



## SPCHG CODE OF CONDUCT POLICY

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### 1. PURPOSE

To set out guidelines for professional and ethical standards, attitudes, behaviours and work performance expected by South Port Community Housing Group (SPCHG) employees and Board members and to outline the disciplinary procedures used to resolve breaches.

### 2. SCOPE

This policy applies to all paid employees of SPCHG and volunteers, including Board members.

### 3. PRINCIPLES

South Port Community Housing Group is committed to:

- Ensuring compliance with the law and professional standards
- Promoting a culture of fair and ethical behaviour
- Promoting a culture of safety for all people connected to the organisation including staff, tenants/clients, particularly, children.
- Encouraging and supporting the reporting and exposure of corrupt practices, breaches of the law and behaviour detrimental to the organisation or contradictory to its principles and values

It will achieve this by:

- Having a Code of Conduct that complies with current professional standards
- Staff and Board members being aware of the Code and their need to comply with it
- Involving staff and Board members in regularly reviewing the Code
- Encouraging reporting of non-compliance

### 4. POLICY CONTEXT

This Code of Conduct has been developed in accordance with the Australian Standard AS 2002-2003 and will be reviewed in accordance with any changes made to that Standard from time to time.

The Child Safety Code of Conduct, attached, has been developed in accordance with the Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015.

For standards of appropriate behaviour in particular instances the following policies are also

relevant:

- Occupational Health and safety
- Critical incident policy
- Grievance Policy and Procedures

## **5. CEO BOUNDARIES AND RESPONSIBILITIES**

The CEO is responsible for ensuring that:

- All staff are aware of the Code and understand the consequences of non-compliance
- All new Board members are provided with a copy
- The Code is reviewed at least every two years by a working Organisation involving at least one Board member and one member of staff
- Breaches by staff members are followed up promptly and in accordance with the Code
- Consequences are administered in a manner that is fair, respectful of individual rights
- Processes for management and handling of money and purchasing of goods and services are transparent and provide no foreseeable scope for malpractice or fraud

The CEO will not be required to be involved in any follow-up action in relation to alleged breaches by members of the Board.

## **6. CODE OF CONDUCT: STAFF AND BOARD**

### **6.1. SUPPORTING ORGANISATIONAL CORE VALUES**

The Board requires that Board members and staff support the core values that define and guide South Port Community Housing Group.

### **6.2. REQUIREMENT TO COMPLY WITH CODE OF CONDUCT**

All Board members and staff will be provided with a copy of this Code of Conduct upon being offered employment or on nominating to join the Board and will indicate acceptance in the following manner:

- Board members by signing their nomination for election to the Board
- Staff by signing their acceptance of their position

The Board will ensure that disciplinary action within the scope of the Association Rules or the relevant employment Award is taken against Board members or CEO not complying with these policies.

Responsibility for disciplinary action lies with the CEO in the case of a breach by a staff member.

### **6.3. GOODWILL AND FAIR BEHAVIOUR**

South Port Community Housing Group recognises that effective governance, management and teamwork rely as much upon the exercise of fair, reasonable behaviour and goodwill of those involved as it does upon development of rules, policies and practices.

The CEO will encourage staff to report instances of bullying behaviour and inform staff that they will be supported in making complaints of this nature.

It is expected that Board members and staff will follow the following guidelines:

- Operate at all times in a professional manner and with an attitude of goodwill towards other Board members and members of staff.
- Operate in trust that fellow Board members and staff are doing their best, in the best interests of the organisation and its clients, unless there are good reasons for believing otherwise, in which case the issue should be raised formally with the Board, CEO or Team Leader as appropriate.
- Where a concern about behaviour of another staff member or Board member exists, it should be raised quickly with the person concerned directly or, if of a serious or sensitive nature, with the Program Manager, the CEO or Board Chair.

Concerns or complaints about individuals, processes or issues must be expressed through established formal processes:

- staff to raise issues through their immediate supervisor; ie Program Manager or CEO;
- in the instance of a complaint or grievance about the CEO, the matter must be raised with the Chairperson of the Board;
- Board members to raise issues of concern at Board meetings (with Chairperson) or follow Association Grievance procedure

The CEO should make staff aware of their option to debrief or talk through issues of concern with a counsellor through the Employee Assistance Program.

