

	A 1.8 Code of Conduct	
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A.1.8 Code of Conduct

Application

iEmpower Youth Inc Code of Conduct applies to members of the organisation including the following:

- trainers, case managers, administrative staff and managers, whether full-time, part-time, ongoing, fixed term, casual or sessional staff;
- applicants, participants and clients
- members of iEmpower Youth Inc Management Committee or other iEmpower Youth Inc Management Committee Committees
- volunteers from community sector
- consultants and independent contractors
- individuals who are associated with iEmpower Youth Inc's related entities or who have been granted access to iEmpower Youth Inc's property, services or infrastructure

Where the provisions of this code apply to all members of the organisation, the general term "staff" is used.

Staff are bound by this Code and the Code also acts as a model for ethical conduct for clients and clients.

Purpose of this code

Each iEmpower Youth Inc staff member plays a role in promoting iEmpower Youth Inc's Vision, Mission and Values and in enhancing the reputation of iEmpower Youth Inc. The values articulated in iEmpower Youth Inc's Strategic and Business Plans support an environment in which ethical behaviour and practices are expected and encouraged.

iEmpower Youth Inc declares these five ethical principles as the basis of good corporate behaviour:

- respect for the law and system of government
- respect for persons
- integrity

- diligence
- economy and efficiency.

Consequences of non-compliance with this code

The code of conduct regulates the behaviour of staff, and forms part of each staff member's condition of employment.

A staff member whose conduct falls below the standards outlined in the code will be dealt with in accordance with relevant Organisation procedures. An alleged breach of this code by a staff member may be dealt with under iEmpower Youth Inc Performance Management Processes. (Refer to ???).

Other members of iEmpower Youth Inc community who do not comply with this code may have their association with iEmpower Youth Inc terminated, or rights of access to iEmpower Youth Inc services, facilities or infrastructure may be revoked.

Some breaches of this code may also have consequences for individual staff under criminal or civil provisions of the general law.(for example, if the breach contravenes the Crimes Act 1914 (Commonwealth laws such as the Commonwealth Anti-Discrimination Act 1998)

Respect for the law and system of government

This ethical principle assumes a system of government based on the rule of law and the accountability of public officers.

In common with all citizens, staff are required to observe the law. However, this obligation does not detract from the traditional right of employment, training and community staff to engage in free enquiry and active criticism on matters of public concern, or to pursue research within their field of expertise on matters which may be controversial or unpopular, even where this involves challenge or criticism to ideas, methods or practices of government or governmental agencies.

a) Complying with the law

Whilst undertaking iEmpower Youth Inc responsibilities or activities, staff must comply with the letter and the spirit of the laws of the State and the Commonwealth or fulfil obligations required by law such as relevant registrations or certifications.

A volunteer or visiting staff must comply with anti-discrimination legislation. Staff who are required to obtain a “blue card” under the *Child Protection Act of NSW 199* must do so.

A staff member must respect the moral rights of the creator of a copyright work where the copyright work is used in the course of organisation activities.

b) Complying with iEmpower Youth Inc policies, procedures, rules and decisions

Staff must also comply with the iEmpower Youth Inc policies, procedures and rules published in the Manual of Policies and Procedures which derive their authority from decisions or delegations of iEmpower Youth Inc's governing body, the Management Committee.

Respect for persons

a) Being responsive and courteous

Staff are expected to act in a respectful way towards others and to be responsive, courteous and prompt in dealing with requests or inquiries from clients, staff or others.

Example

Where a response is required, a staff member should acknowledge or respond to email enquiries within a reasonable time.

b) Avoiding discriminatory or harassing treatment of others

Staff must treat all persons with whom they come into contact equitably and fairly. Distinctions, exclusions or restrictions based on sex, gender, sexuality, race, disability, religion, marital or parental status, age, political or religious conviction or any other factor that is irrelevant to a person's ability to work, study or access iEmpower Youth Inc services is unlawful discrimination under relevant anti-discrimination laws.

Harassment is also unlawful under anti-discrimination laws. Staff must not engage in behaviours which may be unwelcome or which may be distressing, offensive or humiliating to others, as such behaviour may amount to harassment.

The organisation policies provide a framework of expectations for equitable treatment of others. Discrimination related complaints procedures explain in further detail the behaviours or actions which must be avoided.

