

VICTORIA PARK CENTRE FOR THE ARTS

# Code of Conduct

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## **1. Purpose**

The purpose of this Code of Conduct is to provide for the good governance of the Association by establishing and maintaining an ethical culture in order to prevent Misconduct.

Together with the Whistle-blower Procedure the Code of Conduct outlines practices necessary to:

- Maintain confidence in the integrity of the Association;
- Take into account the legal obligations and the reasonable expectations of the Association's members and stakeholders;
- Outline the responsibility and accountability of individuals for reporting and investigating reports of unethical practices.

## **2. Responsibilities, Scope and Application**

It is the responsibility of the General Manager to ensure the Code of Conduct is implemented throughout the Association. The General Manager and Board should lead by example in actively promoting and complying with the Code.

The Code of Conduct applies to all personnel engaged by the Association, including Board members, partners and consultants and all staff and volunteers whether engaged on a permanent, casual, temporary or contract basis. In the case of employees' the Code forms part of their employment contract.

Reference to personnel in this document means employees, contractors, board members and volunteers.

## **3. Statement of Support and Commitment from the General Manager and Chairperson**

*"This Code of Conduct challenges us to understand and implement principles that represent acceptable conduct of behaviour. It outlines our responsibilities and provides guidance for any personnel faced with an ethics related issue.*

*The Code of Conduct applies to all personnel engaged by the Association, including Board members, partners and consultants and all staff whether engaged on a permanent, casual, temporary, volunteer or contract basis. The Code of Conduct is an official Associational procedure and forms part of the Association's Governance framework. Everyone is required to abide by the standards of conduct outlined within and breaches may be subject to appropriate disciplinary action.*

*The Code of Conduct reinforces the values and high standards of conduct currently held by personnel. We have every confidence we will all continue to show commitment to demonstrate integrity and accountability by working together to adhere to the Code of Conduct."*

## **4. Underlying Values**

The Associational values that underpin this Code of Conduct are:

- Act ethically and with integrity;
- Act according to the legislative requirements, policies and procedures that apply;
- Make decisions fairly, impartially and promptly, considering all available information, legislation, contracts, policies and procedures;
- Treat all personnel, colleagues, members and stakeholders with respect, courtesy, honesty and fairness, and have proper regard for their interests rights, safety and welfare;
- Not harass, bully or discriminate against personnel, colleagues and members;
- Be an equal opportunity employer;
- Contribute to a harmonious, safe and productive work environment by our work habits and professional workplace relationships; and
- Serve our members by fulfilling our purpose and contractual requirements.

## **5. Standards of Behaviour**

### **5.1 Introduction**

Clause 5.2 sets down standards for the appropriate ethical and professional behaviour of the Association's board members regardless of what capacity they serve.

### **5.2 Standards**

The standards of behaviour are as follows:

- Act honestly, in good faith and in the best interests of the Association as a whole;
- Treat others with respect and without discrimination or prejudice
- Use due care and diligence in fulfilling the functions of the office and exercising the powers attached to that office;
- Use the powers of the office for a proper purpose, in the best interests of the Association as a whole;
- Recognise that the primary responsibility is to the Association's members as a whole but will, where appropriate, have regard for the interests of all stakeholders of the Association;
- Not make improper use of information acquired;
- Not take improper advantage of their position within the Association;
- Properly manage any conflict with the interests of the Association;
- Have an obligation to be independent in judgement and actions and to take all reasonable steps to be satisfied as to the soundness of all decisions and actions taken;
- Acknowledge that confidential information received remains the property of the Association and it is improper to disclose it, or allow it to be disclosed, unless

that disclosure has been authorised by the Board or General Manager or is required by law;

- Not engage in conduct likely to bring discredit upon the Association; and
- An obligation, at all times, to comply with the spirit, as well as the letter of the law, the policies, guidelines and procedures of the Association and with the principles of this Code.

### **5.3 Sign-off**

All personnel will be required to sign-off on the Code, at commencement of their term, and agree to be bound by the Code when discharging their duties.

## **6. Code Rules**

### **6.1 Conflict of Interest**

All personnel are to:

- Ensure personal or financial interests do not conflict with their ability to perform their official duties in an impartial manner; and
- Manage and declare any conflict between their personal and Association duty.

Where conflicts of interest do arise these are to be declared in writing using the Declaration of Interest Form. This form is to be given to the General Manager or in the case of a Board member, the chairperson.

