

Newtown Neighbourhood Centre

PART B

Human Resources

Code of Conduct

Policy:	Code of Conduct
Sub heading:	Human Resources
Status:	Operational
Approval date:	27 th November 2007
Approved By:	Management Committee
Review Date:	November 2010
Staff Training Date:	29/11/07

Newtown Neighbourhood Centre (NNC) supports people through community action and provision of services to address their needs focusing on the disadvantaged and vulnerable members of the community.

NNC has an atmosphere of support and acceptance, and the services provided focus on community involvement and increasing an individuals' ability to live as independently as they choose within their own community.

NNC has a commitment that all the services it provides are conducted with integrity, efficiency, effectiveness, fairness, impartiality and economy.

Purpose

This *Code of Conduct* provides NNC Board of Management (Board) members, staff, volunteers and students on placement:

1. A framework of acceptable behaviour for decisions and actions in relation to their employment, and
2. Promotes working relationships based upon trust and confidence
3. Supports service delivery that is free from discrimination and is based upon honesty, fairness and respect.

The community is entitled to expect that any person paid from public money will act in a responsible manner; one which shows respect for people, cultural sensitivity, responsiveness to public concern and a willingness to participate in the development of effective safe services which are free of discrimination.

Many aspects of this *Code of Conduct* are also covered by NSW State and Commonwealth legislation and the *Code of Conduct* does not replace such legislation.

Responsibility

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This *Code of Conduct* covers all NNC Board members, staff, volunteers and students on placement. All are expected to familiarise themselves with the *Code of Conduct* and to ensure that they undertake their duties and behave in a manner which is consistent with its content.

1. Personal and Professional Behaviour

When carrying out NNC related duties Board members, staff, volunteers, and students on placement will:

- Abide by the philosophy and values of NNC and observe all the rules, policies and procedures of the Centre including those specified in the Constitution and any others determined by the Board or the membership of the organization.
- Behave honestly and with integrity. This includes a duty to report other staff members who you believe are behaving dishonestly to the Project Coordinator or the Executive Officer or to the Board.
- Be punctual and actively participate in NNC workplace meetings, processes and functions.
- Make sure that you carry out your work as efficiently, economically and effectively as you are able, and that the standard of your work reflects favourably on NNC.
- Represent NNC in a positive and constructive manner. Not behave in a way that would offend, intimidate, bully, exploit or embarrass other people. All forms of abuse, physically or verbally, towards service users, staff members, volunteers, students, members of the Board or the general public will not be tolerated.
- Treat Board members, colleagues, volunteers, and students on placement with consideration and respect. Acknowledge and accept individual differences, experiences and skills.
- Not engage in gossip or spread rumours about any personal information you may know about other NNC individuals and follow the *Grievance Policy and Procedures* if you have a disagreement with an individual.
- Treat service users, next of kin and guardians with courtesy, respect and consideration, act on complaints and provide services to the best of your ability.
- Adhere to all the accounting procedures of NNC.
- Obey any lawful direction from a person who has the authority to give the direction, i.e. in the first instance your immediate supervisor. Generally this means the Project Coordinator or Executive Officer.
- Abide by NNC policies on alcohol and other drugs. NNC is a non-smoking environment and the use of illegal drugs and alcohol are not tolerated in the workplace. Under no circumstances is a staff member to drive a Centre motor

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vehicle whilst under the influence of drugs or alcohol. At the discretion of the Executive Officer alcohol may be consumed at functions conducted after hours.

- Dress to comply with workplace health and safety regulations relevant to your work activities. Dress suitably for the position presenting a clean and tidy appearance at all times.
- Should a situation arise in which you find a policy that you cannot carry out because of your personal views, you should discuss the matter with the Project Coordinator or the Executive Officer or the Board of Newtown Neighbourhood Centre, to have the situation resolved.

2. Personal Relationship with Service Users

All Board members, staff, volunteers and students on placement should be aware of the power imbalance between service users and staff, and the fact that service users depend on staff for the provision of support. Staff members need to be aware of the particular vulnerability of many service users who may for example have experienced abuse or exploitation in the past.

Personal relationships with service users may be characterized as social, sexual, or other types, such as financial. Any of these kinds of relationships could result in some form of exploitation or involve some form of obligation.

The term “sexual relationship” within this code is not restricted to sexual intercourse. A “sexual relationship” includes any form of physical contact, whether initiated by the service user or worker and regardless of whether there is consent, which has as its purpose some form of sexual gratification, or which might reasonably be interpreted by the service user as having that purpose.

