



## Administrative Appeals Tribunal

# Conduct Guide for AAT Members

### Core Values:

- Independence
- Impartiality
- Integrity

### Purposes:

- To set out principles of appropriate conduct and professional behaviour to guide AAT members in their professional duties and in their private conduct as it affects those duties; and
- To provide a reference point for AAT members' adherence to our three core values and to aid accountability.

### Context:

This Guide is to be read in association with *Administrative Appeals Tribunal Act (1975)* and Regulations and the obligations of members under them. It applies to all members, whether full time or part time. The Guide is not exhaustive and does not prescribe conduct for every possible situation. Rather, this Guide informs members of principles for appropriate conduct and behaviour, to assist members in dealing with specific situations as they arise in their professional and personal lives.

This Guide builds upon the broader framework of guidelines for decision-makers in Australia, notably the Australasian Institute of Judicial Administration 'Guide to Judicial Conduct' and the Administrative Review Council 'Guide to Standards of Conduct for Tribunal Members', which both provide a useful commentary on the relevant principles of conduct, as well as the Conduct Guide for Members of the Victorian Civil and Administrative Tribunal.

It is intended that this guide complements the AAT's Oath of Office and the Tribunal's Professional Development Program and Framework of Competencies which refer to the knowledge, skills and personal qualities necessary to the performance of members' duties and obligations with respect to accountability and transparency. These initiatives all recognise that the AAT is accountable to the community for the provision of reviews that are fair, just, economical, informal and quick, proportionate to the importance and complexity of the matter, and promote public trust and confidence in the decision-making of the Tribunal.

## Public Duties

### Independence

1. Members should act independently and free from external influence.

### Integrity and Fairness

2. Members should act with integrity and honesty.
3. Members should conduct proceedings fairly, including giving each party a reasonable opportunity to put their case.

### Impartiality

4. Members should act impartially so that their actions are not biased and do not give rise to an apprehension of bias.
5. In addition to the obligations imposed by section 14 of the *Administrative Appeals Tribunal Act 1975*, members should disclose any personal, financial or business interests, memberships or associations related to any AAT proceeding and where appropriate disqualify themselves from any involvement in that proceeding.

### Respect for the Law

6. Members should demonstrate respect for, and carry out their responsibilities in accordance with the law.

### Respect for People

7. Members should treat parties, witnesses, representatives, Tribunal staff and officials with courtesy, respect and dignity and demonstrate respect for diversity. It is recognised however that members may be required to act and speak firmly in order to preserve the dignity and integrity of a hearing.

### Diligence, Efficiency and Professionalism

8. Members should be diligent, efficient and professional in the performance of their responsibilities.
9. Members should take reasonable steps to maintain and enhance their knowledge, skills and professional competencies necessary for the performance of their duties.

## Private Conduct

### Integrity

1. Members should not take advantage of or benefit from information not generally available to the public which is obtained in the performance of their Tribunal responsibilities.
2. Members should be diligent in the appropriate use and application of Tribunal resources.
3. Members should not use their membership of the AAT to improperly influence any person.
4. Members should conduct their private interests so as to avoid situations which would bring the AAT into disrepute.

### Impartiality

5. Members should avoid any activities, interests or associations which may undermine public confidence in the impartial performance of their Tribunal responsibilities.
6. Members should not accept gifts or hospitality which could reasonably be perceived to compromise a member's impartiality.

### Respect for the Law

7. Members should demonstrate a respect for the law in their private lives.