A register shall be maintained.

### **6.2 Improper Use of Association Information**

All personnel are:

- Not to disclose information or documents acquired through their work, other than as required by law or where proper authorisation is given;
- Not to misuse information for personal or commercial gain for themselves or another; and
- To adhere to legal and contractual requirements, Association policies and procedures and all other lawful directives regarding communication with third parties (including members).

### **6.3 Outside Employment, Professional Development and Community Involvement**

The Association supports the engagement of personnel in a range of professional development and community activities (paid or unpaid) provided that the undertaking of these activities does not jeopardise the Association.

Personnel are to seek advice from the General Manager (or in the case of a Board member, the chairperson) prior to commencing such activities.

#### **6.4 Gifts, Benefits, Hospitality and Financial Inducements**

In the course of their work, personnel may be offered gifts, benefits or hospitality. In this instance personnel shall:

- Exercise judgment in determining whether the acceptance of any gift, benefit or hospitality could reasonably be interpreted by others as an inducement which might place them or the Association under an obligation;
- Not accept any gift, benefit or hospitality which they believe to have been intended as an inducement to place them or the Association under an obligation;
- Report to their General Manager any instance of being offered a gift, benefit or hospitality which they believe to have been intended as an inducement to place them or the Association under an obligation;
- Record all accepted gifts, benefits or hospitality, judged to exceed \$50 in value, on the Association's gifts register;
- Not seek for themselves or others any gift, benefit or hospitality that could be reasonably interpreted by others as an inducement which might place them or the Association under an obligation;
- Not accept cash gifts or other financial inducements; and
- No seek or solicit gifts, benefits or hospitality in connection with their work.

To register gifts, benefits and hospitality personnel must complete a Notification of the Acceptance of Gifts, Benefits and Hospitality Form and forward it to the General Manager (or in the case of a Board member, the Chairperson) within five (5) business days of being accepted. A copy of the form shall be placed on the relevant personnel file together with the details being noted on the gifts register.

Where the Association is seeking to procure goods and services personnel must not accept any gifts, benefits or hospitality to a prospective supplier regardless of dollar value.

Where the Association is in the process of submitting grant applications personnel must not offer any gifts, benefits or hospitality to a prospective funding body regardless of dollar value.

#### **6.5 Use and Accounting of Association Resources**

All personnel are to:

- Be accountable for all expenditure within their approved limits;
- Use Association resources (office facilities, plant and equipment) diligently and efficiently;
- Use Association credit cards only for approved expenditure; and
- Not use office time or resources for personal gain, financial or otherwise.

Adherence to relevant internal policies and procedures will assist in this regard.

## **6.6 Adherence to Association Policies and procedures**

The Association has adopted a range of policies and procedures which suit the purposes of the Association and its stakeholders' demands and expectations, including commitments to meet contractual and legal requirements, protect personnel from inappropriate behaviour and to ensure continual improvement in the Association' operations.

All personnel are required to comply with the sentiments expressed in these policies and act in accordance with the procedures.

## **6.7 Confidentiality, Privacy and Recordkeeping**

All personnel are to:

- Respect the confidentiality and privacy of all information as it pertains to individuals;
- Record actions and reasons for decisions to ensure transparency;
- Ensure the secure storage of sensitive or confidential information;
- Comply with recordkeeping policies and procedures; and
- Where permissible, share information to fulfil their role and support colleagues.

A Privacy Policy and recordkeeping policies and procedures have been established for this purpose.

## **6.8 Compliance with Laws**

All personnel are required to comply with laws applicable to the operations of the Association.

## **6.9 Responsibilities for Dealing with Members and Stakeholders**

All personnel shall deal with the Association's members and stakeholders with the highest level of honesty, fairness and integrity and to observe the rule and spirit of the legal and contractual environment in which all parties operate.

## **7. Administration of Code**

### **7.1 Reporting of Non-Compliance**

Non-compliance to this code of conduct shall be reported using the procedures and forms outlined in the Whistle-blower Policy and Procedure.

### **7.2 Consequences of non-compliance**

Where personnel have been found to be non-compliant with the Code of Conduct appropriate action shall be taken against them in accordance with terms of their engagement.

This may be disputed and determined in accordance with a relevant dispute resolution procedure.

The board shall determine the appropriate action to take in relation to non-compliance by a board member.