

OPS-005 Staff Code of Conduct and Ethics

Authorised by: CEO / Board of Directors
Applies to: All PWDA staff
Effective from: 27/10/20
Review date: 27/10/23
Policy Owner: Director-People, Quality and Systems

1.0 Policy statement

PWDA's purpose as a leading disability rights and advocacy organisation is to realise our vision of a socially just, accessible and inclusive community.

Our staff are expected to work efficiently, fairly, respectfully and with integrity; to support PWDA's purpose and core values; to contribute to a positive work culture; and by so doing promote confidence and trust in the organisation.

This Staff Code of Conduct and Ethics:

- Conveys the core values and principles that underpin PWDA's work.
- Provides general guidelines for professional and ethical standards of conduct expected of all staff whether they are paid, volunteer, on contract, or on student placement.
- Reflects PWDA's commitment to work practices that promote a harmonious, productive and diverse workplace in which the contribution of each person is valued and respected.

The Code is one element of PWDA's good corporate governance practices, supported by a range of policies and procedures. All staff are expected to act in accordance with the Code and to sign a declaration that they have read, understood and will comply with it.

Allegations of behaviour contrary to this Code of Conduct are investigated in accordance with the principles of procedural fairness. Disciplinary action may be taken against a staff member who repeatedly or intentionally fails to follow the Code. Action may range from a warning through to termination of employment.

2.0 Our core values

We believe that people with disability irrespective of age, gender, cultural or linguistic background, religious beliefs, geographic location, sexuality, or the nature, origin, or degree of disability:

- Have a right to life and to bodily integrity.
- Are entitled to a decent standard of living, an adequate income and to lead active and satisfying lives.
- Are people first, with human, legal, and service user rights that must be recognised and respected.
- Are entitled to the full enjoyment of citizenship rights and responsibilities.
- Are entitled to live free from prejudice, discrimination and vilification.
- Are entitled to social support and adjustments as a right and not as the result of pity, charity or the exercise of social control.
- Contribute substantially to the intellectual, cultural, economic and social diversity and well-being of our community.
- Possess many skills and abilities, and have enormous potential for life-long growth and development.
- Are entitled to live in, and be a part of, the diversity of the community.
- Have the right to participate in the formulation of those policies and programs that affect their lives.
- Must be empowered to exercise their rights and responsibilities, without fear of retribution.

3.0 Principles guiding our work

Our Staff Code of Conduct is guided by a set of principles governing the way we go about our work. We are:

- Passionate, innovative and fearless in the promotion and defense of the rights and interests of people with disability.
- Accessible and responsive to our community, and inclusive of its diversity.
- Supportive and encouraging of the civic participation of people with disability.
- Collaborative and supportive in our relationships within the broad disability rights movement.
- Accountable for our activities to our members, to people with disability generally and to the public.
- Resourceful and efficient in marshalling and managing the resources needed to undertake our work.

4.0 Definitions

A Code of Conduct and Ethics outlines specific behaviours that are required or prohibited as a condition of ongoing employment at a workplace.

Staff includes all permanent, part-time, contract and casual staff in PWDA's employ, together with volunteers and those on student placement.

5.0 Accountabilities

Accountability for the policy rests with the following positions:

Board and CEO:

The Board and CEO are responsible for leading and promoting implementation of the Staff Code of Conduct and Ethics throughout the organisation; ensuring that the general conduct and management of PWDA are in accordance with the core values of the Code; and responding to any serious breaches of the Code.

Senior managers:

Senior managers are responsible for leading and promoting implementation of the Staff Code of Conduct and Ethics in their work units; for recognising and promoting staff and team conduct that exemplifies the Code; and ensuring that any real or perceived conflicts of interest are avoided or effectively managed.

All staff:

All staff are expected to demonstrate a high level of personal conduct consistent with the Staff Code of Conduct, as amended from time to time. They are encouraged to seek assistance when unsure about how to implement the Code and to report possible breaches of the Code to their supervisor or CEO.