#### 6.4. CONSIDERING THE NEEDS OF ALL STAKEHOLDERS

Board Members and staff will respect that the organisation needs to consider the interests of a number of stakeholder organisations who have an interest in the ongoing success of the organisation. These include, but are not limited to: association members; tenants/clients; prospective tenants/clients; funding bodies; staff; external agencies which refer clients; the local community; the wider community; contractors/suppliers. It is recognised that at times the needs of different stakeholder organisations may cause conflict. Conflict will always be dealt with in an open and transparent manner.

#### 6.5. GENERAL PRINCIPLES OF ETHICAL MANAGEMENT

Board Members and staff are required to adhere to the following general principles of ethical management:

- To act honestly and in good faith
- To act with due care and diligence
- To act loyally and avoid conflicts of interest
- To not abuse opportunity and information for personal gain
- To act in the best interests of the organisation
- To act in accordance with professional standards

#### 6.6. COMPLIANCE WITH THE LAW AND RESPECTING DUTY OF CARE

Board Members and staff must carry out their duties in a lawful manner and ensure that the organisation carries out its business in accordance with the law and the terms of its Association Rules.

Staff and Board Members acknowledge that they have a duty of care to persons affected by their actions or inactions in connection with their role with the organisation.

Board Members and staff have a duty of care not to be careless or negligent and to take reasonable

care to avoid unintentional injury to another person or damage to property as a result of action or inaction. Breaches of this duty can lead to consequences under the law.

Board members and staff have a duty to report incidents that breach duty of care by themselves or other Board members or staff. This includes any incident that might have compromised safety or security of people or the organisation. It includes any incident of observed, or perceived, child abuse or maltreatment including grooming for sexual purposes.

#### 6.7. RESPECTING THE ORGANISATION'S POLICIES AND BOARD DECISIONS

Board Members and staff must be committed to the organisation's stated mission, aims, objectives, policies, principles, and plans, and will be given access to this information prior to deciding to accept a position with the organisation.

Board Members and staff must strive to develop and promote a good public reputation for the Organisation and the services it provides and must not do anything to damage that reputation.

Board Members and staff must not convey religious or party-political views to clients, nor distribute or display religious or party-political material in the Organisation's offices.

Board Members and staff must abide by decisions of the Board regarding the policies and directions of the Organisation.

Staff must abide by the CEO's directions in relation to implementation of policies and day to day management of the organisation.

If Board members and staff find themselves unable to abide by the Organisation's policies or Board decisions in any instance, they must raise their concern formally with the Board or CEO as appropriate and not undermine or refuse to comply with them.

#### 6.8. AVOIDING CONFLICT OF INTEREST OR PERCEPTION OF CONFLICT OF INTEREST

No member of staff or Board member or their families, friends or associates, may financially or materially benefit from their relationship with the organisation apart from as contractually agreed in relation to wages or legitimate reimbursements.

The Board will:

- endeavour to eliminate the effects of any potential conflict of interest or perceived conflict of interest in its decision making and service delivery, and
- ensure that all decisions are made solely on the basis of being in the best interests of the organisation and those for whom it provides services

All Board members, employees and contractors will be required to declare ongoing interests that have potential to affect decision making. This declaration will be required in writing annually. It is also required that if a person's situation changes during the year, they advise the Board at the next Board Meeting.

If Board members or staff (or their family, friends, relatives or acquaintances) are involved in any transaction with the organisation involving payment or material goods, the transaction must be open and transparent, in accordance with any relevant policies or decisions of the Board (eg employment practices; disposal of assets).

Board Members must, in consultation with the Chairperson or acting Chairperson, either:

a) absent themselves from any meeting or part of any meeting at which decisions are being made involving a potential conflict they may have, or

b) participate in discussion but abstain from voting on the matter.

Board members are required by law to comply with following requirements of the Associations

## Incorporation Reform Act:

An office holder or former office holder of an incorporated association must not make improper use of information acquired by virtue of holding that office—

- (a) to gain an advantage for himself or herself or any other person; or
- (b) to cause detriment to the association.

Board members are also bound by the provisions in Victoria's 'Model Rules' for an incorporated association in this regard, which comply with Schedule 4 of the *Associations Incorporation Reform Act 2012* (Vic) and the *Housing Act 1983* (Vic).

