

<b>Approved by:</b>	<b>Board of Directors:</b>	<input checked="" type="checkbox"/>
	<b>Chief Executive Officer:</b>	<input type="checkbox"/>
<b>Initial Approval Date:</b>	15 May 2018	
<b>Revised Date:</b>	10 April 2021 No substantive changes – updated for ACSL & current internal policy environment	
<b>Review Date:</b>	April 2024	
<b>Policy Owner:</b>	Board	

## 1. BACKGROUND & CONTEXT

Australian Catholic Safeguarding Ltd (ACSL) is committed to fostering a culture of safety and care for children and vulnerable adults who come into contact with the Catholic Church and its works in Australia.

ACSL unequivocally commits to promoting the dignity and integrity of every person. To meet this commitment, this Code of Conduct has been developed in consultation with relevant parties. The provision of a safe and supportive environment is essential to ensure employees and those with whom they work are affirmed in their dignity and worth as people.

## 2. PURPOSE & SCOPE

This Code of Conduct applies to all personnel engaged by ACSL including paid employees, volunteers, Directors, committee members and contractors. The safety of children and vulnerable adults is core to the organisation's mission and is reflected in this Code of Conduct. The Code of Conduct has been developed to complement the Policy Manual and should be read in conjunction with relevant legislation, policies and procedures.

## 3. WHEN DOES THE CODE APPLY?

The Code of Conduct applies to all personnel:

- a) in the performance of their duties;
- b) during ACSL activities and at ACSL-related events (whether convened by ACSL or not, and whether convened during usual working hours or not); and
- c) when their association with ACSL is identifiable (eg: while using Facebook from a personal computer in personal time if ACSL is listed on Facebook as the employer).

## 4. DEFINITIONS

**Adult at risk** A person aged 18 years and over who is at increased risk of experiencing abuse or exploitation, including by virtue of their age, disability, diminished capacity, cognitive impairment, cultural background, life or personal circumstance.

**Child** Child and children refers to a person under 18 years of age.

**Conduct** The personal behaviour of an individual.

**Conflict of Interest** A situation in which an individual has competing professional or personal interests making it difficult for an individual to fulfil their duties impartially. Such

competing interests could potentially influence judgements made during the course of professional duty.

**Contractors** Contractors are those retained with a specific skill set or for a specific task, and invoice ACSL for their work. Contractors may be engaged directly or via labour hire or recruitment firms.

**Directors** An appointed member of the Board of Directors of ACSL who carry out duties as per the Constitution of ACSL.

**Discrimination** To treat an individual less favourably because of a protected attribute, or to impose unreasonable terms or conditions for which individuals with a particular attribute are unable to comply.

**Disciplinary Action** Measures taken by ACSL in relation to unsatisfactory performance, misconduct or serious misconduct of an employee in relation to the performance of their duties.

**Employees** All permanent, fixed term and casual employees covered by common law employment contract with ACSL.

**Ethics** The guiding values, principles and standards that enable people to determine how things should be done and how they should act.

**Fair** Behaving justly and working within commonly accepted rules.

**Harassment** Any form of behaviour that is unwelcome, unsolicited and unreciprocated. The behaviour is often likely to offend, humiliate or intimidate other people and may be a single incident or reoccurring.

**Misconduct** The dereliction of duty or behaviour likely to bring the reputation of the organisation into disrepute.

**Personnel** Collective term for all employees, Directors, volunteers, agency/temporary staff and contractors.

**Serious Misconduct** Misconduct of such a nature that it would be unreasonable to require the organisation to continue the employment of the employee.

**Supervisor** A staff member who has designated responsibility for managing and/or overseeing the performance and workplace behaviour of other personnel.

**Volunteers** Volunteers include individuals or entities who donate employee time, willing given for the common good and without financial gain.

**Work Resources** Includes physical, financial, technological and intellectual property.

## 5. STANDARDS OF CONDUCT

In performing their duties, it is expected that all personnel will support the core values of ACSL.

Personnel have a responsibility to meet the high standards of professional and ethical behaviour required by ACSL when interacting with colleagues, service users, contractors, and the Catholic and wider community.