PWDA Staff Code of Conduct and Ethics

6.1 Promote harmony in the workplace

It is expected that you will promote harmony in the workplace by:

- Being courteous, respectful and supportive of work colleagues.
- Valuing each work role equally.
- Valuing and supporting diversity in the workplace.
- Raising and responding to workplace grievances in a timely, transparent and solution-oriented manner.
- Being inclusive of all staff in workplace social activities.
- Refraining from workplace gossip and personal criticism of work colleagues.
- Not engaging in conduct that has the potential to undermine workplace cohesion and morale.

6.2 Promote a positive image of PWDA

It is expected that you will promote a positive image of PWDA by:

- Ensuring a positive personal presentation– including good personal hygiene, grooming and a professional standard of dress.
- Keeping your workstation and general work area neat and tidy.
- Refraining from engaging in gossip or adverse comment about PWDA to others.
- Being well-informed and well-prepared for any dealings with clients, members, directors, the public and external agencies.
- Communicating with clients, members, directors, the public and external agencies in a courteous, tactful and responsive manner.

6.3 Promote a positive image of people with disability

It is expected that you will promote a positive image of people with disability by:

- Clearly articulating and applying a social perspective on disability in all aspects of your work.
- Using positive, realistic language to communicate about people with disability.
- Not using archaic and derogatory terms to describe people with disability.
- Not telling disability-related jokes that a reasonable person with disability might find offensive.
- Avoiding modes of communication that a reasonable person with disability might find patronising.

6.4 Support social diversity

Social inclusion principles are fundamental to PWDA and underpin all aspects of our work. It is expected that you will recognise and respect the diversity of Australian society and culture, and oppose all forms of prejudice, unlawful discrimination or vilification in carrying out your role at PWDA.

6.5 Show respect for Aborigines and Torres Strait Islanders

It is expected that you will:

- Recognise and respect the special status of Aboriginal and Torres Strait Islanders as the traditional custodians of the land of Australia.
- Acknowledge the traditional custodians at public events organised by PWDA
- Work for just reconciliation with Aborigines and Torres Strait Islanders wherever there is an opportunity to do so in your work.

6.6 Exercise professional competence and duty of care

It is expected that you will exercise a high level of professional competence and judgement in performing your duties. In particular you must:

- Exercise reasonable care in performing your duties so as to minimise the risk of harm, illness or injury to others in the workplace.
- Maintain and continually develop your professional knowledge and skills within the scope of your work role.
- Consult with colleagues and supervisors regarding any sensitive, contentious, complex, challenging or intractable work issues in which you are involved.
- Avoid over-protecting clients and others with disability and ensure that interventions accord with the principle of 'least restrictive alternative' and allow dignity of reasonable risk.
- Commit to working in a continuous quality improvement framework.
- Conduct your work within the framework of PWDA's vision, purpose, policies, procedures and plans.

6.7 Support work colleagues, directors and members with a disability

It is expected that you will support others in the workplace by:

- Taking care not to create workplace barriers to the full participation of staff, directors and members with disability.
- Ensuring that formal workplace adjustments, for which you are responsible, are provided in a timely and supportive way.
- Providing active, informal workplace support and assistance to work colleagues and others with disability.
- Including staff with disability in workplace social activities on an equal basis with other staff.

6.8 Maintain an appropriate relationship with the Board of Directors

It is expected that you will maintain an appropriate relationship with the Board.

This means:

- Recognising and respecting the governance role of the Board of Directors.
- Treating directors with courtesy and respect and responding to any reasonable request for information or other assistance.
- Demonstrating professional loyalty to the Board as a whole.
- Not disclosing sensitive or confidential information – in particular client information – to directors where the information does not relate to the Board's governance role.
- Not discussing sensitive or confidential Board matters with directors.
- Not becoming involved in any dispute or grievance between directors, or between directors and supervisory or colleague staff, or between directors and anyone else in the organisation.
- Reporting any grievance or dispute involving a director to the CEO immediately.
- Not engaging in workplace gossip with directors.
- Immediately reporting to the CEO, through your supervisor, any direction given to you by a director. They will clarify your responsibility to respond to the direction.
- Immediately reporting to the CEO, through your supervisory, any ethical issue arising from your contact with a director.

6.9 Maintain appropriate professional boundaries

It is expected that you will maintain appropriate professional boundaries with PWDA members, directors, clients, associates and other work colleagues.