### 6.9. REGISTER OF INTERESTS

The CEO is responsible for maintaining a Register of Interests to be completed by all Board members and employees.

The Register of Interests will record on a standard Declaration of Interests form any situation involving staff, Board members or members of their immediate family that involve the following relationships:

- Customer/consumer of services provided by SPCHG
- Applicant for services provided by SPCHG
- Supplier of goods or services to SPCHG
- An organisation that might at times be in competition with SPCHG for access to resources (including employees with second jobs)
- An organisation including government body that provides funds or other resources to the organisation

### 6.10. ENSURING PROFESSIONAL AND RESPECTFUL RELATIONSHIPS BETWEEN BOARD MEMBERS, STAFF AND TENANTS/CLIENTS

Board Members and staff must treat all tenants/clients with respect and courtesy and respond to service user complaints by following established complaints mechanisms that are fair, respect confidentiality and will not prejudice any future contact a service user may have with the organisation.

Respect is about listening, providing excellent information, checking that the information provided is adequate and understood, allowing self-determination, and never speaking aggressively or using bad language.

Board Members and staff must acknowledge the power differences that might exist or be perceived between staff, Board Members and tenants/clients and will not exploit such relationships for personal gain of any type, or knowingly create a relationship of dependence.

The organisation recognises that informal involvement between Board members, staff and tenants/clients, including any type of sexual, romantic, financial or dependent personal relationship, has potential to affect the impartial decision-making of those involved. If such a relationship exists, it should be declared and the person involved should seek the advice of CEO, Team Leader or Board about how this should affect their future involvement with the organisation.

Board Members and staff have a responsibility to report any suspicion of abuse or grooming of children for sexual abuse.

### 6.11. GIFTS

Board Members and staff must discourage tenants/clients and contractors from expressing appreciation through giving gifts. Tenants/clients and contractors should be made aware that it is the organisation, not the individual, which is providing the service, and any appreciation should be

expressed in words (to staff member, CEO or Board) rather than through gifts. Small unexpected gifts of value less than \$50 may be accepted where it is difficult or offensive to refuse, but this policy should still be pointed out to the service user giving the gift.

A register of gifts will be established for instances when it has been impossible to prevent gift giving. The CEO must decide how the gift is utilised.

#### 6.12. NON-DISCRIMINATORY BEHAVIOUR AND PRACTICES

Board Members and staff must be aware that they have a responsibility to not engage in discrimination under the *Equal Opportunity Act 2010* (Vic).

Discrimination means treating someone unfairly or unfavourably because of a personal characteristic such as their sex or race or age. Under the *Equal Opportunity Act 2010* (Vic), it is against the law to discriminate against someone because of their actual or assumed:

- age
- breastfeeding
- carer status
- disability/impairment
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

The Board will ensure that all documented policies and practices are non-discriminatory. The organisation will establish non-discriminatory eligibility criteria for the services it provides. Waiting lists will be managed fairly and transparently and strictly in accordance with policies. The organisation will operate on the basis that no one individual is more or less *deserving* of access to the organisation's services than anyone else.

Staff will operate with sensitivity to people who are transgender and respect their identity in relation to housing options.

Individual Board Members and staff must not engage in personal discriminatory practices towards any individual in any capacity connected with South Port Community Housing Group.

Non-discrimination will also be a key factor in employment practices, relating to selection and management of staff.

#### 6.13. FINANCIAL MALPRACTICE OR FRAUD

The CEO is responsible for ensuring that processes for management and handling of money and purchasing of goods and services are transparent and provide no foreseeable scope for unscrutinized transactions, malpractice or fraud.

The CEO is also responsible for ensuring that all staff are aware of such processes.

Disregard for these processes will be considered a serious breach of this Code.

Use of organisation resources for purposes that are not for the purposes for which the organisation is established without specific prior permission is also regarded as a breach of this Code, if not fraud. This includes:

- Excessive personal use of telephones
- Devoting excessive time to personal tasks in paid work-time
- Unauthorised and/or undocumented personal use of vehicles
- Failure to replace fuel used for approved personal use of a vehicle
- False claims for reimbursement
- Unauthorized or questionable purchases on the organisation's accounts with suppliers
- Individuals benefiting personally from organisational Frequent Flyer or other bonuses of particular methods of purchase
- Individuals benefiting personally from goods left behind by tenants. These must be treated strictly in accordance with the Residential Tenancies Act.

