



CODE OF CONDUCT

Ethics Principles and Resolving Dilemmas

Ethics Principles

There are five ethics principles, which are fundamental to good administration:

- respect for the law
- respect for persons;
- integrity;
- diligence; and
- economy and efficiency.

Resolving Dilemmas

Resolving issues that have competing obligations or where the appropriate course of action is unclear can often be a real dilemma, particularly as it is not possible to have a rule for every situation. In such situations it is important to balance the relative importance of the competing obligations.

Therefore, to ensure you reach an ethical decision, you may need to test yourself by:

Asking the following questions:

- Is my action/decision legal?
- Is my action/decision consistent with Roseberry Qld?
- Is it in line with our organisation's Code of Conduct?
- Will my action/decision adversely affect the wellbeing of my colleagues/ or clients?
- Do I think it's the right thing to do?

What will the outcome(s) be for:-

- our Organisation?
- our clients?
- my colleagues?
- other parties?
- Me

- Can I justify doing it?
 - considering whether you would be happy to have your decision and action made public;
 - imagining that you are on the receiving end of your decision;
 - and considering what obligations you may be placed under or what expectations may be raised if you go ahead.

The 'media test' is also useful for resolving ethical dilemmas. Imagine you are called upon to explain your actions on national television or in another public forum - would you be able to easily and confidently explain your actions? Could any section of the community perceive your actions as unethical? What would be the consequences of everyone adopting similar ethical standards?

In resolving ethical questions that require difficult judgments, you may also find it useful to discuss the situation with other people in your work area, integrating solutions from all the abovementioned tests to ensure all avenues are covered.

If you still have any doubts about the correct thing to do, you should refer the matter to your supervisor or manager for advice or a decision.

Principle 1

Respect for the law

The Obligation

This obligation assumes a system of responsible governance, the convention of organisational responsibility, and the rule of law. In practice, this obligation requires us to uphold the laws of the State and the Commonwealth and to exercise powers lawfully, obey lawful instructions, and use Government funding (taxpayers' money) appropriately.

Standards of Conduct

We as an organisation should comply with all reasonable, lawful instructions related to our duties.

You may, however, object to an instruction if you believe:

- compliance with the instruction will result in a serious or significant matter including, but not limited to, an immediate risk of injury or illness, or damage to property;
- you are unable to carry out the instruction as a matter of conscience (eg. a person is instructed to do something that goes against your religious beliefs)

- ensure that, in reaching decisions affecting the rights and interests of others, we apply the principles of procedural fairness (eg. all relevant evidence is considered, persons concerned are given the right to be heard, a person is not to be the judge in their own cause, persons involved are to be informed of anything against their interests and bias is not displayed).
- treat other staff, other agencies and Government officials with respect and dignity, ensuring others are not compromised, mistreated or distracted from carrying out their duties;
- ensure that personal information relating to others is collected, stored, used and disclosed in accordance with the privacy principles.
- take all reasonable measures to ensure the safety, health and welfare in the workplace of yourself, your co-workers and your clients.
- dress in a clean, tidy and inoffensive manner consistent with your position, job requirements, reasonable community or client expectations and occupational health and safety requirements. You should also comply with any reasonable directions from your supervisor in this regard;

Roseberry Qld has a commitment to providing an environment that is safe for all young people. As such, all staff have a duty of care to ensure that their own behaviours are exemplary. This includes:

- Ensuring that the language that is used when speaking to young people is free of offensive words, statements and any content that can be construed as offensive or harmful to young people;
- Behaving in a manner that is respectful to young people and in a way that is not physically, emotionally or sexually threatening;
- Ensuring that physical contact with clients is minimal and cannot be misconstrued as sexual;
- Ensuring that any allegations or suspicions of inappropriate dealing of a young person is reported immediately;
- Ensuring that the internet is not used to obtain sexually explicit material or any other form of information that may be seen to violate the trust between a young person and an adult.

Those who manage staff have a particular responsibility to ensure that a good example is set for other staff, treat staff fairly and equitably, provide development opportunities for staff and ensure that they comply with our Code.