Board members, staff, volunteers and students on placement must not exploit the relationship of trust with service users in any way. In particular, there must not be a sexual relationship with a service user. Additionally service users are not to be taken to staff members, volunteers or students homes.

If you have any concerns about your personal feelings towards or relationship with a service user, you need to consult with your Project Coordinator. If you are in a situation where your relationship with a service user could be misinterpreted by anyone else, i.e. by the service user, by another service user, by another staff member, by a family member etc then this needs to be discussed and documented.

If you observe another staff member behaving in a manner that may be an abuse of the professional relationship with service users you need to immediately consult with the Project Coordinator and/or the Executive Officer.

There must be a minimum of two years between board members, staff, volunteers and students leaving Newtown Neighbourhood Centre and commencing a personal or sexual relationship with a client. Even then Newtown Neighbourhood Centre strongly

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discourages any former board members, staff, volunteers and student from developing a personal relationship with a service user.

If the concern relates to the Executive Officer then staff, volunteers or students on placement should report to an Executive Committee member of the Board.

3. Conflict of Interest

Conflicts of interest exist when it is likely that you could be influenced, or it could be perceived that you are influenced by a personal interest when carrying out your duty. When at work, you should act in the general public interest and not in a manner designed primarily to gain unfair advantage for yourself or other individuals.

Some situations that may give rise to a conflict of interest include situations where you have:

- ⇒ Financial interests in a matter the Centre deals with or you are aware that your friends or relatives have a financial interest in the matter
- ⇒ Directorships/Management of other organisations
- ⇒ Memberships of Boards of other organisations
- ⇒ Personal beliefs or attitudes that influence the impartiality of advice given
- ⇒ Personal relationships with the people that Newtown Neighbourhood Centre is providing services with which go beyond the level of a professional working relationship
- ⇒ Secondary employment, business, commercial, or other activities outside of the workplace which could impact on service users, or staff members or on your capacity to perform your duties
- ⇒ Involvement in party political activities
- ⇒ Access to information that can be used for personal gain.

You may often be the only person aware of the potential for conflict. Therefore it is your responsibility to avoid any situation that could compromise your ability to perform your duties impartially. It is also your responsibility to report any potential or actual conflicts of interest to your Project Coordinator or the Executive Officer.

If you are uncertain whether a conflict exists, you should discuss the matter with your Project Coordinator and/or the Executive Officer and attempt to resolve any conflicts that may exist.

If you believe that another worker has a conflict of interest you should discuss the matter with your Project Coordinator or the Executive Officer.

If the concern relates to the Executive Officer then staff, volunteers or students on placement should report to an Executive Committee member of the Board.

4. Gifts, Benefits and Bribes

You must not accept any gifts or benefits. The receipt or expectation of any gifts might be seen to influence, or appear to influence, you in your official work capacity.

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You must avoid all situations in which the appearance may be created that any person or agency/company through the provision of hospitality or benefit of any kind is securing or attempting to secure the influence or favour of you or NNC.

Gifts such as cash, Lottery tickets or Scratchies etc are deemed currency and therefore are not to be accepted under any circumstances.

It is recognised however that there may be occasions, for example at Christmas, when refusing a small gift would upset or offend the giver. On these occasions all staff, volunteers, students and Board members are to follow NNC *Gifts and Benefits Policy and Procedures*.

You must not accept any bribe or other improper inducement. Any advances of this nature need to be reported immediately to the Executive Officer.

The *Gifts and Benefits Policy and Procedures* is to be read.

5. Outside Employment and Other External Business Activities

If you work full-time for NNC and you wish to engage in paid employment or other business activities (including participation in a family company) outside your official duties you are required to seek the approval of the Executive Officer. The approval should not be unreasonably withheld. However if there is any real or potential conflict of interest the duties of your position with NNC must come first.

If you work for NNC on a part-time or casual basis, you are required to advise the Executive Officer of any real or potential conflict of interest between your employment with the Centre and any other employment.

NNC can request details of any other employment in the event of allegations of conflict of interest.

External activities are not to be undertaken in paid NNC hours.

6. Party Political Participation

It is your responsibility to carry out your duties in a party political neutral manner.

If participating in political activities, you should ensure that your views or actions are not interpreted as official comment on behalf of NNC, unless given authority to do so. Political activities should not be undertaken while on duty.

7. Security of Information and Public Comment

Individuals have the right to give their opinions on political and social issues in their private capacity as members of the community.

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NNC Staff, volunteers or students on placement must not speak on behalf of the organisation unless they are given specific authority to do so. If contacted by the media all staff members, volunteers or students on placement are to defer the request to the Executive Officer.

