



## AFP National Guideline on the Confidant Network

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### 1. Disclosure and compliance

This document is classified **UNCLASSIFIED** and is intended for internal AFP use.

Disclosing any content must comply with Commonwealth law and the [AFP National Guideline on disclosure of information](#).

#### Compliance

This instrument is part of the AFP's professional standards framework. The [AFP Commissioner's Order on Professional Standards \(CO2\)](#) outlines the expectations for appointees to adhere to the requirements of the framework. Inappropriate departures from the provisions of this instrument may constitute a breach of AFP professional standards and be dealt with under Part V of the [Australian Federal Police Act 1979](#) (Cth).

## 2. Acronyms

<b>AFP</b>	Australian Federal Police
<b>CN</b>	Confidant Network
<b>CNCT</b>	Confidant Network Coordination Team
<b>PRS</b>	Professional Standards
<b>TLCN</b>	Team Leader Confidant Network

## 3. Definitions

**Appointee** - is defined in s. 4 of the [Australian Federal Police Act 1979](#).

**Australian Commission for Law Enforcement Integrity** - is defined in s. 5 of the [Law Enforcement Integrity Commissioner Act 2006](#).

**Case officer** - means an appointee selected to perform a specific function within the Confidant Network Coordination Team.

**Client** - means an AFP appointee who speaks with a Confidant in their capacity as a Confidant.

**Confidant** - means an AFP appointee listed on the AFP Hub as a Confidant.

**Confidant Network** - means all Confidants and the Confidant Network Coordination Team.

**Confidant Network Coordination Team** - means the nominated appointees responsible for the administration of the Confidant Network.

**Corrupt conduct** - is defined in the [Law Enforcement Integrity Commissioner Act 2006](#).

**Corruption issue** - is defined in the [Law Enforcement Integrity Commissioner Act 2006](#).

**Ombudsman** - means the Commonwealth Ombudsman as defined by the [Ombudsman Act 1976](#).

**Professional Standards** - means the functional business area referred to as PRS that has the responsibility for managing professional standards issues.

**Professional standards of the AFP** - is defined in the [AFP Commissioner's Order on Professional Standards \(CO2\)](#).

**Referral** - means any contact received from a client by a Confidant that is recorded with the Confidant Network Coordination Team.

## 4. Authority to create guideline

This guideline was issued by National Manager Human Resources using power under s. 37(1) of the [Australian Federal Police Act 1979](#) as delegated by the Commissioner under s.69C of the Act.

## 5. Introduction

This guideline outlines the role of the [Confidant Network](#) and the functional capacity of the Confidant Network Coordination Team.

## 6. Confidant Network role

The Confidant Network (CN) provides information, options and support to appointees when dealing with inappropriate or unethical behaviour in their work environment.

The CN may be consulted when reporting a breach of professional standards through the Complaint Recording and Management System. The report can then be entered into the system by the client, Confidant or Team Leader CN.

The CN Coordination Team (CNCT) maintains a complete register of all Confidants.

The CNCT is accountable to Manager Organisational Health & Wellbeing.

## 7. Confidant application, conduct and training

Prospective Confidants should follow the instructions detailed on the AFP Hub. Appointment as a Confidant is at the discretion of the Team Leader Confidant Network (TLCN) in consultation with National Manager Human Resources.

The Confidant role is voluntary and in addition to the appointee's normal role. There are no provisions for reimbursement of any expenses incurred as a result of performing the role of Confidant.

Confidants on assignment to Professional Standards will be deemed inactive during their term in the area.

Any concerns relating to a Confidant or appointee of the Confidant Network Coordination Team can be referred directly to the TLCN and/or Manager Organisational Health & Welfare.

If a Confidant's conduct or action causes concern for the integrity of the Confidant Network, the TLCN, can revoke the status of a Confidant, either short term or permanently, in consultation with National Manager Human Resources.

Confidants can be subject to periodic integrity checks to continue their active status as determined by the TLCN.

The Team Leader Confidant Network (TLCN) should ensure that:

- a list of current Confidants is maintained on the Hub
- Confidants are provided with appropriate training and ongoing information to undertake the role
- staff are provided with information sessions
- workplace awareness of the Confidant Network is promoted.

Confidants should undertake any training determined necessary by the TLCN.

