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### **Mildura**

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227 Princes Drive, Morwell VIC 3840

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### **Shepparton**

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Aboriginal Housing Victoria

# **Code of Conduct for employees and volunteers**





# Code of Conduct

## 1. Purpose:

This document outlines the standard of behaviour expected of employees and volunteers representing Aboriginal Housing Victoria (AHV). This includes when performing work, duties or functions for AHV, as well as related activities, such as work-related functions, travel, conferences and any other circumstances when a person is representing AHV.

It intends to promote integrity and ethical behaviour consistent with AHV's purpose and values and to guide individuals' conduct in interacting with clients and colleagues, the Organisation, and the external community.

## 2. Scope:

This Code of Conduct applies to AHV's employees and volunteers. AHV Directors have their own Code of Conduct. A separate Code of Conduct also applies to AHV maintenance contractors which forms part of the AHV tendering and contracting documentation. The AHV Code of Conduct does not apply to AHV consultants and suppliers. However, references to professional conduct and compliance with legal obligations in relation to occupational health and safety, child safety and/or non-violence in the workplace are included in AHV contracts with consultants, as appropriate.

## 3. Relevant Legislative Frameworks:

- *Equal Opportunity Act 2010* (Vic)
- *Racial and Religious Tolerance Act 2001* (Vic)
- *Fair Work Act 2009* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Human Rights and Equal Opportunity Commission Act 1986* (Cth)
- *Age Discrimination Act 2004* (Cth)
- *Occupational Health and Safety Act 2004* (Vic)



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## 19. End of employment:

Upon leaving AHV an employee or volunteer must return all documentation, equipment and resources provided or obtained during the course of their employment. During subsequent employment and activities an employee should continue to respect the confidentiality of information gained during the time worked at AHV and not use it for personal or financial gain.

## 20. Company reputation:

All employees and volunteers are expected to:

- Promote AHV wherever possible in our professional dealings with others;
- Refrain from engaging in any activity that may compromise AHV's integrity and reputation.

## 21. Compliance and breaches:

This Code regulates the behaviour of AHV employees and volunteers and also forms part of each employee's conditions of employment. All employees and volunteers must comply with this Code and where they are aware or suspect a breach of this Code, they must immediately report the breach to their manager, or the CEO for further action.

Employees and volunteers whose conduct falls below the standards outlined in the Code will be counselled. Where an employee or volunteer is in breach of the Code, disciplinary action including and up to termination of employment or in the case of volunteers cessation of engagement with AHV may be taken. Consistent with AHV's zero tolerance of all forms of child abuse, any AHV employee or volunteer in breach of this section of the Code of Conduct will face disciplinary action, including and up to termination of employment.

Criminal or civil legal action may also be taken against an employee where state and commonwealth law is breached.

- *Privacy Act 1988* (Cth)
- *Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015* (Vic)
- *Crimes Act 1958* (Vic)

## 4. Related documents:

- *Privacy Policy*
- *Human Resources Policy*
- *Child Safe Policy*
- *IT Security Policy*

## 5. Acronyms and definitions:

AHV	Aboriginal Housing Victoria
Conduct	The manner in which a person behaves

## 6. Elements of this Code:

AHV's Code of Conduct is a guide that is intended to convey in plain words the standards of conduct and ethics expected of all employees and volunteers. Each person is accountable for putting the spirit and letter of the Code of Conduct into practice.

All employees and volunteers representing AHV are expected to

- Uphold AHV's values.
- Deliver on the objectives of AHV;
- Be representative of, and answerable to, the Aboriginal community;
- Provide full explanation of, and full accountability for their decisions;
- Discharge all responsibilities, in accordance with legal obligations and AHV policies and procedures and with total honesty of actions and intent; and
- Exercise due care which means to act in a manner that is reasonably expected of a person in this position and to pay careful attention to all matters relating to their job.



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## 6.1. Values:

Aboriginal cultural values underpin AHV's values. Our values provide an ethical framework within which all decisions are made and our services are delivered. Our values guide how we relate to our clients, each other and to the Aboriginal and non-Aboriginal community.