This means not entering into personal relationships that may, irrespective of your intention:

- Affect your professional judgement or exercise of discretion.
- Create a conflict of interest with your duties.
- Cause you to do your job in a certain way or deviate from usual procedures.
- Result in exploitation, abuse of power, breach of trust or other harm to the person including that of a sexual, physical, psychological or financial nature.
- Result in the person's dependence on you outside your professional role.

You must immediately disclose to the Director - People, Quality and Systems any personal relationship that has given rise, or has the potential to give rise, to the circumstances set out above. You must follow any reasonable direction determined by the Manager in response to the circumstances you disclose.

6.10 Maintain a boundary between your staff role and your role as a PWDA Member

If you are a PWDA Member and also a staff member, then it is expected that you will:

- Demonstrate professional loyalty to the elected Board, and to supervisory staff and work colleagues notwithstanding any personal views you may hold as a Member on a particular issue.
- Not disclose or use any sensitive or confidential information to which you have access in your staff role, in your role as a Member.
- Not become involved in a dispute or grievance between Members, or between a Member and a Board Director, or between a Member and staff unless authorised by the CEO to deal with the situation.
- Immediately report any grievance or dispute involving a Member to the CEO. The CEO will liaise with the President to agree a process to resolve the matter.
- Not play an active part in Board elections or other decisions of the Membership, save for casting a confidential vote. This includes not campaigning for the election of any Member to the Board; and not nominating, seconding or endorsing a particular candidate for election.
- Refrain from expressing any personal views, or participating in a campaign, on questions put to, or raised by, Members for resolution.
- Otherwise act in a transparent and impartial manner in relation to issues being canvassed with or by PWDA's Members consistent with your professional responsibilities in the area.

6.11 Avoid conflicts of interest

A conflict of interest exists when it is likely that you could be influenced, or could be reasonably perceived to be influenced, by a personal interest in carrying out your work. In order to avoid a conflict of interest, it is expected that you will:

- Not give preference in your work to any person or organisation as a result of any personal association with them.
- Avoid work in relation to a matter where you have a personal belief, interest, competing interest, or relationship that does (or may) conflict with your work duties and responsibilities.
- Immediately disclose to your supervisor any conflict of interest – either actual, ‘reasonably perceived’ or potential – which may be seen to impact on your work performance or impartiality. This includes any secondary employment or involvement in an organisation which may take a position on a matter in which PWDA has a current interest, or likely future interest.
- Accept reasonable direction from your supervisor regarding the conflict of interest issue you disclose.
- Complete the “Conflict of Interest Disclosure Statement” (Attachment A) and return to the PWDA Corporate Governance Officer.

6.12 Avoid a conflict of interest related to participation on external committees

If, in a personal capacity, you participate as a member of an external committee that operates in the disability sector, or is involved in an issue in which PWDA has a current interest, It is expected that you will:

- Advise your supervisor where there is the potential for a conflict of interest with your duties at PWDA.
- Consider resigning from the external committee where the potential for conflict of interest with your duties at PWDA is persistent and/or acute.
- Remain fully apprised of PWDA’s policy positions on matters which you may also be exposed to in your external committee role.
- Declare a conflict of interest where an external committee adopts (or proposes to adopt) a position different to that adopted by PWDA on an issue and ensure the declaration is recorded by the external committee.
- Refrain from involvement in the external committee’s activities in relation to the issue of difference (for example, do not make any public comment, public presentation, or interact with government officials on behalf of the external committee in relation to the issue of difference).
- Talk to your supervisor if you have any concern about your participation on an external committee, and the potential for conflict of interest and accept their reasonable direction.

6.13 Exercise restraint in acceptance of gifts and benefits

It is expected that you will exercise restraint in relation to accepting gifts or benefits in the course of your work. This means:

- Never soliciting money, a gift or benefit from a PWDA member, client or work colleague.
- Always declining gifts or benefits from individuals or organisation that are complainants to the office or that you know to be the subject of an investigation by PWDA.
- Never accepting money, a gift or benefit with a value greater than \$50 unless authorised to do so by the CEO. If the gift or benefit falls below this amount, then you may accept it provided it does not impose any obligation that may conflict with your duties, cause you to do your job in a certain way, or deviate from usual procedures.
- Where a PWDA member or client seeks to recognise your work through a gift or benefit, suggesting that they do so instead by donating to PWDA.
- Reporting any offer of money, gift or benefit – whether accepted or declined – to the Director – People, Quality and Systems within two working days. The Manager keeps a Register of Gifts and action taken in response.

