

| Mallee Track Health and Community Service |  |                             |
|---|--|-----------------------------|
| Title:                                    | Code of Conduct Policy   |                             |
| Manual:                                   | Organisational QMS Manual – Resource Management  |                             |
| Scope:                                    | Organisational Wide  |                             |
| Responsible Position:                     | Chief Executive Officer  |                             |
| 1.  | <b>STATEMENT</b><br><br>Codes of conduct establish standards of behaviour to be followed and define how individuals are expected to behave towards each other, towards the children and residents in their care, towards participants, and towards other organisations and individuals in the community.<br><br>As part of demonstrating commitment to this code, any breaches or inconsistencies will be identified and investigated. Failure to behave in the ways described in this Code of Conduct, or any related policy, is capable of constituting misconduct, in addition to being a breach of employment contract. If a staff member is found to be in breach of the Code or a code related policy, whether by way of misconduct or otherwise, disciplinary action may be taken in such form as is appropriate to the gravity of the breach.  |                             |
| 2.  | <b>PURPOSE and OBJECTIVE</b><br><br>MTHCS Code of Conduct reflects operational aspects of the Vision, Mission, Philosophy and Values and the delivery and implementation of the Strategic Plan.<br><br>Employers and employees also have a legal responsibility and obligation to provide, as far as is practicable, a safe workplace that is free from discrimination, bullying and harassment.<br><br>This policy provides guidelines to enable and set common ethical standards to promote consistency in behaviour across all departments of MTHCS.  |                             |
| 3.  | <b>SCOPE</b><br><br>This code applies to all persons in the conduct of MTHCS business, including employees, students, contractors and volunteers, as well as committee and working group members.<br><br>This code prescribes the standards of required behaviour for living the values and is supported by a range of other MTHCS policies and procedures.  |                             |
| 4.  | <b>DEFINITIONS</b><br><br><b>Duty of care:</b> A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.<br><br><b>Ethical conduct/decision-making:</b> Behaviour which reflects values or a code of conduct. Always act in the best interests of employees, residents, participants, children, their parents/guardians and families, and consumers of MTHCS.<br><br><b>Respect:</b> Demonstrating regard for the rights of individuals, for different values and points of views. Respect: Value the rights, religious beliefs and practices of individuals. Refrain from actions and behaviour that constitute harassment or discrimination.<br><br><b>Investigator:</b> A person/staff member assigned or organisation engaged with the responsibility of investigating suspected breaches of the Code of Conduct.<br><br><b>Support:</b> Work in a co-operative and positive manner.<br><br><b>Employee:</b> Refers to paid employees, volunteers, contractors, visitors, students, locums and management whilst at work, off site, after hours or where ever they are as a result of their employment. |                             |
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**5. COMMITMENT TO ORGANISATIONAL AND PUBLIC SECTOR VALUES**

All employees are required to adhere to the MTHCS values:



|                       |  |
|-----------------------|--|
| <b>Accountability</b> | We define our expectations and are accountable for our actions                     |
| <b>Excellence</b>     | We set high standards and continually strive to improve                            |
| <b>Compassion</b>     | We treat everyone with care, respect and dignity                                   |
| <b>Teamwork</b>       | We work collaboratively and in the spirit of partnership                           |
| <b>Integrity</b>      | We endeavour to do the right thing in all circumstances even if no-one is watching |
| <b>Transparency</b>   | We are open and honest and embrace positive change                                 |

All employees adhere to the Public Sector Values prescribed in the Public Administration Act 2004:



| Value                 | Demonstrated by  |
|-----------------------|--|
| <b>Responsiveness</b> | <ul style="list-style-type: none"> <li>Providing frank, impartial and timely advice to the government</li> <li>Providing high quality services to the Victorian Community</li> <li>Identifying and promoting best practice</li> </ul>  |
| <b>Integrity</b>      | <ul style="list-style-type: none"> <li>Being honest, open and transparent in their dealings</li> <li>Using powers responsibly</li> <li>Reporting improper conduct</li> <li>Avoiding any real or apparent conflicts of interest</li> <li>Striving to earn and sustain public trust of a high level</li> </ul>     |
| <b>Impartiality</b>   | <ul style="list-style-type: none"> <li>Making decisions and providing advice on merit and without bias, caprice, favouritism or self-interest</li> <li>Acting fairly by objectively considering all relevant facts and fair criteria</li> <li>Implementing Government policies and programs equitably</li> </ul> |
| <b>Accountability</b> | <ul style="list-style-type: none"> <li>Working to clear objectives in a transparent manner</li> <li>Accepting responsibility for their decisions and actions</li> <li>Seeking to achieve best use of resources</li> <li>Submitting themselves to appropriate scrutiny</li> </ul>                                 |
| <b>Respect</b>        | <ul style="list-style-type: none"> <li>Treating colleagues, other public officials and members of the Victorian community fairly and objectively</li> <li>Ensuring freedom from discrimination, harassment and bullying</li> <li>Using others views to improve outcomes on an ongoing basis</li> </ul>           |
| <b>Leadership</b>     | <ul style="list-style-type: none"> <li>Actively implementing, promoting and supporting the public sector values</li> </ul>   |
| <b>Human Rights</b>   | Respect and promote the human rights set out in the Charter of Human Rights and Responsibilities by: <ul style="list-style-type: none"> <li>(i) Making decisions and providing advice consistent with human rights; and</li> <li>(ii) Actively implementing, promoting and supporting human rights.</li> </ul>   |