Examples

Managers must consider flexible arrangements for a staff member with a disability or with family responsibilities. Staff should ensure that appropriate reasonable adjustments are made for clients/clients with a disability to enable participation in training or other activities through access to information, materials and other learning experiences, and all aspects of organisation life.

c) Respecting the privacy of others

Staff must respect the privacy of others when they collect, access or use personal information in the course of their organisation duties or activities, and must not

disclose personal information except as permitted by iEmpower Youth Inc's privacy policy.

Example

When a client confides in a staff member, personal information about the client must not be discussed with or revealed to others, except where necessary to take action or make decisions about the client or if the client has agreed.

d) Making fair decisions

iEmpower Youth Inc staff or Management Committee members should observe procedural fairness ("natural justice ") in their decision-making by:

- giving an affected individual (whether a staff member or a client) the opportunity to understand the "case to be met" if a decision may be made which will adversely affect their interests, and to respond to it before a decision is made;
- making decisions which are unbiased or uninfluenced by patronage or favouritism (See management of conflicts of interest);
- making decisions which take into account relevant considerations, not irrelevant ones.

Example

Where a manager acts on a negative report on a staff member's performance, the staff member should be given details of the report made and the opportunity to respond to the report.

e) Respecting the opinions of others

iEmpower Youth Inc staff should deal with differing opinion by rational debate, rather than by vilification, coercion, bullying or any form of intimidatory, offensive or humiliating behaviour.

iEmpower Youth Inc staff should give fair consideration to the views and contributions of others irrespective of their status or position within the organisation.

Complaints or disputes should be managed by following appropriate Organisation channels. Invoking complaints resolution or other appropriate procedures must not result in victimisation or intimidation.

Example

iEmpower Youth Inc staff must not respond to disagreement or alternative viewpoints of others in meetings or in the workplace by shouting or swearing, or by belittling or ridiculing the contributions or comments of others.

A staff member must respond politely to comments, questions or requests for clarification from clients on premises, and avoid belittling or ridiculing conduct in other forums associated with company programs.

f) Supervisory behaviour

A staff member with supervisory responsibilities has an important role in creating a fair and just working environment, and supervisors have a particular onus to maintain the standards of respect for others. Supervisors need to:

- act equitably and consistently in their dealings with all of their subordinate staff;
- ensure their staff understand the performance standards expected of them;
- maintain open, honest and courteous communication with all staff;
- avoid interactions which may reasonably be perceived as bullying of subordinate staff;
- ensure workplace health and safety obligations are met, so that their staff work in a safe environment;
- provide equitable access to appropriate development opportunities; and
- provide reasonable accommodations for subordinate staff with a disability, family responsibilities or to allow religious or cultural observance.

Integrity

This ethical principle recognises that the organisation and its officers are placed in a position of trust and officers should act in ways which maintain public confidence in the Organisation and which advance the good of the iEmpower Youth Inc community. The trust that is placed in iEmpower Youth Inc staff, whether in the training, employment and community services or administrative environments, is put at risk unless they act with honesty, impartiality and propriety.

a) Identifying and managing conflicts of interest

Conflicts of interest are not unusual in the exercise of public responsibility. It is important that staff and the organisation are able to recognise, declare and manage conflicts of interest and situations where there is a potential or perceived conflict of interest.

(i) Identifying conflicts of interest

Staff must ensure that there is no actual or perceived conflict between their personal interests and their organisation duties or responsibilities. The expectation is that officers must recognise, declare and manage conflicts of interest. A conflict of interest exists where:

- the staff's private interests are within the scope and ambit of their duties or role as an iEmpower Youth Inc staff(actual conflicts of interest); or

- a reasonable person, in possession of the relevant facts, would conclude that the staff's private interests have the potential to interfere with the proper performance of their iEmpower Youth Inc duties (perceived or potential conflicts of interest); or
- the staff's duty to iEmpower Youth Inc conflicts with duties or obligations to another organisation (conflicts between duties).

Conflicts of interest include, but are not limited to, the following:

- *Financial interests:* Personal financial interests may include a pecuniary interest in a private company, a private business operated outside iEmpower Youth Inc working hours, or a partnership or business undertaking in which a person with whom an officer has a close personal relationship has a material interest as a major shareholder, director or principal. An officer must not make decisions or enter into transactions on behalf of iEmpower Youth Inc where these may impact on personal financial interests. An officer must not enter into financial transactions with iEmpower Youth Inc in a private capacity or via a private company, except as permitted by organisation policy.