6.14 Declare payment of any professional fees

In general, you must disclose to the Director – People, Quality and Systems any professional fees – including sitting fees - payable to you while performing your duties for PWDA, or by virtue of your professional role.

In most cases, professional fees are payable to PWDA rather than to you in recognition that you are already being paid for the duties you perform. However, the CEO has a discretion to authorise payment of professional fees to you:

- If the work to which the fee relates results in you exceeding your normal hours of work.
- Where other staff members, in a similar position, have been paid professional fees in the past.

6.15 Only make public comment about PWDA if authorised to do so

You must not make public comment in your capacity as a PWDA staff member unless you have been specifically authorised to do so by the President or CEO. This includes public speaking engagements, comments in publications, electronic communications, comments to the media including letters to the editor.

When making authorised public comments, it is expected that you will make accurate and tactful statements and set out PWDA's policy position persuasively. You must not act in an offensive manner, no matter what the provocation.

While you have a right to participate in public debate on political and social issues as a private citizen, there are some circumstances where this is inappropriate as it may conflict with your duties at PWDA. This includes situations where:

- Your public comment, although made in a private capacity, is seen in some way to be official PWDA comment.
- You are directly involved in an issue at work, and public comment in a private capacity would compete with your professional responsibility in the area.
- Your public comment may give rise to concern that you are not prepared to implement, administer or support PWDA policy or activity to the best of your ability in the course of your duties.

Please consult your supervisor if you have any concern that a personal political or civic activity may compete with your professional duties, and accept their reasonable direction.

6.16 Exercise restraint in political and civic participation

You have a right to participate in political and civic activities in a personal capacity. However, you must not compromise your ability to perform your duties at PWDA in a politically neutral manner. It is expected that you will:

- Refrain from initiating or taking phone calls, faxes or email in relation to your political or civic activities whilst on duty or using PWDA's equipment.
- Stand aside from your job during any period in which you are standing for political office.
- Refrain from any contentious dealings with agencies or officials during any period in which you are seeking political office.
- No use or disclose any information of a sensitive or personal nature, gained in the course of your work at PWDA, in the course of your personal political or civic activities.

Please consult your supervisor if you have any concern that a personal political or civic activity may compete with your professional duties, and accept their reasonable direction.

6.17 Protect confidential and personal information

You must not disclose confidential information or personal information about PWDA clients, Members, work colleagues or directors to any other person without authority to do so. In regard to confidential information, it is expected that you will:

- Regard all information about a PWDA client as confidential.
- Store information securely and confidentially when not actively working on it.
- Use the information only as your supervisor or client directs.
- Do not copy or remove information from the office unless your supervisor or client tells you to.

Where the confidential information includes personal information about a client, then you must:

- Only collect personal information for a lawful purpose directly related to a PWDA function or service, and only use it for that purpose (except where the person consents to some other use, where disclosure is necessary to prevent a serious threat to the person's life or health, or is required by law).
- Tell the client why it is necessary to collect the personal information, how the information will be used, who it may be disclosed to, and their right to review the information on reasonable terms.
- Ensure personal information collected is accurate, complete and up-to-date.
- Protect personal information against unauthorised disclosure or misuse – the information must be kept secure at all times and only be disclosed to those who 'need to know'.

6.18 Do not engage in discrimination, harassment or intimidation

You have a right to work in an environment that is free from harassment or unlawful discrimination. It is expected that you will not engage or collaborate in, condone, facilitate or fail to act in relation to:

- Unlawful discrimination of any person with whom you have business dealings on the ground of their race, sex, disability, age, homosexuality, marital status, pregnancy or on the grounds that a person is a carer or is a transgender person.
- Unlawful behaviour that involves the sexual harassment of a person, or vilification because of their race, their HIV/AIDS status, or because they are a homosexual or transgender person
- Unlawful harassment or discrimination on the grounds of a person's political or religious conviction.

