



Code of Conduct

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Purpose

The purpose of the code of conduct is to ensure that acceptable standards of conduct and work performance are maintained within the organisation, and to ensure that individuals are treated in a consistent and fair manner.

Scope

This code applies to all personnel of the organisation.

Definitions

The organisation, St Kilda Mums, we, us, our - St Kilda Mums Inc., also trading as Eureka Mums and Geelong Mums

Personnel - staff and volunteers of the organisation, whether paid or not.

Policy

The organisation has the responsibility of ensuring all personnel are made aware of, and fully understand, their responsibilities and the organisation's rules and standards of conduct and behaviour. It is the responsibility of employees and volunteers to have a full understanding of the standards and behaviours outlined in this code of conduct.

This code defines behaviours that are acceptable and unacceptable according to the standards and procedures of the organisation. Failure to comply with this code of conduct may result in disciplinary action.

Everyone has a right to work and/or volunteer in an environment that is free of bullying, harassment, victimization and discrimination. Bullying, harassment, victimisation and discrimination are illegal under Australian legislation. The organisation supports equal opportunity and eliminating unlawful discrimination.

The organisation is committed to promoting and protecting the best interests of children. The organisation has zero tolerance for child abuse. Everyone working at the organisation is responsible for the care and protection of children and reporting information about suspected child abuse.

1. Zero tolerance of "negative behaviour"

Bullying, harassment, victimisation and discrimination are behaviours identified as “negative” and for which there is zero tolerance.

This list is not exhaustive and does not limit or preclude other actions, conduct or behaviour from being identified as a “negative behaviour” and therefore being inappropriate and in breach of this code.

No person should be subject to any type of “negative behaviour” whilst working or volunteering with the organisation and the organisation has a zero tolerance for any type of “negative behaviour”.

The organisation will take reasonable steps to ensure individuals are protected from unlawful workplace behaviour and to redress it where it occurs. The organisation is committed to making decisions about a person's employment on the basis of merit and based on the person's individual skills and abilities.

Managers are required to ensure that all employees and volunteers are treated fairly and equitably and no-one is subjected to any negative behaviour.

Any complaints or allegations should be made to the immediate manager or the CEO.

Allegations of Unlawful Workplace Behaviour towards a person will be treated seriously and investigated promptly, confidentially (so far as is lawful) and impartially.

Managers are required to, as reasonably practicable, ensure that complainants and witnesses are not victimised in any way. Any report of bullying, harassment, victimisation and/or discrimination will be treated seriously and sympathetically and will be investigated thoroughly and confidentially.

Disciplinary action may be taken against anyone found to be guilty of demonstrating negative behaviour towards a co-worker, co-volunteer or external party.

Documented grievance procedures as outlined in the dispute resolution policy will be followed in these cases.

2. P.I.P (People Interaction Principles)

The three (3) essential people interaction principles are:

- Be Polite
- Be Kind
- Be Considerate

It is never okay to be rude, cruel or inconsiderate to anyone and if this occurs, it is expected that there would be an explanation of the behaviour between those involved, together with an apology.

Where an issue cannot be resolved by the parties involved, management will step in to assist.

3. Acceptable Behaviours

Employees must act in the best interests of the organisation, not misuse any information or intellectual property obtained from their position within the organisation for personal or third-party gain and must act with fidelity and loyalty towards the organisation.

It is expected that employees and volunteers will demonstrate the following:

- Carry out tasks in a conscientious and proficient manner and to a standard acceptable to the organisation
- Present for work or volunteering appropriately dressed
- Treat others in a cooperative, fair, dignified, professional and open manner, consistent with principles of fair treatment and non-discrimination
- Treat others in a kind, respectful, considerate and polite manner, that is free from bullying, harassment and discrimination
- Comply with proper and safe instructions from their manager
- Comply with all policies and procedures and relevant statutory regulations
- Ask a manager if unsure of a course of action they are about to take
- Conduct yourself in a manner which supports and promotes a healthy, safe workplace at all times
- Immediately inform a manager of any damage to property, accidents, incidents or near misses and complete an appropriate incident form
- Immediately report negative behaviours or the witnessing of negative behaviours, such as bullying, harassment, victimisation and discrimination
- Obey the law
- Refrain from conduct that undermines the reputation or work of the organisation or its stakeholders