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| <b>6</b>                                  | <b>RESPONSIBILITIES</b><br><i>All MTHCS employees will:</i>   |
| <b>6.1</b>                                | <b>Maintain Professional Behaviour:</b> <ul style="list-style-type: none"> <li>• Use your knowledge and skills to perform your duties to the best of your ability.</li> <li>• Exercise openness and fairness in your dealings with others.</li> <li>• Treat people equally.</li> <li>• Honor confidentiality and respect the rights of others.</li> <li>• Be held morally accountable and take personal responsibility of your own actions.</li> </ul>  |
| <b>6.2</b>                                | <b>Develop a Collaborative Working Relationship:</b> <ul style="list-style-type: none"> <li>• Recognise and tolerate individual differences in others, including gender, spiritual values, sexual preferences, age, disability and culture.</li> <li>• Seek to resolve conflict rapidly and constructively.</li> <li>• Work towards a safe, healthy and creative environment.</li> <li>• Committed to the safety and wellbeing of all staff.</li> <li>• Respects the rights of the child, resident, participant and consumer, and values diversity.</li> </ul>  |
| <b>6.3</b>                                | <b>Communicate with Respect and Tolerance:</b> <ul style="list-style-type: none"> <li>• Communicate courteously in an atmosphere of friendship and trust.</li> <li>• Acknowledge your limitations and be willing to seek advice.</li> <li>• Be open to receive feedback from others.</li> <li>• Value sincere and open discussion of views and opinions.</li> <li>• Discuss differences in a clear and calm manner. Refrain from using behaviours that are abusive, intimidating or patronising.</li> <li>• Provides an open, welcoming environment in which everyone's contribution is valued and respected.</li> </ul>  |
| <b>7.</b>                                 | <b>MANAGERS AND SUPERVISORS</b> <ul style="list-style-type: none"> <li>• The CEO, Executive and Service Area Coordinators/Team Leaders have a responsibility to visibly demonstrate the Victorian Public Sector Commission (VPSC) Code of Conduct and to promote an organisational culture that is in line with the MTHCS Values.</li> <li>• The CEO, Executive and Service Area Coordinators/Team Leaders openly demonstrate their conscious commitment to the MTHCS Values by communicating the importance of value driven and ethical decision-making (see Definitions) in the workplace, and promoting positive workplace behaviours on a day to day basis.</li> <li>• Managerial behaviour sets the tone for the code of conduct of all employees. The CEO, Executive and Services Area Coordinators/Team Leaders have a responsibility to model and promote this code, along with any relevant legislation, policies or other information required to satisfactorily perform their duties. Management will also ensure that appropriate development and training is provided to allow all MTHCS employees to perform their duties.</li> </ul> |
| <b>8.</b>                                 | <b>REPORTING OBLIGATIONS</b> <ul style="list-style-type: none"> <li>• All MTHCS employees are obligated pursuant to section 25(1) of the Occupational Health &amp; Safety 2004 (Vic) to take reasonable care for the health and safety of persons who may be affected by an employee's acts and to cooperate with MTHCS in respect of any action taken by the employer to comply with their requirement to ensure a safe</li> </ul>   |