You should report any form of discrimination, harassment or intimidation to your supervisor or the CEO.

6.19 Drugs and alcohol

It is expected that you will:

- Attend the PWDA workplace free from the influence of illicit drugs, alcohol or non-prescribed medications, and not consume them at work.
- Notify your supervisor of any prescribed medication that may adversely affect your work performance.
- Report concerns to your supervisor about working with other staff you perceive to be a work health and safety risk due to their drug or alcohol use.
- Drink only in moderation and within legal limits when representing PWDA at official functions and celebrations.
- Not consume alcohol when driving PWDA motor vehicles.
- Recognise that PWDA has a smoke-free policy and that smoking is limited to designated areas and recognised breaks.

6.20 Use PWDA property appropriately

It is expected that you will use any PWDA office resources and equipment economically, safely and without waste. This includes motor vehicles and laptop computers, and security access cards. In particular you must:

- Use equipment in accordance with its operating instructions.
- Obtain permission to remove PWDA property from our premises before doing so and inform the Management and Corporate Services Unit so that they can record details of removal and return dates.
- Return PWDA equipment promptly when you have finished using it.
- Report any damage or malfunction of PWDA property and equipment to the Director – People, Quality and Systems whether or not this was caused by you.
- Not allow unauthorised people to use PWDA property or equipment. Check with the Director – People, Quality and Systems if in doubt.
- Leave PWDA facilities in a clean and tidy state – this includes motor vehicles, and any facilities used during meetings.
- Keep secure any keys and office access cards that you have been issued.

6.21 Use computer network, internet and email facilities appropriately

It is expected that you will use PWDA's computer network, internet and email facilities in a professional, responsible and economical manner. Our facilities may also be used for minimal personal use. In particular, you must:

- Strictly adhere to policies and procedures on computer usage designed to minimise the potential for viral attacks or delivery of unsolicited mail.
- Prevent access to PWDA's computer equipment and network by unauthorised persons.
- Not solicit, send or further circulate chain mail of any description.
- Not download, solicit or circulate material of a sexual, political, religious or offensive nature.
- Only search, download and/or print material from the internet that is reasonably necessary to perform your job. Check that the material is not available from PWDA's resource library before doing so.
- Provide copies of any new resource material downloaded from the internet to the Information and Education Unit.
- Not file any personal information on PWDA's computer system.
- Not use email to create or escalate a dispute or grievance.
- Not forward on email received without the permission of the author of the email.
- Ensure that any email sent is purposeful, concise, accurate, tactful, clearly expressed and accurately addressed to the recipient
- Use the 'reply to all' email facility only when the information is substantial in nature and likely to be of interest to all those on the circulation list.

6.22 Work safely

You have a right to work in an environment which, as far as is practical, is free from exposure to hazards; and to refuse to work where there is a risk of imminent and serious injury or harm. It is expected that you will:

- Cooperate in ensuring the highest possible work health and safety standards are maintained through all PWDA's activities.
- Take reasonable care to ensure your own safety at work and avoid adversely affecting the health and safety of others in the workplace.
- Use or wear any protective equipment or clothing required to be used or warn.
- Immediately report any situation at the workplace which may constitute a hazard to anyone
- Report any health or safety incident immediately.

6.23 Deal positively with critical feedback or complaints

You have a right to be given clear guidance about what is expected of you in your job role and the level of performance required. Within a framework of continuous improvement of our services, you are expected to deal positively with any critical feedback or complaint about your work. This means:

- Striving to fulfil your duties within the framework of PWDA's policies and procedures.
- Immediately reporting any complaints or critical feedback about your work to your supervisor – whether from within the organisation or from a client or other external person.
- Cooperating in a non-defensive, constructive and reflective way in responding to crucial feedback or complaints.
- Viewing complaints and critical feedback as a positive opportunity for professional growth and a way to improve the quality of services that PWDA provides.

You have a right to have any complaints or critical feedback made against you dealt with in a fair, confidential and prompt manner.