4. Unacceptable Behaviours

The following behaviours are indicative, but not exhaustive, of what is not acceptable:

- Failure to treat anyone in a co-operative, fair, dignified, professional and open manner, consistent with the principles of fair treatment and non-discrimination
- Engaging in bullying, harassment or discrimination
- Repeated incidents of rude, inconsiderate and/or cruel behaviour
- Failure to report “negative behaviours” or the witnessing of “negative behaviours” such as bullying, harassment, victimisation and discrimination
- Interference with anyone to the detriment of that person’s safety and/or performance of their duties
- Continual absenteeism from work, tardiness or poor time keeping
- Repeated failure to achieve acceptable standards of work performance in respect to quality, quantity and timeliness

- Failure to observe safety rules and procedures or working/volunteering in an unsafe manner
- Failure to report an accident/incident
- Reporting to work in a manner which gives their manager reasonable grounds to believe that the employee is unable to perform their usual duties properly
- Failure to use appropriate supplied safety equipment
- Sleeping on the organisation's premises during recognised working hours
- Utilising the organisation's time, uniforms or equipment for private or personal use without authorisation
- Failure to comply with the organisation's policies, procedures and relevant statutory regulations
- Be placed into a conflict of interest (perceived, potential or actual), and failing to disclose the conflict of interest

5. Serious and wilful misconduct

Employees and volunteers may be in breach of the code of conduct if they are performing tasks or conducting themselves in an unsatisfactory manner or they are found to be guilty of serious and wilful misconduct.

Examples of serious and wilful misconduct include, but are not limited to:

- Unauthorised possession or removal of any property or material belonging to the organisation, another employee or volunteer
- Be charged and/or convicted of a criminal offence
- Any form of dishonest or criminal damage in connection to the organisation's property
- Failure to follow the organisation's cash handling or banking procedures
- Falsification of timesheets / attendance records / medical records / reimbursement receipts or any other records that would result in payment to which an employee or volunteer is not entitled or any other instance of fraud, corruption or maladministration
- Failing to obey a reasonable instruction issued by the organisation or refusal to perform work which is neither unsafe nor illegal and which an employee or volunteer might reasonably be expected to do
- Failing to comply with a policy or procedure of the organisation
- Consumption of illegal drugs or smoking in the workplace
- Working under the influence of illegal drugs or alcohol that leads to impairment of performance and/or gives rise to a situation endangering safety of other employees or volunteers
- Wilful damage to and/or misuse of property or gross negligence resulting in damage or loss to the organisation
- Use of abusive or threatening language, intimidating behaviour, assault on any person during working/volunteering hours
- Engaging in practical jokes or irresponsible actions, which could put at risk the safety of anyone, endanger life or cause damage to property

- Deliberate breach of any safety regulation or wilful misconduct endangering the safety of anyone
- Committing, on the organisation's property, any act, which violates the organisation's policy on harassment, discrimination, bullying or victimisation
- Inappropriate social media posts that have the potential (whether real or perceived) to:
 - Damage reputation and business interests;
 - Disclose confidential information to others outside the organisation
 - Harass, discriminate, victimise or bully anyone;
 - Disparage customers or clients of the business
- Any form of dishonest or criminal behaviour which is in violation of relevant statutory regulations and which places the organisation at risk on non-compliance with statutory regulations

Note: The above is not a complete list of all acts of misconduct that may warrant disciplinary action. It is an indication only and there may be other acts of misconduct, which warrant disciplinary action to be taken.

6. Unlawful Workplace Behaviour

Unlawful workplace behaviour:

- can involve physical, visual, verbal or non-verbal conduct;
- can occur at the workplace or outside of the workplace if there is a connection with the workplace (for example, at work-related social functions or on social media);
- can be experienced by both women and men;
- can occur even if the offender and the victim are the same sex;
- can occur even if the offender did not intend to cause offence;
- can occur even if the victim does not make a complaint;
- can occur even if the offender is less senior than the victim (and vice versa); and
- does not include reasonable management action which is carried out in a reasonable manner (including issuing work orders & directions, setting goals & deadlines, implementing organisational change, taking disciplinary action, or making decisions about salaries, promotions and job duties).