Examples of financial conflicts of interest

- A Management Committee member employed by a company which has dealings with the iEmpower Youth Inc
- A supervisor involved with subordinate staff in private business arrangements
- A staff member approaching an industry client of iEmpower Youth Inc for Training, Employment or Recruitment business.

Personal relationships:

A conflict of interest exists where staff involvement or relationship with another person conflicts with their duties or responsibilities to iEmpower Youth Inc, for example, where a staff makes or participates in decisions affecting another person with whom the staff has a personal relationship, such as a spouse or partner, relative or family member, friend or personal associate. Decisions may relate to training, provision of employment and community services, assessment, staffing or financial matters. In the training environment in particular, the perception that training and assessment are undertaken fairly and impartially is critical to the reputation of the organisation.

A personal history of hostility with another staff or a client/trainee may also give rise to a perception of a conflict of interest.

Examples of personal conflicts of interest

- A manager develops a close personal relationship with a subordinate staff member

Personal benefits:

A conflict will arise where a staff member stands to gain a personal benefit or advantage (such as the maintenance or enhancement of personal or professional reputation or the receipt of a personal benefit such as a gift). Gifts or benefits may be perceived as inducements to act in a particular way, thus creating real or apparent conflicts of interest. This type of conflict of interest situation will also arise when the advantage or benefit will be conferred on a person with whom the staff member has a close personal relationship.

Examples of personal benefits creating conflict of interest situations

- A staff member responsible for purchasing consumables receives a gift from a sales representative of a supplier company.

Conflicts between duties to iEmpower Youth Inc and other organisations

A conflict may also arise where a member of staff is a Management Committee or Board member at another organisation which may be commercially involved with iEmpower Youth Inc, which makes decisions which impact on iEmpower Youth Inc or which could be regarded as in competition with iEmpower Youth Inc.

Staff may also be members of political parties, professional or other interest or charitable groups and, while engagement with the broader community is generally encouraged, such involvement with other organisations must not be allowed to conflict with the iEmpower Youth Inc duties unless a special permission is granted in writing by the

Declaring and managing conflict of interest situations

It is important that conflict of interest situations, once recognised, are declared and resolved in a way which promotes propriety and integrity. Consequently, as soon as a staff member becomes aware of an actual conflict of interest or a situation which gives rise to a potential or perceived conflict of interest, they must take steps to declare and resolve that conflict situation. In the case of Management Committee members, the appropriate processes for disclosing and resolving the conflict are described in iEmpower Youth Inc's corporate governance guidelines.

A staff member facing a conflict of interest situation (whether actual, potential or perceived) must notify their supervisor in writing. Sufficient information should be provided to enable that staff to understand the nature and seriousness of the conflict situation, but the supervisor has a responsibility to manage the privacy aspects with appropriate care.

The supervisor is responsible for assessing the conflict situation and iEmpower Youth Inc's risk exposure. This assessment should take into account community perceptions (even where no actual conflict is found to exist), reputational risk to iEmpower Youth Inc, potential legal exposure and relevant public accountability requirements (such as Financial Management Standards or State Purchasing Policy)

and Organisation policies and procedures. In some cases, the supervisor may need to seek advice from another senior staff member.

Where a conflict of interest exists, the senior staff should identify, in consultation with the staff member, appropriate strategies to manage the situation. The strategies decided upon must be documented.

Merely declaring the conflict situation without taking further steps to resolve the situation will almost always be insufficient. It may be necessary to remove the staff member from any involvement in the matter giving rise to the conflict situation. However, there may be occasions where this may not be feasible (for example, where a research project or client supervision relies on a staff member's specific expertise), and in these cases, continued involvement by the staff member must occur only where sufficient supervision, control or accountability mechanisms are put in place. Strategies may include restricting the staff member's involvement in the matter and recruiting a disinterested third party to oversee part or all of the processes involved in the matter. Again, these measures must be documented. A staff member may also choose to relinquish the private interest that gives rise to the conflict.

b) Avoiding improper use of position

Improper use of a staff member's position within iEmpower Youth Inc includes actions which may result in detriment to iEmpower Youth Inc or which result in real, potential or apparent advantage to a staff, or any other person or organisation. Staff must not develop a sexual relationship with a client/client.

For instance, by virtue of their position or role at iEmpower Youth Inc, staff have access to confidential or private information or information not generally available. This information must only be used for legitimate organisational purposes.