6.24 Exercise restraint in post-separation employment

You should not use your position at PWDA to obtain opportunities for future employment or allow yourself or your work to be influenced by plans for, or offers of, employment outside of PWDA.

As a former staff member, you should not use or take advantage of confidential information obtained in the course of your work with PWDA. Nor should you complete with PWDA for work for a period of two years following your departure from PWDA.

You should be careful in your dealing with former PWDA staff and not give them access to confidential information.

6.25 Pay fines and penalties

In the event that you incur a fine or other penalty in the course of your work (for example, parking fine) it is expected that you will:

- Promptly identify yourself to PWDA and relevant external authorities as the person who incurred the penalty or fine.
- Make prompt personal payment of the penalty or fine.

6.26 Report serious breaches of the Code of Conduct

Serious breaches of the Code of Conduct may involve someone dishonestly or improperly using their position, acting unethically or corruptly, breaching a client's privacy, fraud, or wasting PWDA's resources.

You are asked to immediately report any actual or apparent breaches of the Code of Conduct to the CEO for investigation. If the conduct involves the CEO, then a report should be made to the President or other appropriate person.

You have a right to raise these issues in an atmosphere which is not threatening and without fear of retribution.

6.0 Related policies, procedures and forms

- PWDA Enterprise Agreement
- Addressing Underperformance policy
- Misconduct and Disciplinary Proceedings policy
- Information Technology policy
- Resolution of Workplace Grievances policy
- Complaints Handling and Resolution policy

Declaration

I declare that I have read, understood and agree to abide by People With Disability Australia's Staff Code of Conduct and Ethics.

Name: _____

Position: _____

Signed: _____

Date: _____

Attachment A

Conflict of Interest Disclosure Statement

Please read the PWDA Staff Code of Conduct (section 2.2.10 Avoid conflict of interest) when completing this Disclosure Statement.

The Code defines the conflict of interest and requires staff members and affiliates to declare existing, potential or perceived conflicts with the organisation's interests. Affiliates include contractors, volunteers, and any other person appointed or engaged by PWDA to perform work, duties or functions for PWDA.

Full disclosure must be made on this Disclosure Statement as soon as reasonably practical by staff members or affiliates to their direct line manager or, in the case of an affiliate, the contact person designated under the affiliate's contract or instrument of appointment or engagement.

The line manager in receipt of the Disclosure Statement will discuss it with the staff member or affiliate in a timely way to determine/agree a procedure for management or elimination of the conflict of interest. This procedure must then be referred to a representative of the senior management team (SMT) for approval (or where the conflict has been raised by a member of the SMT, with the Chief Executive Officer).

Section 1: To be completed by employee

Details	Response(s)
Employee Name:	
Role/ Title:	
Type of conflict: (e.g. commercial relationship, connection with other organisation, family or personal relationship, financial investment, relationship to a position of influence or other).	
Nature of conflict: (e.g. actual, perceived or potential).	
Conflict description: Please provide sufficient information to enable a procedure for management of the conflict of interest to be established. If third parties are relevant to the disclosure, the third parties should be informed.	
How will this conflict be managed? Describe how it might affect or be seen to potentially affect you or PWDA and explain how you propose to manage this conflict of interest.	

Employee Declaration:

I declare that the above information is true and to the best of my knowledge and I confirm that:

- I have discussed the situation with my manager
- I will take appropriate steps to adequately manage the actual, perceived or potential conflict of interest in accordance with PWDA's Staff Code of Conduct.
- Even if a disclosure has been approved, I will refrain from acting in a manner which gives rise to an actual, perceived or potential conflict of interest
- I will keep my manager informed of any material changes to the above circumstances.

Additional comments:

Please provide any additional information here that you consider relevant:

Employee signature: _____

Date: _____

Section 2: To be completed by manager or approved delegate

By selecting *approve* you acknowledge that:

- You have discussed the declaration with a member of the SMT (or where the conflict has been raised by a member of the SMT, with the CEO or Board of Directors where applicable).
- Where required, a plan has been put into place to manage and review the conflict of interest.

Manager or Delegate Name:	
Role/ Title:	
Outcome: (e.g. approve or reject)	
Date:	
Additional comments: (if applicable)	

Manager/ Delegate signature: _____

Date: _____