The following types of conduct are unlawful under State and Federal legislation (Unlawful Workplace Behaviour):

6.1. Discrimination

It is unlawful to discriminate against a person on the basis of personal characteristics which are not relevant to their job or their treatment as a customer, client or visitor, including their race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction, social origin or lawful trade union activity.

Unlawful discrimination may be:

- direct which is where a person is treated less favourably due to their personal characteristics; or
- indirect which is where a person is required to comply with a requirement, condition or practice that:
 - has or is likely to have the effect of disadvantaging persons with certain personal characteristics; and
 - is not reasonable.

6.2. Harassment

It is unlawful to intimidate, insult or humiliate a person based on their personal characteristics.

6.3. Sexual Harassment

It is unlawful to participate in any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated.

6.4. Workplace Bullying

It is unlawful to engage in repeated unreasonable behaviour towards any person at work in a manner which creates a risk to their health and safety.

Repeated unreasonable behaviour means behaviour that:

- is persistent and may include a range of behaviours over that time; and
- includes behaviour that is victimising, humiliating, intimidating or threatening.

6.5. Vilification

It is unlawful to participate in public acts which incite hatred towards, serious contempt for or severe ridicule of a person or group of persons due to their personal characteristics.

6.6. Victimisation

It is unlawful to subject a person to detriment (or threaten to do so) because they have asserted their rights under this code or at law, because they allege someone has breached this code or the law or because they intend to provide information as a witness.

7. Child Protection

All people involved in the supervision of children on behalf of the organisation will:

1. Work towards the achievement of the aims and purposes of the organisation;
2. Be responsible for relevant administration of programs and activities in their area;
3. Maintain a duty of care towards others involved in these programs and activities;
4. Establish and maintain a child-safe environment in the course of their work;
5. Be fair, considerate and honest with others;
6. Treat children and young people with respect and value their ideas and opinions;
7. Act as positive role models in their conduct with children and young people.
8. Be professional in their actions;

9. Maintain strict impartiality;
10. Comply with specific organisational guidelines on physical contact with children;
11. Respect the privacy of children, their families and teachers/carers, and only disclose information to people who have a need to know;
12. Maintain a child-safe environment for children and young people;
13. Operate within the policies and guidelines of the organisation; and
14. Contact the police if a child is at immediate risk of abuse, phone 000.

No person shall:

1. Shame, humiliate, oppress, belittle or degrade children or young people;
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 their 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; or
13. Do anything in contravention of the organisation's policies, procedures or this code of conduct.

8. Disciplinary Actions and Dispute Resolution

The key steps in the disciplinary action process are set out within the organisation's dispute resolution policy and the process includes, but is not limited to:

1. Verbal discussion / counselling (optional).
2. First written warning.
3. Second written warning.
4. Third and final written warning.
5. Termination

In certain situations, it may be reasonable to skip steps, i.e. serious or gross misconduct.

Review

This code will be reviewed and updated every two years or sooner if required. It will be approved by the Board and readily accessible by all staff via the People & Policy App on Salesforce.

This code will be published on the organisation's website.

Any questions in relation to the code, please contact the CEO.

Reference Documents

The following documents are to be used in conjunction with this code:

- a. Dispute Resolution Policy
- b. Employee Handbook
- c. Recruitment Policy
- d. Service Policy
- e. Succession Management Policy
- f. Travel Policy
- g. Volunteer Policy and Procedures Manual

Related Legislation

Other documents that have an impact on this code of conduct include:

- a. Fair Work Act 2009
- b. Occupational Health and Safety Act 1985
- c. Victoria: Occupational Health & Safety Act 2004
- d. Principles of Volunteering - Volunteering Australia
- e. The Victorian Child Safe Standards