AHV's values are:

**Respect and support** for Aboriginal identity and culture and for our tenants and stakeholders

**Striving for excellence** through leadership in Aboriginal housing and best practice service delivery

**Integrity, trust and honesty** in all our business activities

**Collaborative relationships** with our community, tenants, government and stakeholders

**Kindness, compassion, courtesy and dignity** in our relationships with our clients, our stakeholders and with each other.

## 7. Obligations:

All employees and volunteers have an obligation and duty of care to:

- Comply with prevailing community standards of equity, justice, fairness and compassion in dealing with others within and beyond the company;
- Perform duties in a responsible and professional manner, with due regard for AHV's policies and relevant legislative requirements and obligations;
- Exert responsible stewardship of company resources;
- Promote and protect AHV's reputation in the wider community;
- Act appropriately when a conflict arises between self-interest and duty to AHV.

## 16. Procuring goods and services:

When procuring goods and services for AHV, employees must be responsible with AHV's money and ensure good value for money. Employees must adhere to the Delegations of Authority Policy when purchasing or entering into agreements on behalf of the company.

## 17. Privacy and confidentiality:

All employees must respect the privacy of others and ensure that personal information kept by AHV will be kept confidential, stored in a safe location and only be used for lawful purposes as specified by legislation to ensure we do not breach our privacy obligations as specified under the Privacy Act 1988. All employees have a responsibility to maintain the confidentiality, integrity, security and safe storage of employee, resident and tenancy information in line with AHV's Privacy Policy.

## 18. Other business equipment:

Outside work must not be undertaken by an employee where it may create a conflict of interest with AHV duties. An employee who is already involved in or considering outside employment or contract work that relates to the business of AHV or that might conflict with their role or professional duties must notify the HR Manager, who will consult with, and seek approval from, the CEO.

Prior to obtaining approval employees must ensure that the outside employment or business will not:

- Conflict with their role within AHV;
- Involve using confidential information or AHV resources obtained in their role; and
- Discredit or disadvantage AHV in any way.



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- provision of a service to family or friends;
- family members working together;
- provision of financial assistance by a service to family or friends and/or;
- employees and volunteers being engaged in other employment of potential or perceived conflict.

## **14.1. Management of conflicts:**

The Human Resources Manager will maintain a register of employee interests. All employees have a duty to disclose their interests and to ensure that their particulars in the Register are current, complete and accurate in all material respects. All employees who have decision making powers are required to complete a conflict of interest declaration at least annually.

When a conflict is identified the CEO (or, where the CEO is involved in the conflict, the Chairman) will determine an appropriate course of action to deal with the conflict (this may be done in consultation with the person declaring a conflict of interest) and advise the affected person(s) in writing.

Failure to declare a known conflict of interest is considered to be a serious issue and may incur disciplinary procedures.

## **15. Use of company equipment and resources:**

Employees must not abuse, waste or destroy company equipment and resources. Reasonable use of company equipment and resources for personal use is acceptable, however this must not be abused or impact on the operations of the business, an employee's ability to complete work, or impact AHV financially through time or resource wastage.

Equipment and resources should be treated with care and secured against theft.

See also the AHV's *IT Security Policy* for further information on the use of IT resources.

## **8. Behaviour:**

### **8.1. Personal conduct:**

All employees and volunteers must:

- Not perpetrate or condone any form of bullying, intimidation and abuse;
- Treat everyone with courtesy, respect, kindness, consideration, and sensitivity to their rights;
- Not engage in harassment or discrimination based on gender, race, religious belief, political affiliation, pregnancy, disability, sexual orientation or illness;
- Always act honestly, in good faith, and respectful of the trust placed in them;
- Respect each individual's rights to privacy and keep personal information in confidence;
- Consider the impact of decisions and behaviour on the well-being of others;
- Refrain from acting in any way that would unfairly harm the reputation and career prospects of other employees;
- Refrain from allowing personal relationships to affect professional relationships;
- Seek advice from an appropriate manager where a colleague's behaviour is perceived to be in breach of the Code.