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|   | <p>working environment. As such, any informal complaints or issues of concern that are raised with you by staff members, must be referred to senior management to address and action accordingly.</p> <ul style="list-style-type: none"> <li>All Early Years employees must know what processes are to be followed in the event of a Notifiable Complaint (section 174(2)(b)) and in the event of a Serious Incident (defined in regulation 12)(Section 172(2)(a) and Regulation 176(2)(a)) as outlined in the <a href="#">Education and Care Services National Regulations</a>. In addition, the Approved Providers and/or persons with Management and Control must adhere to all additional responsibilities outlined in position descriptions and other related policies and procedures (<a href="#">Incident, Injury, Trauma and Illness Policy</a>).</li> <li>Adhere to the <a href="#">Reportable Conduct (Working with Children) Procedure</a> and knowing the five types of 'reportable conduct' as per the Child Wellbeing and Safety Act 2005</li> </ul>   |
| 9.  | <p><b>COMMITMENT TO CHILD SAFETY AND APPROPRIATE BEHAVIOUR WHEN WORKING WITH CHILDREN</b></p> <p>MTHCS is committed to preventing child abuse, identifying risks early, and removing and reducing these risks.</p> <p>MTHCS aims to protect children and reduce any opportunities for abuse or harm to occur. All staff and volunteers are required to comply.</p> <p>All MTHCS staff and volunteers are responsible for promoting the safety and wellbeing of children and young people by:</p> <ul style="list-style-type: none"> <li>Adhering to our Child Safe Policy, and other policies.</li> <li>Maintains a duty of care (refer to Definitions) towards all children at the service and within the community</li> <li>Committing to the safety and wellbeing of each child at the service</li> <li>Taking all reasonable steps to protect children from abuse.</li> <li>Welcoming all children and their families and carers and being inclusive.</li> <li>Respecting cultural, religious and political differences and acting in a culturally sensitive way.</li> <li>Modelling appropriate adult behaviour.</li> <li>Listening to children and responding to them appropriately.</li> <li>Reporting and acting on any breaches of this Code of Conduct, complaints or concerns (refer to <a href="#">Child Safe Poster</a>).</li> <li>Complying with our guidelines on physical contact with children.</li> <li>Working with children in an open and transparent way – other adults should always know about the work you are doing with children respecting the privacy of children and their families, and only disclosing information to people who have a need to know.</li> <li><u>Early Years</u> Approved Provider, Nominated Supervisor and staff have a duty of care to the children attending the service and must ensure 'that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury' (National Law: Section 167).</li> </ul> |
| 10.                                       | <p><b>MTHCS STAFF AND VOLUNTEERS MUST <u>NOT</u></b></p> <ul style="list-style-type: none"> <li>Seek to use children in any way to meet the needs of adults.</li> <li>Ignore or disregard any concerns, suspicions or disclosures of child abuse.</li> <li>Use prejudice, oppressive behaviour or language with children.</li> <li>Engage in rough physical games.</li> <li>Discriminate on the basis of age, gender, race, culture, vulnerability or sexuality.</li> </ul>  |