The release of confidential documents or internal organisational information to an unauthorized person or organisation is a serious breach of the *Code of Conduct*.

See Point 10 for further detail & Point 17 regarding a Breach of the *Code of Conduct*.

8. Use of Official Resources

All work produced at NNC remains the property of the organization. The title to and ownership of intellectual property, including copyright in all material belongs to NNC. All resources are to be used effectively and economically. Official resources include staff time, funds, furniture and equipment, buildings, photocopiers, computers, software, mobile and landline telephones, stationery and motor vehicles.

It is expected that mobile telephones will only be used for work related calls or when a landline is not available. If a mobile telephone does need to be used it is preferable the call is kept brief.

Anyone using official resources for non-official purposes without getting prior approval could face disciplinary and/or criminal action. Official resources are not to be used for any private commercial purposes under any circumstances.

Requests to use official resources for non-official purposes should be referred to the Executive Officer. If you are authorised to use official resources for non-official purposes you must take the responsibility for maintaining, replacing and safeguarding the property and following any special directions or conditions that apply during the time they are being used for such purposes.

9. Use of the Internet and Email

Internet and email are provided to staff, volunteers and students on placement for genuine work-related purposes.

Staff members, volunteers and students **should**:

- Limit personal use to a minimum. NNC may monitor usage and call upon to explain their use.
- Comply with copyright regulations when using the Internet or email.

Staff members, volunteers and students **should not**:

- Divulge personal or confidential information about themselves, service users or others via the Internet or email
- Use the Internet to access websites or send emails of an explicit sexual nature, or be offensive to another person, or in any manner that breaches the *Equity, Anti-Discrimination and Workplace Harassment* legislation.

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While the privacy of all staff members, volunteers and students on placement is respected, emails may be used as evidence if legal action is taken against a staff member, volunteer or student. This information may also be used as evidence of a breach of the *Code of Conduct*.

10. Security of Newtown Neighbourhood Centre Information

Staff members, volunteers and students on placement must ensure that confidential and sensitive information in any form, e.g. documents, computer files, service user information, cannot be accessed by unauthorised persons.

Staff members, volunteers and students must make sure that confidential information is only discussed with people who are authorised to have access to it. Staff members also need to be aware of protecting confidentiality when having discussions with other staff members within the organization, who have left NNC or with staff from other agencies. Staff, volunteers, students and members of the Board are reminded that confidentiality must be maintained, even after you have ceased working with NNC.

The need for information to be discussed among relevant staff members and other service providers is to be regularly explained to service users. Written consent for release of information is to be discussed and obtained from service users.

Telephone requests for information about service users and ex-service users, other than with an authorised person, must be discussed with the service user.

Sensitive and confidential material is to be securely stored overnight or when unattended.

Information about staff members of the Centre should not be released without appropriate legal authority and the authorisation of the Executive Officer. There are some instances when authorisation in writing is required.

NNC may confirm employment details or hours worked if a staff member, volunteer or student requests it.

The Executive Officer and Project Coordinators are responsible for seeing that suitable arrangements are in place to maintain security of confidential and sensitive documents.

11. Fairness and Equity

Staff, volunteers and students are to work with all service users, or potential service users, in a manner that is consistent, fair, impartial and non-discriminatory, in accordance with the policy and procedures. The invasion of privacy, including the misuse of personal information, is unlawful under various states and federal laws, in particular the Privacy Act 1988. See point 14 for information on the Anti-Discrimination Act.

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12. Recommending Services

If staff, volunteers and students are providing information to service users about private practitioners or other private services it needs to be made clear that this information is being given so that service users can make informed decisions between a range of alternatives, rather than as a recommendation. NNC Board members, staff, volunteers and students on placement are not to endorse any private services.

13. Notification of Rights to Complain

Service users and staff, volunteers and students on placement are to be informed of their rights to complain about decisions and the procedures for making complaints against decisions.

14. Discrimination, Bullying and Harassment

Board members, staff, volunteers and students on placement must not harass, vilify, bully or discriminate directly or indirectly. Board members, staff, volunteers and students on placement must not support others who harass, vilify, bully or discriminate against staff members, volunteers, students, members of the Board, service users or members of the public, on the grounds of sex, pregnancy, age, race including their colour, nationality, descent, ethnic or religious background, marital status, disability or sexuality.

Such harassment, bullying or discrimination may constitute an offence under the Anti-Discrimination Act 1977. All forms of harassment and discrimination may constitute a breach of the Occupational Health and Safety Act 1983 if a risk of physical or psychological injury results from the harassment or discrimination.