### **8.2. Professional conduct:**

Employees and volunteers must behave professionally in all situations and with all stakeholders including, but not limited to: colleagues, management, board members, suppliers, contractors, workers in other organisations, applicants, tenants, residents and community members. Professional conduct should be exhibited through fair and consistent treatment, non discriminatory behaviour, verbal language, communication methods, personal appearance and the way in which interactions are undertaken both in the workplace and externally.



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All employees are expected to:

- Perform duties diligently, impartially, conscientiously, with integrity, and to the best of their ability;
- Ensure their decisions and actions are reasonable, fair and appropriate to the circumstances, based on consideration of all the relevant facts, and in accordance with AHV policies;
- Take responsibility for health and safety of themselves and others when carrying out their duties;
- Comply with any relevant legislative, industrial or administrative requirements including observance and application of anti-discrimination policy;
- Foster teamwork and collegiality among fellow employees;
- Take no improper advantage of any official information gained in the course of their employment.

## 9. Discrimination, bullying and harassment:

AHV has a zero tolerance of any form of discrimination, bullying and harassment. AHV will ensure that all decisions affecting employees and tenancy-related decisions and practices are free from discrimination.

Discrimination, bullying and harassment go against AHV's core values and this Code. Employees must ensure their behaviour and actions do not offend, intimidate or humiliate any person an employee engages with in the course of their work.

See AHV's *Human Resources Policy* (chapter on Equal Opportunity, Bullying and Harassment) for further information.

## 10. Violence:

All employees and volunteers will adhere to the organisational mandate of zero tolerance to violence in any form.

Employees and volunteers will:

- maintain a safe workplace environment free from physical violence, racist behaviours, sexist behaviours, bullying or harassment;

AHV acknowledges that conflicts of interest may occur as part of its "normal" business for a range of reasons, some of which include Aboriginal board members, employees and tenants being related to one another. As such AHV expects open acknowledgement of any potential conflicts of interest.

Whether conflict exists depends on the context. It may be a direct or indirect interest, a pecuniary interest or a non-pecuniary interest such as reputation, the opportunity to gain non-pecuniary rewards such as expertise, knowledge or the opportunity to influence policy decisions that may subsequently provide a pecuniary or non-pecuniary benefit.

It is not possible to specify a definitive list of circumstances which give rise to potential and actual conflicts. Each circumstance will be considered on its facts at the time. Conflicts of interest may affect a person's capacity to act with impartiality without realising it. For this reason, conflicts of interest must be made explicit, so that strategies may be implemented to reduce risk.

Employees who perform any discretionary function (for example recruiting employees or contractors, providing advice, policy development or review, etc.) must declare any potential conflicts of interest to their manager, the CEO or chairperson. If the CEO is involved in the perceived conflict of interest, the notice should be communicated to the AHV Chairperson.

Wherever possible, employees in such a position should disqualify themselves from any dealings that may raise a real or perceived conflict of interest.

Situations where possible conflicts of interest may occur include, but are not limited to, the following:

- recruitment of friends or family members into the organisation as employees, volunteers, students or contractors;



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### 14. Conflict of interest:

As a not for profit, Aboriginal community controlled organisation, we must be impartial and fair in our dealings with clients, key stakeholders and the general public. Their trust, confidence and support of AHV's goals and objectives are necessary if we are to do our job well.

A conflict of interest arises where personal associations or interests interfere with professional conduct. Employees and volunteers are to avoid conflicts of interest at all times, conducting themselves with honesty, fairness and propriety.

Employees are not to take improper advantage of their position to obtain benefits for themselves or others.

The choice of individuals or organisations with which AHV may have a business relationship must be determined solely on the basis of the best business interest of AHV and its membership.

To ensure that AHV's work is impartial, and seen to be so, employees and volunteers must make sure that no personal or financial interests, associations or activities conflict with the proper exercise of duties. In many cases only the individual concerned will be aware of a potential or actual conflict of interest. The onus is therefore on the individual to immediately notify the CEO, Chairperson or their Manager if a potential or actual conflict arises. The person with the conflict of interest is not to be involved in any deliberations about the matter.

As such all AHV employees and volunteers must act in good faith at all times for the benefit of AHV and declare any conflicts of interest, whether they are actual, potential or perceived conflicts. Board members are covered by the Board Conflict of Interest Policy.