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|  | <ul style="list-style-type: none"><li>Initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves, such as toileting or changing clothes.</li><li>Develop ‘special’ relationships with specific children or show favoritism through the provision of gifts or inappropriate attention.</li><li>Exchange personal contact details such as phone number, social networking site or email addresses with children.</li><li>Have unauthorised contact with children and young people online or by phone.</li></ul>   |                             |                           |  |             |                     |                        |                           |                              |                          |                             |
| 11.  | <b>RETALIATION</b><br>Everyone has the right to report to their manager, in good faith, incidents of discrimination, harassment or inappropriate behaviour without fear of retaliation. Retaliation either actively or through inappropriate behaviour by any person against anyone involved in any type of complaints processes will not be tolerated and the offender will be subject to disciplinary action which could lead to dismissal.  |                             |                           |  |             |                     |                        |                           |                              |                          |                             |
| 12.  | <b>ORIENTATION OF NEW STAFF</b> <ul style="list-style-type: none"><li>All new staff are shown and explained the Code of Conduct Policy during orientation.</li><li>All new staff are given a copy of the Victorian Public Sector Code of Conduct booklet upon commencement.</li><li>All staff are expected to abide by the principles and guidelines listed in the information given.</li><li>Public Sector booklets are available at any time from People &amp; Culture.</li><li>Employees are also required to follow Codes of Conduct specific to their area of employment.</li></ul>   |                             |                           |  |             |                     |                        |                           |                              |                          |                             |
| 13.  | <b>POLICY ACKNOWLEDGEMENT</b><br>All employees must sign the Code of Conduct Acknowledgement at the bottom of this policy and records are filed and maintained on all staff personnel files.<br><br>All MTHCS employees accept that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment.<br><br><b>DOCUMENT ACKNOWLEDGEMENT</b><br><br>I hereby acknowledge that on Date: _____,<br><br>I received a copy of the <i>Code of Conduct Policy</i> for MTHCS. I have read the policy.<br><br>I commit to abiding by the Code of Conduct and fulfilling my responsibilities as outlined in this policy whilst working at MTHCS.<br><br>(Early Years) I understand that the Approved Provider will address any breach of this policy, and that any <i>serious</i> breach could lead to disciplinary or legal action. |                             |                           |  |             |                     |                        |                           |                              |                          |                             |
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|  | <div style="display: flex; justify-content: space-between; margin-bottom: 20px;"> <div style="width: 35%; border-bottom: 1px solid black; text-align: center;">Signature</div> <div style="width: 35%; border-bottom: 1px solid black; text-align: center;">Name (please print)</div> <div style="width: 30%; border-bottom: 1px solid black; text-align: center;">Date</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 35%; border-bottom: 1px solid black; text-align: center;">Witness signature</div> <div style="width: 35%; border-bottom: 1px solid black; text-align: center;">Name (please print)</div> <div style="width: 30%; border-bottom: 1px solid black; text-align: center;">Date</div> </div> <p style="margin-top: 20px;">Thank you for your contribution to making the MTHCS an open, safe, welcoming and friendly environment.</p> |  |
| <b>Forms &amp; Records:</b>                      | Completed Orientation Checklists, Code of Conduct Acknowledgement, Personnel Files   |  |
| <b>Related MTHCS Policy / Procedure:</b>         | <a href="#">Child Protection Procedure</a><br><a href="#">Child Safe Policy: Conduct of Staff &amp; Contractors</a><br><a href="#">Child Safe Poster</a><br><a href="#">Code of Conduct Policy for Directors (Board)</a><br><a href="#">Equal Opportunity Procedure</a><br><a href="#">Gifts, Benefits &amp; Hospitality Policy</a><br><a href="#">Grievance and Discipline Procedure</a><br><a href="#">Inappropriate Workplace Behaviour Policy</a><br><a href="#">Instrument of Delegation</a><br><a href="#">Orientation Procedure</a><br><a href="#">Workplace Contact Officer Policy and Procedure</a>   |  |
| <b>References:</b>                               | Aged Care Quality Standards<br>Child Safe Standards (Vic)<br>Code of Conduct for Victorian Public Sector Employees at:<br>Creating Safe Environment for Children – Organisations, Employees and Volunteers<br><a href="https://vpssc.vic.gov.au/resources/code-of-conduct-for-employees/">https://vpssc.vic.gov.au/resources/code-of-conduct-for-employees/</a><br>National Safety and Quality Health Service Standards, second edition<br>Victorian Institute of Teaching, The Victorian Teaching Profession Code of Conduct<br>Victorian Institute of Teaching, The Victorian Teaching Profession Code of Ethics<br>Victorian Public Sector Values   |  |
| <b>Legislation:</b>                              | <a href="#">Charter of Human Rights and Responsibilities Act 2006 (Vic)</a><br>Child Wellbeing and Safety Act 2005 (Vic)<br>Children, Youth and Families Act 2005 (Vic)<br>Children's Services Act 1996<br>Disability Discrimination Act 1992 (Cth)<br>Education and Care Services National Law Act 2010 (Vic): Sections 166, 167, 174   |  |

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|   | <p>Education and Care Services National Regulations 2011 (Vic): Regulations 155, 156, 157, 175</p> <p>Equal Opportunity Act 2010 (Vic)</p> <p>Fair Work Act 2009 (Cth)</p> <p>Fair Work Regulations 2009 (Cth)</p> <p>Family Law Act 1975 (Cth)</p> <p>Occupational Health &amp; Safety Act 2004</p> <p>Occupational Health &amp; Safety Regulations 2007</p> <p>Public Administration Act 2004</p> <p><a href="#">Racial and Religious Tolerance Act 2001</a> (Vic)</p> <p>Racial Discrimination Act 1975</p> <p>Sex Discrimination Act 1984 (Cth)</p> <p>Working with Children Act 2005 (Vic)</p> <p>Working with Children Regulations 2006 (Vic)</p> <p>Wrongs Act 1958 (Vic)</p> <p>The most current amendments to listed legislation can be found at:</p> <ul style="list-style-type: none"> <li>Victorian Legislation – Victorian Law Today:<br/><a href="http://www.legislation.vic.gov.au">http://www.legislation.vic.gov.au</a></li> <li>Commonwealth Legislation – Federal Register of Legislation:<br/><a href="https://www.legislation.gov.au/">https://www.legislation.gov.au/</a></li> </ul> |
| Standards:                                | <p>ISO 9001:2015 – 7.1.5</p> <p>Aged Care Quality Standards – 8.3</p> <p>National Safety and Quality Health Service Standards – 1.1</p> <p>National Quality Standard, Quality Area 4: Staffing Arrangements</p>  |