Examples of conduct which does NOT satisfy the obligation

- A manager deliberately favours one staff member over another when approving attendances at training courses.
- A manager denigrates an employee's abilities in the presence of other team members and lowers the morale of the work unit.
- A staff member attends an important meeting with his supervisors, and with key external stakeholders, wearing clothes that the stakeholders and the staff member's supervisors consider to be excessively casual or disrespectful.
- A staff member makes derogatory comments about a colleague's family.
- A staff member reads sexually explicit material at work.
- A worker makes jokes of a sexual nature at work, either with colleagues or clients.
- A staff member overhears clients discussing inappropriate behaviour of another staff member and fails to report it.

Principle 3

Integrity

The Obligation

This principle obliges organisations to recognise that administering public monies involves a position of trust and to ensure that our actions, conduct and relationships do not raise questions about our willingness and ability to:

- properly use the powers, influence, resources and information available to us through our official position;
- maintain proper confidentiality of official information; and
- refuse to use, or avoid using, the official resources, or official information for personal or other improper advantage.

Standards of Conduct

Fraud

Every staff member has an absolute obligation to avoid committing any acts of fraud in the discharge of his or her official capacity. In addition, team leaders and managers, must ensure that they implement appropriate fraud control systems and processes in their relevant areas and programs. Finally, every staff member has an absolute obligation to report instances of fraud and misconduct.

Disclosure of Information

We must not disclose information to another person or agency unless the information was supplied to Roseberry Qld for a purpose which permits its disclosure, or there is a lawful authority for its disclosure. In addition, we must respect the confidentiality of matters of a personal nature relating to other staff and Directors.

Public Comment on Organisational Policy or Administration

It is not acceptable or appropriate to make public comment on issues affecting our organisation that purports to express an organisational position unless we are authorised to do so.

All enquiries from the media *must* be directed to the General Manager, or in his/her absence, a member of the Board for response.

Conflicts of Interest

As officers of the organisation we have an obligation to maintain our agency's integrity and good public image. This should be kept in mind when personal or private interests differ from the interests of Roseberry Qld. If a conflict arises, it should be resolved in favour of the public interest.

A conflict of interest may arise, or be seen to arise, where personal or private interests (including contributions or gifts received) influence our decision-making. The private interest or contribution may not be ours but that of family, friends or associates of ours. A potential or apparent conflict of interest exists when our private interests could impact adversely upon the proper performance of our official duties. An objective test should be applied when assessing conflicts of interest: if a reasonable person in possession of the relevant facts would conclude that your private interests or the contribution would prevent or be seen to prevent you from acting impartially or in the proper performance of your duties, you may be affected by an actual conflict of interest.

Confidentiality

In the course of our duties within Roseberry Qld, we may have access to confidential information. This information may be of a sensitive nature and may have the potential to seriously impact upon the activities of the organisation, staff or clients, if it were to become widely known. We must maintain appropriate levels of confidentiality at all times.

Reporting unethical conduct

Our organisation seeks to ensure that a workplace environment exists:-

- which allows all of us to report perceived instances of unethical conduct;
- where reprisals against disclosers of unethical conduct are not tolerated; and
- where appropriate action is taken on reported matters.

Where we are aware of unethical conduct and fail to make a disclosure, appropriate disciplinary processes may be taken. Disciplinary action will be taken against anyone who makes a deliberately false disclosure, maliciously misuses the reporting process or makes a reprisal against someone who has used the reporting process.

If a complaint is made against you, you can be assured that confidentiality will be respected, subject to legal requirements, and that you are entitled to answer any allegation before any adverse finding may be made.

You should note the following points;

- If you become aware of conduct in the workplace which breaches this Code, you are strongly encouraged to discuss the matter with your manager.
- If for any reason you are unable to approach your supervisor or the general manager, or if your supervisor or the general manager is unable to provide appropriate guidance, you should bring the matter to the attention of the president of the committee.

Internet and E-mail Usage

Internet and e-mail facilities are provided by Roseberry Qld as a mechanism for improving communication, access to information, and facilitating official Roseberry Qld business.

Internet and e-mail facilities are a privilege provided by the organisation on terms decided by the organisation. We must respect this privilege, and use internet and email facilities responsibly.

We must not knowingly engage in, or be associated with illegal, dishonest, fraudulent or unauthorised practices such as accessing or downloading offensive material, computer hacking, software piracy or copyright infringement.