- comply with specific organisational policies relating to appropriate workplace behaviours, equal opportunity, bullying and harassment, occupational health and safety; occupational violence; working alone, home visits; privacy and confidentiality;
- comply with AHV's approach to preventing and responding to violence against women inside and outside the workplace;
- undertake and participate in workplace training and development to:
  - increase their understanding of how and why violence against women occurs;
  - identify possible indicators of violence against women;
  - act to prevent violence against women;
  - be able to provide appropriate support and referral to victims of violence.

### 11. Duty of care:

AHV seeks to ensure a safe and healthy workplace is provided to employees and others in any of our premises. Managers are responsible for ensuring that activities within their areas or responsibility are undertaken with due diligence for the health, safety and well-being of employees and others located or working in the area.

All employees and volunteers have a duty to take reasonable care and to avoid causing harm to others and must follow safe working practices and actively promote safe working conditions. Employees must adhere to the Occupational Health and Safety Policy and report any incident, near miss or injury to their manager as soon as practicable. Employees and volunteers must ensure that personal use of alcohol or drugs does not affect the performance of their duties or the safety and well-being of themselves or others.

See the *AHV Human Resources Policy (chapter on Occupational Health and Safety)* for further information.



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### 12. Child Safety:

All employees and volunteers, who come into contact with children in the course of the work for, or on behalf of AHV, will:

- Establish and maintain a child-safe environment in the course of their work;
- Treat children and young people with respect and value their ideas and opinions;
- Act as positive role models in their conduct with children and young people;
- Promote the cultural safety, participation and empowerment of Aboriginal children;
- Only enter and remain in AHV rented properties when the tenant or the tenant's adult representative is present;
- Ensure that if they are required to perform their duties in the presence of a child, that at least one other adult is also present. There is no reason for employees or volunteers to be alone with children in order to perform their duties, as AHV does not deliver specific services to children.
- Comply with specific organisational policies relating to physical contact with children. There should be no need for AHV employees to engage in any form of physical contact with children in order for them to perform their duties;
- Respect the privacy of children, their families and carers and only disclose information in accordance with AHV's *Privacy and Confidentiality Policy*;
- Comply with the requirements of AHV's *Child Safe* policy at all times;
- Report to the police any reasonable belief that a sexual offence has been committed by an adult against a child under 16, consistent with an adult's legal duty under the *Crimes Act 1958*;
- Report any reasonable belief of suspected child abuse to their line manager and ensure any such allegation is reported to the police (for sexual abuse of a child under 16) or the Victorian Aboriginal Child Care Agency or other appropriate organisation (for other forms of child abuse);
- Report the matter immediately to the police by calling 000, if the abuse is considered to pose an immediate threat to the child;
- Report any child safety concerns to their line manager or CEO.

AHV employees and volunteers will not, in the course of their work:

- Shame, humiliate, oppress, belittle or degrade children or young people;
- Unlawfully discriminate against any child;
- Engage in any activity with a child or young person that is likely to cause them physical or emotional harm;
- Develop any 'special' relationships with children that could be seen as favouritism;
- Demonstrate favouritism through the provision of gifts or inappropriate attention to children;
- Initiate contact, including physical and/or on-line contact, with children or young people outside of AHV's services and activities;
- Photograph or video a child or young person without the consent of the child and her/his parents or guardians;
- Work with young children or young people under the influence of alcohol or illegal drugs;
- Engage in open discussions of a mature or adult nature, or use inappropriate language in the presence of children;
- Express personal views on cultures, race or sexuality in the presence of children.

### 13. Gifts and benefits:

Employees and volunteers must not accept a gift or benefit (financial or otherwise) if it could be regarded by an impartial observer as likely to cause the members, directors, employees and volunteers to perform their role in a particular way, or provide some return benefit, or to deviate from the proper course of action or duty. Any offer of a gift or benefit to the CEO shall be reported immediately to the Chairperson, or, in the case of employees or volunteers, to the CEO.

Approval may be provided to accept the gift or benefit if it is of small value and not seen to create a conflict of interest. If approval is not provided the gift, or benefit, must be returned to the person or company.