#### 6.14. ALCOHOL, DRUG USE AND GAMBLING

Board Members and staff must not undertake duties in the service of South Port Community Housing Group if their functioning is impaired by alcohol or drugs.

Use of illegal drugs or engaging in gambling in work time will be regarded as a serious breach of this Code.

Board Members and staff may not have a relationship involving illegal drugs with a tenant or client whether on duty or off duty.

Board Members and staff must not engage in gambling activities with tenants or clients other than the legal sale or purchase of raffle tickets.

#### 6.15. MINIMISING HARM TO THE ENVIRONMENT

Care for the planet and the sustainability of natural eco-systems will be a key consideration in decision making at Board and staff levels.

The organisation will adopt practices and allocate funds where appropriate and possible to ensuring the activities of the organisation are sensitive to and not harmful to the environment.

Employees are required to undertake their day-to-day work activities in a manner that is not unnecessarily polluting or wasteful of natural resources.

These principles will also affect the organisation's choice of products and contractors.

#### 6.16. RESPECTING THE RIGHT TO PRIVACY OF TENANTS/CLIENTS, EMPLOYEES AND BOARD MEMBERS

Board Members and staff must familiarize themselves with the organisation's policies on Privacy and Confidentiality.

Board Members and staff must not give home phone numbers or addresses of other Board Members or staff to any third party without prior consent.

Board Members and staff must not breach the rights to privacy of tenants/clients nor give out the addresses or phone numbers of the properties managed by the organisation to a third party, except in compliance with the organisation's policies on this matter.

Board Members and staff must respect each other's rights to privacy and will only contact each other after hours in cases of emergencies or serious situations or by mutual prior agreement, and in accordance with the organisation's policies on privacy and confidentiality.

#### 6.17. CONSCIENTIOUSLY FULFILLING ROLE TAKEN ON

Board Members must be diligent, attend Board meetings or apologise for non-attendance, devote time to prepare for full and appropriate participation in Board meetings and undertake duties according to the specifications of the job descriptions for Board members.

Staff must be diligent and devote their time and efforts during working hours to tasks which further the aims and objectives of the Organisation, as specified in job descriptions and be properly accountable through time sheets

It is recognised that teamwork plays a crucial role in an effective and efficient service. Staff members are required to behave in a manner that facilitates good teamwork.

#### 6.18. RESPECTING BOUNDARIES OF RESPONSIBILITY AND AUTHORITY

Board members and staff must not exceed the boundaries of authority attached to their positions.

Board members must recognize that their authority exists only collectively, as part of the Board; that membership of the Board or holding of an Office Bearer position does not entail that person to individual authority over staff or tenants/clients; access to confidential information; access to properties; the right to by-pass accepted communication channels; or enter into agreements or contracts on behalf of the organisation.

Board members and staff must recognize that staff/tenant/Board working relationships are complex, particularly where tenants are members of the Board, and must respect the delegation of authority to the CEO in this respect, and ensure that tenant/landlord and employer/employee relationships are always separated.

#### 6.19. USING ONLY AGREED COMMUNICATION CHANNELS

To assist the proper functioning of accountability structures, the organisation will maintain and the use of the principles of hierarchal channels of communication between Board members, staff and tenants/clients.

The views/input of staff will be expressed through formal channels: through CEO's Reports to Board meetings; through involvement in planning sessions; through participation in working Organisations; and through raising issues with the CEO via one-on-one supervision sessions or staff or program meetings.

Communication about operational issues must be directed through the CEO. Staff members who have a grievance should follow the Grievance Procedure.

When the views/input of tenants/tenants/clients is sought in regard to the policies and operation of the organisation, this will be done formally, through the CEO. Individual Board members or staff other than the CEO should not actively seek out the views of tenants/tenants/clients. Unauthorised visits to tenants/tenants/clients by individual Board members for this purpose or any other purpose will be viewed as a breach of the organisation's responsibility to protect tenants' privacy.

The views of the organisation may only be portrayed publicly through the media or public documents by the Chairperson or the CEO.