The nature of client-staff interactions, and the role of supervisors and managers, place many staff in a position of power over other staff and clients. This imbalance of power creates the potential for undue influence of the client/client or more junior staff member, due to age or other factors such as the capacity to influence outcomes. In particular, the development of sexual relationships where a power imbalance exists creates the potential for abuse of position and for conflicts of interests. A position of power must not be abused and staff must use their official position properly and honestly.

Example

Staff who have access to information about other staff or clients should protect the confidentiality of that information and use it only for legitimate organisation purposes.

c) Reducing fraud, corruption or maladministration

Corrupt or fraudulent conduct is not tolerated at iEmpower Youth Inc. Staff have the responsibility to report suspected fraud, corrupt conduct or maladministration of which they become aware to appropriate organisation and/or external authorities. Procedures for doing so are described in the statement on official misconduct.

Example

A staff member who becomes aware that a colleague is misusing iEmpower Youth Inc resources must draw the situation to the attention of a CEO.

Diligence

This Code of conduct requires staff to exercise proper care and attention in performing their Organisation activities and to carry out their duties to the best of their ability. Staff are expected to seek high standards in teaching, training, provision of employment and training services to clients, clients and employers. iEmpower Youth Inc's organisational values promoting responsiveness, informed decision-making and health and safety in the conduct of work and study are consistent with this Code of Conduct.

Acting in a professional and conscientious manner

Staff are expected to carry out their duties in a professional, responsible and conscientious manner, and to be accountable for their conduct and decisions. Staff should maintain their professional skills and keep up-to-date the knowledge associated with their area of work or scholarship. Staff should be aware of the performance standards expected of them for their duties.

Example

Committee members should undertake adequate preparation prior to meetings, to enable them to effectively participate in discussion or decision-making.

b) Exercising proper care and attention

- Staff have a responsibility to exercise due care in undertaking their activities, especially where information or advice will be relied upon by others.
- Staff must ensure at no time they are to consume alcohol or other illicit drug which affect their performance or the safety or well-being of others.
- Staff should not perform duties whilst under the influence of alcohol or drugs which will affect performance.
- Staff must not allow outside work or activities to interfere with the performance of their duties.

Examples

- Staff should ensure that information they provide to clients or other staff members is accurate, complete, timely and within their area of expertise.

- A part-time staff member undertaking approved private practice or consultancies must make sufficient time available for client consultation outside scheduled training sessions.
- A full-time staff member must not hold an active position in another organisation without approval from GM their respective GM.

c) Creating a safe working environment

- All staff have an obligation to follow safe work practices, to avoid actions which may harm themselves or others and to report hazards in the work environment. In addition, managers and supervisors are responsible, within the limits of their authority, for ensuring that activities within their area are undertaken with the exercise of proper diligence for the health and safety of staff, clients and others.

Example

- A staff member who works at a computer should use a workstation set-up which is ergonomically appropriate.
- A supervisor must address repetitive work and manual handling tasks for their staff.
- Staff must receive adequate training on health and safety issues relevant to their work.

Economy and Efficiency

In line with iEmpower Youth Inc's values which promote an efficiently managed environment, this ethical principle requires staff to ensure that iEmpower Youth Inc resources are used economically and efficiently and in a manner and for purposes consistent with the organisation's goals and priorities.

a) Using resources for iEmpower Youth Inc purposes

All staff have a responsibility to ensure that organisation resources are used only for legitimate purposes and are not wasted or abused, and that expenditure is consistent with organisation policy and appropriately authorised. Staff are encouraged to identify and report to supervisors areas of duplication and other obviously inefficient practices or procedures.

Staff must comply with iEmpower Youth Inc's policy on use of organisation resources and intellectual property.

Example

Email and internet activity by staff should be conducted in a professional way for legitimate business and professional purposes of the organisation.

A staff member must not use information, data or intellectual property generated in the course of their iEmpower Youth Inc employment for private outside work.

b) Safeguarding Organisation property

All staff are expected to treat organisation property with due care and to ensure that it is secured against theft and misuse.

Example

A staff member must not remove organisation equipment from the Training centres, except where it is approved in accordance with iEmpower Youth Inc policy. Staff should lock or secure office areas when unattended. Staff using an iEmpower Youth Inc computer access account must keep their password secure and comply with other specified security measures.