Personnel undertake their responsibilities within the framework of the law and lawful and reasonable instructions from ACSL. Personnel must comply with legislative and industrial requirements, with this Code and any policies and procedures that are implemented by ACSL.

### 5.1 Courage

*We stand firm, act responsively and persevere*

Personnel have a responsibility to:

5.1.1 Ensure that they accurately convey ACSL's purpose, values and goals

- 5.1.2 Respectfully listen to and receive information and suggestions from others in a collaborative way
- 5.1.3 Make well-considered justifiable decisions, especially where they may have an adverse impact on others
- 5.1.4 Report suspected unethical behaviour or wrong-doing by another to an appropriate person or in accordance with ACSL's procedure for reportable conduct
- 5.1.5 Admit and take responsibility for their mistakes and work to rectify problems as quickly as possible
- 5.1.6 Ensure those who have admitted mistakes are treated with fairness and dignity
- 5.1.7 Where possible, suggest improvement in the workplace or the broader community through research, reflection and innovation

## **5.2 Honesty**

### ***We embrace openness and transparency, and act with integrity, probity and fairness***

Personnel have a responsibility to:

- 5.2.1 Engage in genuine dialogue with other personnel and stakeholders through transparent, open, honest and consistent communication and consultation
- 5.2.2 Be accountable in all work that they do and act with authenticity, sincerity and integrity
- 5.2.3 Disclose all relevant information applying to them effectively performing their role
- 5.2.4 Immediately disclose all charges, convictions and other outcomes of an offence that relates to child abuse or violence against another person which occurred before, or occurs during, association with ACSL
- 5.2.5 Comply with all applicable legislative and regulatory requirements applying to the operation of ACSL
- 5.2.6 Perform duties diligently, ethically and conscientiously and in accordance with reasonable and lawful supervisory directions
- 5.2.7 Comply with ACSL's policies and procedures as amended from time to time
- 5.2.8 Take all reasonable steps to avoid any conflict of interest in the course of their employment or engagement with ACSL, and immediately disclose, in writing to the CEO or Chair as appropriate, if a potential, perceived or actual conflict of interest arises
- 5.2.9 Not use their position for advantage or personal gain
- 5.2.10 Not solicit nor accept any gifts, benefits or favours for themselves or for another person unless they comply with the conditions set out in ACSL's policies and procedures
- 5.2.11 Avoid any conduct, including alcohol or substance abuse or misuse, which would adversely affect their work performance
- 5.2.12 Only make public comment when authorised to do so and not bring ACSL into disrepute through their comments

## **5.3 Compassion**

### ***We honour the dignity of all and work with understanding, respect and care***

Personnel have a responsibility to:

- 5.3.1 Act equitably, fairly and reasonably and treat others with honesty, respect, courtesy, sensitivity and compassion

- 5.3.2 Behave and communicate in a manner that does not intimidate, offend, degrade or humiliate, and which does not harass, sexually harass, unlawfully discriminate or bully
- 5.3.3 Maintain a respectful, co-operative and collaborative approach to all working and work-related relationships and take all reasonable steps to resolve issues at the lowest possible level in a fair and timely manner
- 5.3.4 Respect the confidentiality and privacy of other personnel and stakeholders
- 5.3.5 Use all forms of social media platforms and online activities belonging to or connected with ACSL in a responsible and appropriate manner, and not bring ACSL into disrepute through their personal use of social media
- 5.3.6 Actively participate and contribute to the workplace to foster productivity and equity in the workload and a positive workplace culture
- 5.3.7 Make all reasonable efforts to project a professional public image including refraining from wearing clothing that may offend or is insensitive to other cultures, religious groups or individuals

#### **5.4 Safeguarding**

***The safeguarding of children, and adults at risk, is fundamental to our work, it underpins all decision making and we are committed to giving children and adults at risk a voice***

Personnel have a responsibility to:

- 5.4.1 Treat all children, and adults at risk, with respect regardless of their race, colour, gender, language, religion, opinions, nationality, ethnicity, social origin, property, disability, sexual orientation or other status
- 5.4.2 Use language or behaviour that is appropriate and in no way harassing, abusive, sexually provocative, demeaning or culturally inappropriate
- 5.4.3 Use computers, mobile phones, video cameras, cameras and social media appropriately and not as a means to exploit, harass or place children or adults at risk
- 5.4.4 Obtain informed consent before photographing, filming or audio-recording others. An explanation of how the photograph, film or recording will be used must be understood by all parties involved
- 5.4.5 Ensure file labels, meta data or text descriptions do not reveal identifying information about children and vulnerable adults when sending and/or forwarding images electronically or publishing images in any form
- 5.4.6 Report suspected unethical behaviour or wrongdoing by another to an appropriate person or in accordance with ACSL's procedure for reportable conduct

#### **5.5 Resources**

***ACSL finances, facilities, equipment and information systems are accessed and or utilised only for the purposes for which they are intended. We uphold the confidentiality and privacy of personal information***

Personnel have a responsibility to:

- 5.5.1 Use entitlements, equipment, facilities, resources and funds for their proper purpose and in accordance with ACSL policy
- 5.5.2 Only access and/or use intellectual property, including information on electronic systems and hard copy files, for their intended/proper purpose
- 5.5.3 Adhere to proper records and information management practices and procedures, so that records are confidential, secure, complete, up-to-date and capable of providing organisational accountability

- 5.5.4 Make reasonable efforts to actively engage in learning and in personal and professional development, to continually improve their skills and knowledge relevant to their role and area of expertise, and for personal growth
- 5.5.5 Identify and report all workplace health and safety risks or security incidents and take all reasonable care for the health and safety of others including those who may be affected by their acts or omissions at work

## **6. AUTHORITIES & ACCOUNTABILITIES**

The CEO has responsibility for the Policy and will:

- 6.1 Ensure this Code of Conduct is communicated to all personnel and signed as part of their terms & conditions of employment
- 6.2 Advise the Board and relevant personnel of any significant changes
- 6.3 Advise the Board of any breaches to the Code of Conduct
- 6.4 Ensure this Code of Conduct is reviewed every three years or as required

## **7. RELEVANT LEGISLATION**

- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Disability Discrimination 1992 (Cth)
- Equal Opportunity Act 2010 (Vic)
- Equal Opportunity for Women in the Workplace Amendment Act 2012
- Fair Work Act 2009 (Cth)
- Financial Management Act 1994 (Vic)
- Freedom of Information Act 1982 (Vic)
- Information Privacy Act 2000 (Vic)
- Occupational Health and Safety Act 1991 (Cth)
- Privacy Act 1988 (Cth)
- Protected Disclosures Act 2012 (Vic)
- Working with Children Act 2005 (Vic)
- Racial Discrimination Act 1975 (Cth)
- Racial and Religious Tolerance Act 2001 (Vic)
- Sex Discrimination Act 1984 (Cth)

## **8. BREACHES/CONSEQUENCES OF NON-COMPLIANCE**

- 8.1 All personnel have a responsibility to comply with the Code of Conduct and ensure other personnel also comply. Where personnel suspect a breach of the Code of Conduct may have occurred they should report this to their Supervisor or CEO as soon as practical.
- 8.2 Employees whose conduct falls below the standard outlined in the Code of Conduct will be dealt with in accordance with one of the following:
  - 8.2.1 Performance Management Policy & Procedure – where the employee’s behaviour is deemed as not satisfactory
  - 8.2.2 Disciplinary Action Procedure – where the employee’s behaviour is deemed as serious misconduct
- 8.3 Contractors whose conduct falls below the standard outlined in the Code of Conduct may face immediate cessation of their engagement.

- 8.4 Any person who has reasonable grounds to suspect a Director of ACSL has breached this Code of Conduct may raise their concerns in writing to a Member Representative or through ACSL's Whistleblower Policy.
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## 9. CODE OF CONDUCT DECLARATION

I, \_\_\_\_\_, have read, understand and agree to abide by the Code of Conduct of Australian Catholic Safeguarding Ltd and understand that compliance with this Code of Conduct is a condition of my employment, engagement or volunteer work.

I understand that a breach of this Code of Conduct may be grounds for disciplinary action or in the case of serious misconduct, termination of employment or the cessation of engagement with ACSL.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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(Signature)