## 8. Referral process

If a Confidant identifies a conflict of interest they must inform the Confidant Network Coordination Team (CNCT) as soon as practical.

When managing a referral, the Confidant Network (CN) must keep the client's interests as their primary concern. Any desired outcomes and/or options should be considered by the Confidant, in consultation with the CNCT.

The CN may forward information received through a referral to management for consideration, subject to client consent, however, **management must not disclose the CN as the source of information to a third party.**

Where management is involved in dealing with a referral, the CNCT should be kept informed of the actions taken and the outcomes.

The Team Leader Confidant Network (TLCN) must refer information received through the CN that may be considered corrupt conduct or a corruption issue to Professional Standards or to the [Australian Commission for Law Enforcement Integrity](#) for evaluation.

The CN can refer information or a client to the [Ombudsman](#) in accordance with the [Ombudsman Act 1976](#).

### Recording

The Confidant Network Coordination Team must:

- be advised of all Confidant referrals for recording purposes
- record all referrals on a secure, independent database, accessible only by the Team Leader Confidant Network and the case officers.

## 9. Professional Standards investigations

Appointees may also seek the support of a Confidant during a Professional Standards (PRS) investigation.

In this situation, the Confidant's responsibilities are to:

- provide information, options and support to the client
- accompany a client to a PRS interview (when requested)
- maintain secrecy and not discuss the matter with any other person, other than to fulfil the recording requirements with the Confidant Network Coordination Team.

## 10. Professional Standards reporting

[The AFP Commissioner's Order on Professional Standards \(CO2\)](#) requires that all appointees report any contravention of professional standards (s. 10). This obligation is fulfilled when initiating a referral with a Confidant, who takes on the reporting responsibility and must then seek advice from the Team Leader Confidant Network.

## 11. Confidentiality

Appointees may seek confidentiality when reporting a matter to a Confidant. The identity of the client must not be disclosed without their consent unless such disclosure is required:

- following the lawful direction of a court, tribunal or similar body or person, if argument in support of non-disclosure is unsuccessful
- during any investigation, prosecution or other proceedings connected with the report where disclosure is necessary
- otherwise by law.

If any attempt is made to compel the identity of a client, Team Leader Confidant Network (TLCN) must be notified to determine the appropriate course of action.

Where disclosure occurs following a lawful direction of a court or otherwise, the appointee making such disclosure must notify TLCN of the disclosure at the first available opportunity. TLCN must notify the client, National Manager Human Resources and Manager Professional Standards of the disclosure.

Clients whose identities are disclosed will receive support as deemed appropriate in consultation with the TLCN and management.

After disclosure and with the client's consent, the relevant National Manager or Manager must personally provide staff within the client's workplace with a summary of the circumstances and advise them that the client has fulfilled a professional requirement and is supported by the AFP. This should be done in consultation with TLCN.

## 12. Victimization

Section 40YA of the [Australian Federal Police Act 1979](#) defines the criminal offence of the victimisation of a person who has given or may give information regarding a contravention of AFP professional standards.

Victimization includes causing or the threat of causing:

- injury
- damage or loss
- discrimination
- disadvantage or injury to a person's employment
- impeachment of reputation.

Any report of victimisation must be referred immediately to the Manager Professional Standards

and/or the Australian Commission for Law Enforcement Integrity.

## 13. False reporting

Section 40YB of the *Australian Federal Police Act 1979* makes it an offence for a person to give information relating to a conduct or practice issue which they know to be false.

The Confidant Network must forward any identified incident of false reporting directly to the Manager Professional Standards.

## 14. Information sessions

Information sessions on the role of the Confidant Network will be scheduled on all appointee induction programs and relevant in-service programs.

## 15. Effectiveness review

The Confidant Network should be reviewed on a regular basis. The review can be conducted with assistance from any independent party deemed appropriate by the TLCN.

## 16. Further advice

Queries about the content of this guideline should be referred to Team Leader Confidant Network via:

- [confidant-coordination-team@afp.gov.au](mailto:confidant-coordination-team@afp.gov.au)

## 15. References

- [Australian Federal Police Commissioner's Order on Professional Standards \(CO2\)](#)
- [Australian Federal Police Act 1979](#)
- [Law Enforcement Integrity Commissioner Act 2006](#)
- [Ombudsman Act 1976](#)