The Executive Officer and the Project Coordinators must ensure that the policies and procedures promote a workplace that is free from all forms of harassment and unlawful discrimination. The principles of Equal Employment Opportunity are to be applied.

Board members, staff, volunteers and students on placement are to be informed of these principles and are to be given information about grievance procedures.

15. Corrupt Conduct

15.1 **Corrupt Conduct** is broadly defined in sections 8 and 9 of the Independent Commission Against Corruption Act, 1988. The key notion is the misuse of public office. Corrupt conduct will not be tolerated by the Newtown Neighbourhood Centre Inc. Commonly it involves the dishonest or partial use of power or position, which results in one person being advantaged over the other. Corruption can take many forms including, but not limited to:

- Official misconduct
- Bribery and blackmail

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- Unauthorised use of confidential information
- Fraud
- Theft

15.2 **Fraud** is corrupt conduct and should be reported immediately by Board members, staff, volunteers and students on placement. Fraud is dishonesty and usually takes the form of giving a false impression through a statement or conduct in order to gain a material advantage.

If a Board member, staff, volunteer or student on placement makes a report about fraud they will be notified of the action taken and the matter will be treated confidentially.

15.3 **Maladministration** is defined in the Protected Disclosures Act, 1994 as conduct that involves action, or inaction, of a serious nature that is:

- Contrary to law
- Unreasonable, unjust, oppressive or improperly discriminatory
- Based wholly or partly on improper motives

Using this definition, maladministration can include conduct considered “corrupt” under the Independent Commission Against Corruption Act, 1988 if it involves criminal or disciplinary offences.

15.4 **Serious and Substantial Waste** as defined by the Protected Disclosures Act, refers to any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in significant loss/wastage of public funds or resources.

15.5 Reporting Corrupt Conduct, Maladministration, Serious and Substantial Waste of Public Resources

Board members, staff, volunteers and students on placement must report any instances of possible corrupt conduct, maladministration and serious and substantial waste of public resources to the Executive Officer. If the concern relates to the Executive Officer staff, volunteers or students on placement should report to an Executive Committee member of the Board.

16. Occupational Health and Safety

Members of the Board, Executive Officer, Centre Administrator, Project Coordinators, staff members, volunteers and students of the Newtown Neighbourhood Centre all have responsibilities under the Occupational Health and Safety Act.

The Executive Officer, Centre Administrator and Project Coordinators are responsible for ensuring that the premises of NNC adequately provide for the health, welfare and safety of service users, staff members, volunteers, students and members of the

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public who use them. Specifically the Executive Officer, Centre Administrator and Project Coordinators are responsible for:

- Providing safe systems of work
- Providing a safe working environment
- Providing supervision, training and information
- Providing safe equipment
- Maintaining documentation of Occupational Health and Safety activities
- Developing and implementing Occupational Health and Safety policies and programs
- Identifying, assessing and controlling risks
- Responding to staff member, volunteers and students reports on Occupational Health and Safety risks and incidents.

It is the responsibility of all staff members, volunteers and students to act in accordance with the Occupational Health and Safety legislation, policies and procedures of NNC, and to use security and safety equipment provided.

Specifically all staff members, volunteers and students are responsible for safety in their work environment by:

- Following safety and security policies and procedures
- Advising management of areas where there is a potential problem in safety and reporting suspicious occurrences.

17. Breach of the Code of Conduct

Staff members, volunteers and students should note that breaches of certain sections of the *Code of Conduct* may be punishable under legislation &/or reported to the Police. Breaches of the *Code of Conduct* may lead to disciplinary action or dismissal for staff members, or cessation of work for volunteers and students.

18. Review of the Code of Conduct

The *Code of Conduct* is a living document that is owned by the whole of the organization and is to be reviewed every three (3) years and discussed at NNC Project Coordinators Meeting and at Team Staff Meetings. The Board of Management will review each updated *Code of Conduct* and ratify before distribution. The Board of Management welcome staff, volunteers and students feedback on this policy

Staff will be assessed against the *Code of Conduct* during the Performance Appraisal process.

A copy of the *Code of Conduct* is to be given to all new and existing Board members, staff, volunteers and students on placement.

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All individually signed copies of the *Code of Conduct* are to be given to the Executive Officer who will securely store.

I have read, and understood, the above NNC Code of Conduct. I agree to abide by its contents and I understand that there are consequences for any breaches of the Code of Conduct.

Name: _____ Signature: _____

Witness: _____ Signature: _____

Dated: _____