioner.

The *LECC Employees: Prior Employment Restrictions* policy also precludes current and former NSW Crime Commission officers from employment in the LECC.

By restricting employment of former or current NSW Police Force officers and NSW Crime Commission officers, the Commission is mitigating actual or potential conflict of interest risks by ensuring the agency is fully independent from the NSW Police Force and NSW Crime Commission, as well as permitting the public to be confident that the Commission is separate from the NSW Police Force and NSW Crime Commission in every respect, including the staff that it employs.

In addition, applicants with close associations or family relationships with current or former members of the NSW Police Force or the NSW Crime Commission will be subject to a thorough risk assessment prior to any offers of employment being made. It is at the discretion of the LECC to approve the employment of individuals following a risk assessment.

Applicants are required to disclose such current or former employment with the NSW Police Force or NSW Crime Commission, as well as relationships with persons that have associations with the NSW Police Force and NSW Crime Commission upfront. Applicants should also bring to the LECC's attention any special factors that may mitigate against the application of this policy.

Applicants who have held Civilian Administrative Officer roles with the NSW Police Force are able to apply for roles with the LECC, but are still required to disclose their former employment and relationships with persons that have associations with the NSW Police Force or the NSW Crime Commission and will be subject to a thorough risk assessment prior to any offer of employment.

5. Application of this policy

This policy is an extension of the *Law Enforcement Conduct Commission Act 2016* s.21 statutory prohibition on the employment of serving or former NSW Police Force officers in the Integrity Division of the LECC.

The risk of disclosure of sensitive information, or covert investigative techniques, to NSW Police Force or Crime Commission officers under investigation is too great in the Commission to allow for the employment of current or former officers from these organisations.

It is standard procedure for these restrictions to be published on any externally advertised roles to ensure transparency on this policy.

6. Resources

Further information can be found in the:

- *LECC Code of Ethics and Conduct*
- [Law Enforcement Conduct Commission Act 2016](#)

7. Advice and further information

For further assistance and advice, contact the Manager Human Resources or the Manager Risk and Security.

8. Monitoring and review

This policy will be reviewed in accordance with the policy review schedule and at other times if any significant new information or legislative or organisational change warrants a change in this document. Reviews will be completed in consultation with the appropriate interested parties for relevance and effectiveness.

Feedback, comments and suggestions about this procedure can be submitted to Human Resources.