In addition, staff must not send, knowingly access, or receive e-mail messages or material that could be considered offensive or in violation of any organisational policy, standard, guideline, or relevant law.

If you receive material that you or others would consider being offensive or in violation of any of the above provisions, you should delete it immediately. However, if you continue to receive material of this kind, particularly from the same sender, or the material is particularly serious or offensive, you should notify your supervisor, and discuss appropriate action to take, such as blocking the sender's email address.

Examples of conduct which does NOT satisfy the obligation

- A member of a selection panel does not reveal the existence of a personal relationship with one of the applicants for the vacancy.
- A worker sends an offensive e-mail to a colleague.
- A worker uses the organisation's computer to access inappropriate websites.
- A worker agrees to purchase several pieces of equipment from a particular company, if the company supplies one for their personal use at no extra cost.
- A worker takes on a second job after hours, but as a consequence of the demands of this job this staff member is consistently not performing adequately at work in the organisation during the day.

Principle 4 Diligence

As staff of Roseberry Qld, we should exercise proper diligence, care and attention when performing official duties and should seek to achieve high standards of administration.

The Obligation

We should at all times exercise due diligence, care and attention, and seek to achieve 'best practice' standards. In doing this, we should ensure performance of our duties and responsibilities are consistent with the organisational goals, values and objectives.

Standards of Conduct

As workers of Roseberry Qld, we should:

- recognise that we have a duty to return 'a fair day's work for a fair day's pay' and that we are expected to perform our duties to the best of our ability, with care, competence and efficiency;
- ensure that our personal presentation in the workplace is appropriate to our duties;
- fulfil all responsibilities of our respective positions, including duties as appropriately directed by your supervisor or manager;
- ensure that records of our business activities and decisions are captured in organisational recordkeeping systems;
- ensure that existing rules and guidelines are followed responsibly;

- ensure that decision-making processes are soundly based, well informed and participative;
- be accountable for our absences from the workplace;
- refrain from conduct that may adversely affect the work performance of yourself and others;
- exercise due care when providing advice to our colleagues and supervisors, the General Manager and Directors.
- at all times, ensure that our work performance and the safety of others are not affected by the consumption of alcohol and drugs. Breach of this standard is a serious matter, and will be considered grounds for disciplinary action;
- ensure that we anticipate the need for specialist advice, and seek this advice before we take any actions which might be compromised without the advice; and
- ensure that we communicate with other staff who are impacted by our work, decisions and activities.

Examples of conduct which does NOT satisfy the obligation

- An employee knowingly provides incorrect information to an individual making a request for information.
- A staff member consumes a quantity of alcohol that renders them visibly intoxicated to clients and/or colleagues and unable to carry out their duties.
- A staff member takes flexitime without seeking their supervisor's permission, with the result that the work area does not function effectively in their unaccounted absence.
- A staff member engages in an exchange of correspondence with a department or other agency, and retains the correspondence in a personal filing cabinet instead of registering and filing it in the official recordkeeping system, potentially preventing access to other employees who may require the information.

Principle 5 Economy and Efficiency

In performing official duties, we should ensure that public resources are not wasted, abused, or used improperly or extravagantly.

The Obligation

This obligation requires us to ensure that taxpayer provided resources of all kinds are used economically for the purposes for which they were provided, treated with appropriate care, and secured against theft or misuse.

Standards of Conduct

As employees of Roseberry Qld, we should:

- be economical and avoid waste and extravagance in the use of resources for the legitimate activities of the agency.
- not use *Roseberry Qld* property and facilities for other use without appropriate authorisation; and
- undertake our duties in the most efficient and effective manner, maintaining honesty and high standards of practice and integrity consistent with the organisational goals and objectives.

If we have a reason to incur an expense in the workplace, we must ensure that the expense is for the legitimate activities of our organisation, seek prior approval, and follow the correct procedures.

Examples of conduct which does NOT satisfy the obligation

- A staff member uses Roseberry Qld furniture or equipment for personal use without appropriate authorisation.
- A staff member frequently and unreasonably makes private telephone calls from their work telephone.
- A staff member uses a mobile telephone to make personal calls.
- A staff member takes a work computer home for legitimate work purposes, but also allows family members to play with the computer. The family members use the computer to access inappropriate websites.
- A staff member uses a work vehicle for private use on a week-end or after hours