All tenants/clients will be advised to liaise with the worker who is responsible for the house in which they live. If a problem is urgent, and that worker is unavailable, then the matter may be dealt with by another worker within that program. If the query involves a judgement, advice or decision, however, it must be dealt with by the worker directly responsible or, if unavailable, another worker from within the same program. The exception is in the case of grievances or complaints, in which case the CEO will become involved in accordance with the Organisation's Grievance Procedure. Tenants should not be advised by Board Members to by-pass proper communication channels, and contact the CEO directly.

## 6.20. PROTECTING CHILDREN FROM HARM

### 6.20.1. CHILD SAFETY CODE OF CONDUCT

All board members, staff, volunteers, students and contractors at SPCHG are required to abide by this Code.

No SPCHG Board Member, staff member or contractor shall:

1. Shame, humiliate, oppress, belittle or degrade a child or young person.
2. Unlawfully discriminate against any child.
3. Engage in any activity with a child or young person that is likely to physically or emotionally harm them.
4. Initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves.
5. Be alone with a child or young person unnecessarily and for more than a very short time.
6. Develop a 'special' relationship with a specific child or young person for their own needs.
7. Show favouritism through the provision of gifts or inappropriate attention.
8. Arrange contact, including online contact, with children or young people outside of the organisation's programs and activities.
9. Photograph or video a child or young person without the consent of the child and his/her parents or guardians.
10. Work with children or young people while under the influence of alcohol or illegal drugs.
11. Engage in open discussions of a mature or adult nature in the presence of children.
12. Use inappropriate language in the presence of children.
13. Do anything in contravention of the organisation's Child Safe policies and procedures including this Code of Conduct.

All SPCHG staff involved in directly providing services to children or young persons will:

1. Establish and maintain a child-safe environment for children and young people.
2. Treat children and young people with respect and value their ideas and opinions.
3. Act as positive role models in their conduct with children and young people.
4. Be professional in their actions towards children and young people.
5. Maintain strict impartiality in their actions towards children and young people.
6. Respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know.
7. Operate within the SPCHG Child Safe policies and procedures.
8. Report child safety concerns immediately to a Manager or CEO.
9. Contact the police if a child is at immediate risk of abuse (telephone 000).

## 7. MANAGING BREACHES OF THE CODE OF CONDUCT

Procedures for managing alleged breaches of the Code of Conduct will follow the process outlined below.

### 7.1. REPORTING

If staff or Board members become aware of a breach of the Code of Conduct, it must be immediately brought to the attention of CEO or Chairperson of Board as appropriate.

### 7.2. INVESTIGATION

Responsibility for investigation is as follows:

- If the alleged breach is by an employee the CEO will undertake an investigation.
- If the alleged breach is by the CEO or member of the Board the Chairperson will undertake an investigation.
- If the alleged breach is by the Chairperson, the Deputy Chairperson and another Board member will undertake an investigation.
- The Board also may appoint a Board Committee to undertake an investigation of any alleged breach.

The investigating person may interview any person before making a determination.

The person the subject of an investigation has the right to be informed of the particulars of the alleged breach, to respond to the allegation, and to be supported by an advocate or support person.

If the person the subject of the investigation is an employee, that person may be suspended on full pay until the investigation is determined.

### 7.3. CONSEQUENCES

1. If no breach is established an apology will be made to the person the subject of the investigation.
2. If the breach is established:
  - a. the Chairperson or CEO may counsel the person the subject of the allegation; or
  - b. if the person the subject of the allegation is an employee that person may be terminated; or
  - c. if the person the subject of the investigation is a Board member, that person may be requested to resign from the Board. The right to remove a Board member from the Board by a properly constituted motion is retained by the Board.

Any breach of the law is to be reported to the police.

### 7.4. APPEAL

Employees have the right to appeal any determination pursuant to the provisions of the SCHADS Award.

If any SPCHG Board Member, staff member or Contractor breaches this Code of Conduct they will face disciplinary action including possible termination of employment or cessation of engagement with the organisation.

I, \_\_\_\_\_, agree as an ongoing condition of my employment or participation in the work of SPCHG, to abide by the SPCHG Code of Conduct.

Signed:

Date:

Witness: