CODE OF CONDUCT

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**Procedure**

This procedure applies to all staff, volunteers and contractors.

PERSONAL BEHAVIOUR:

* treat members of the public and their work colleagues with the highest level of courtesy and sensitivity to their rights;
* will not engage in or condone violence, harassment or discriminate on the basis of gender, transgender, marital status, sexual preference, disability, age, race, religion, political conviction or carer’s responsibilities;
* take pride in their appearance and dress appropriately in a manner that reflects positively upon the Maroochy Waterwatch;
* not engage in activities at work or outside work which would bring the Maroochy Waterwatch into disrepute.

PROFESSIONAL BEHAVIOUR:

* maintain their knowledge and understanding of the Maroochy Waterwatch’s vision, mission and business direction as contained in the Strategic Plan;
* maintain an understanding of all practices and policies affecting Maroochy Waterwatch’s area of operation;
* comply with any relevant legislation, industrial or administrative requirements;
* exercise their best professional and technical judgment without bias;
* provide a relevant and responsive service to our clients and customers;
* provide information promptly and in a clear, accurate, current and complete format that is easy for the recipient to understand;
* maintain adequate documentation to support all decision making;
* look for ways to improve performance to achieve high standards of professionalism;
* use Maroochy Waterwatch’s resources and facilities efficiently.

FAIRNESS AND EQUITY

* always operate with procedural fairness;
* complete duties in a timely manner, in accordance with approved procedures, and in a non-discriminatory manner;
* display social equity by being concerned with the effects of administrative decisions on individuals and the community, especially those who are already disadvantaged;
* take all reasonable steps to ensure that information upon which actions and decisions are based are factually correct and that consideration has been given to all the relevant facts and merits of the matter.

ETHICAL DECISION MAKING

It is important that Maroochy Waterwatch employees, volunteers and contractors conduct themselves and make decisions that promote public confidence in the integrity and reputation of Maroochy Waterwatch.

When posed with an ethical dilemma the following questions can help provide guidance in deciding the correct course of action to take:

* is the decision or conduct legal and consistent with government policy, legislation and regulations?
* is the decision or conduct in line with Maroochy Waterwatch’s policy objectives?
* what will be the outcomes for yourself, your colleagues, Maroochy Waterwatch and other involved parties?
* do these outcomes raise a conflict of interest or lead to private gain at expense of the organisation?
* can the decision or conduct be justified in terms of public interest and would it withstand public scrutiny?
* how would an independent public observer perceive the situation?

CONFLICTS OF INTEREST

As a Maroochy Waterwatch staff member, volunteer or contractor, you have an obligation to perform your role efficiently, effectively and fairly. Your personal situation, inclination or preferences and those of your family, friends or associates should not influence you when making decisions in your official capacity. A conflict of interest exists when it is likely you could be influenced, or are perceived by others to be influenced (financial or otherwise), by personal interests when performing your duties. A conflict of interest that leads to partial or biased decisions may constitute corrupt conduct. A conflict of interest may arise when dealing with outside organisations, suppliers and stakeholders, and internally with your dealings with colleagues, subordinates and managers.

Examples of a Conflict of Interest are being in a position to:

* make decisions that affect a friend or family member.
* award contracts, order goods or services from a person or organisation in which you, a friend or family member has a financial interest.
* influence the impartiality of your advice with your personal attitudes or beliefs.
* engage in secondary employment that conflicts with your duties at Maroochy Waterwatch.

Conflicts of interest can be:

Actual – you are in a position to be influenced by your private interest whilst undertaking official duties.

Perceived – you are in a position to appear to be influenced by your private interests whilst undertaking official duties.

Potential – you are in a position where you may be influenced in the future by your private interests whilst undertaking official duties.

Pecuniary - involves a situation where there is the potential to gain or lose financially from your public position eg. from owning property, having unpaid debts to others, or receiving hospitality or travel

Non- Pecuniary – there is no financial component but it can involve personal or family relationships involvement in sporting, social or cultural activities that could influence your judgement or decision, despite their being no financial benefit for you.

In most situations you may be the only person who is aware of the potential conflict of interest. It is each person’s responsibility to ensure that they avoid any financial or other interest that could compromise their impartial performance of their duties. If a person thinks that they have a conflict of interest when performing their duties they must notify their immediate supervisor or manager. In the case of board members having a conflict of interest, this must be disclosed during the meeting.

If a person is uncertain of whether or not a conflict of interest exists, they should discuss the matter with their manager to discuss options to resolve the matter.

Options that may be considered by management when receiving a report of a conflict of interest include:

* recording the details of the disclosure. Any details of a potential conflict of interest given to a supervisor or manager will remain confidential.
* a management request that you give up the personal interest.
* removing you from duties/activities in which the conflict occurs.
* Disputes over alleged conflicts of interest may be resolved through Maroochy Waterwatch’s grievance handling process.

There are a number of factors to consider when making a decision about whether your public duty and your private interests are in conflict. These include whether you have:

* financial or economic interest, such as debts or assets;
* a family or private business;
* a secondary employment commitment;
* affiliations with for-profit and non-profit organisations, sporting bodies, clubs and other personal interests;
* obligations to professional, community, ethnic, family or religious groups in a personal or professional capacity, or relationships to people living in the same household;
* enmity towards or competition with another individual or group;
* significant family or other relationships with clients, contractors or other employees working with Maroochy Waterwatch;
* highly specialist skill(s) in an area where demand for the skill(s) frequently exceeds supply;
* Future employment prospects or plans (ie. post-separation employment).

It is important that conflicts of interest are managed with transparency and openness to minimise suspicion and the likelihood of allegations being made of possible misconduct. A good test to help you decide whether or not there is a conflict of interest is to ask yourself the following questions:

• would I be happy if my colleagues became aware of my involvement?

• would I be happy if my involvement appeared in a newspaper?

ACCEPTANCE OF GIFTS

Maroochy Waterwatch staff, volunteer and contractors should not take advantage of their official position to obtain a benefit for themselves or other people. All people must not accept a gift or benefit that is intended to, or likely to, influence them to act in an impartial manner in the course of their duties.

It is expected that each employee will exercise their own judgement when offered gifts or favours by any person or organisation that they have dealings with in the course of their normal duties. The acceptance of gifts or favours may appear to others as compromising your professional integrity. When in doubt about the integrity of an offer of a gift or favour it is recommended that you consult your manager.

BRIBES

The offence of bribery is defined as receiving or offering any undue reward by, or to, any person in a public office in order to influence their behaviour/decisions/actions whilst carrying out official duties.

A bribe is any offer of money, gifts or benefits (ie. Preferential treatment, access to confidential information, etc) which has been offered in order to persuade a person to act contrary to their normal duties.

If an employee, volunteer or contractor of Maroochy Watewatch believes that they have been offered a bribe they should report the situation to the Chief Executive Officer immediately. The employee should also record a detailed file note stating the circumstances surrounding the offer of a bribe or contractor who was offered the alleged bribe.

At no time are staff, volunteers or contractors to offer bribes. Such actions will result in disciplinary action.

DISCRIMINATION AND HARASSMENT

Staff, volunteers and contractors are not to discriminate or harass their colleagues or members of the public. For more information refer to Maroochy Waterwatch’s Harassment and Sexual Discrimination Policies.

ROLE OF MANAGEMENT

All managers are accountable for the work-related needs of their employees and volunteers and are expected to:

* keep employees and volunteers informed of legislation which applies to them and of the consequences if they fail to comply.
* develop and instil corporate values as the cornerstone of service and proper conduct.
* treat all employees and volunteers with honesty and courtesy.
* make available to employees and volunteers copies of this Code of Conduct
* provide an environment supportive of flexible work practices and adaptable to employee and volunteer needs both in and outside of the workplace.
* ensure equal access to training and development for all employees and volunteers.
* acknowledge and reward individual and team achievements.
* develop and implement effective corruption prevention measures.
* ensure that employees and volunteers create and maintain full and accurate records documenting activities, incidents, decisions and reasons for them.
* develop an understanding of Maroochy Waterwatch, its purpose and Strategic Plan among all employees and volunteers.
* develop agreed and realistic goals for employees and volunteers.
* monitor employee and volunteer progress, ensuring any performance problems are discussed and dealt with.
* foster a learning ethic by offering development opportunities and actively planning for these.
* comply with all legislative and administrative requirements of Maroochy Waterwatch.
* take appropriate action against employees and volunteers who fail to comply with this code.

PROFESSIONAL COMPETENCY AND DEVELOPMENT

Maroochy Waterwatch is responsible for the training and development needs of its employees and volunteers. All Maroochy Waterwatch employees and volunteers are responsible for maintaining their professional competency and development.

Whilst Management recognises that honest mistakes can occur, Maroochy Waterwatch employees and volunteers must not act outside their level of competency and authority. Employees and volunteers who are in doubt about the powers of delegation attached to their position should either consult with their immediate supervisor or their position description. In the case of board members, refer to the Code of Governance or relevant legislation.

PUBLIC COMMENT

Public comment by employees includes public speaking engagements, comments on radio and television or in letters to newspapers and internet sites, the expression of views in books, journals or notices or any other medium where it is expected that the comments will spread to the community at large.

All enquiries from the Media should be to be referred to the CEO.

As members of the community, employees and volunteers have the right to make public comments and enter into debates on political and social issues. In some circumstances it may not be appropriate to make a public comment in a private capacity if there is the possibility that it may be misinterpreted as an official comment made on the behalf of Maroochy Waterwatch.

As a general rule, employees and volunteers can disclose official information that is normally given to members of the public seeking that information. All other official information or documents should only be disclosed in the following circumstances:

• in the course of their duties.

• when proper authority has been given.

• when required to, or authorised, to do so by law.

• when called to give evidence in court.

In the above circumstances, comments should be confined to factual information and should not, as far as possible, express an opinion on official policy or practice unless required to do so by the circumstances of the particular situation (eg. asked to do so in court)

POLITICAL STATEMENTS

Maroochy Waterwatch is an apolitical organisation and public comment in relation to political party or individual policy during election campaigns is not permitted.

PRIVACY AND CONFIDENTIAL INFORMATION

Maroochy Waterwatch as part of it’s business functions, collects, utilises, stores and disposes of personal information relating to applicants, beneficiaries, staff, contractors and suppliers. The over-arching principle for personal information is that it needs to be protected at all times in whatever form it is held in and that it is to be accessible only on a “needs to know” basis.

When handling personal information the points below must be followed:

* information gained or received in the course of all duties is to remain confidential.
* only persons who are required to use such information in the course of carrying out their duties are to have access to this information.
* information is only to be discussed with, or otherwise made available to, people within the Maroochy Waterwatch who are formally authorised by the assigned ‘information custodian’ to have access to such information.
* information held by Maroochy Waterwatch is not to be provided to other external individuals or organisations without the prior consent of the assigned ‘information custodian’ or where such authorisation is required by law (e.g. court subpoena or Freedom of Information request).
* information is only to be used for the purposes for which it was originally collected.
* information obtained in the course of normal duties is not be used to obtain a direct or indirect economic advantage, gain improper advantage for yourself or others act partially or inconsistently with an employee’s obligations, cause harm to the Government, business or other persons.

For further information please refer to Maroochy Waterwatch’s Intellectual Property and Confidentiality Policy

USE OF EQUIPMENT AND FACILITIES

Maroochy Waterwatch employees and volunteer are expected to be efficient and economical in their use and management of the organisations resources, including their own work time.

Official facilities and equipment can be used for private purposes such as short local phone calls use of the fax and word-processing, as long as it does not disrupt official work.

To use the computer, internet and e-mail facilities you must agree to the conditions of access as stated in the Computer Use Policy. This policy requires that the facilities be used for work related activities in a responsible, ethical and legal manner.

It is stressed to all users of Maroochy Waterwatch computer systems that electronic messaging, Intranet and Internet communications are:

• not private;

• should not be regarded as confidential to the user; and

• and should not be used to send any messages that you would not want viewed by an outside party.

All incoming and outgoing e-mail traffic (including attachments) and connection to all internet sites are monitored, logged and can be retrieved.

INTELLECTUAL PROPERTY AND COPYRIGHT

Maroochy Waterwatch owns the intellectual property and copyright of work created by employees and volunteers of Maroochy Waterwatch in the course of their work with the organisation.

Intellectual property applies to:

• Written material including books and journal articles, computer software manuals

• Training manuals and research

• Computer programs

• Compilations, including directories and databases

• Cinematograph films

• Copyright

• Sound recordings

• Published editions

• Inventions

• Cultural and artistic material

• Photographs

It is important that all Maroochy Waterwatch staff and volunteers respect and uphold copyright law as established by the Copyright Act 1968. This Act is federal legislation, and applies throughout Australia. The key points to be aware of in relation to copyright law are:

* Copyright protection is free and applies automatically when material is created.
* There is no registration for copyright in Australia.
* There are no general exemptions from copyright law for non-profit organisations or for personal use.
* Generally, Australian copyright law applies to actions that take place in Australia, even if the material used was created or published in another country.
* In regard to copyright, staff and contractors must be aware of the following:
* Permission should be gained from the copyright owners before material is used for Maroochy Waterwatch activities.
* Where an item covered by copyright, is created by an employee or volunteer as a part of their job, Maroochy Waterwatch will own the copyright.
* Maroochy Watewatch will usually own copyright in material created, or first published by it or under its direction or control. This would apply where contractors or consultants are engaged to develop written material, software, films, photographs, training materials, etc.
* Owners of copyright have the exclusive right to their material. The rights of copyright owners can be assigned or licensed, with or without restrictions, and with or without conditions.

Intellectual Property and Copyright is a minefield and employees/volunteers with questions or seeking advice in this area should contact the CEO.

ALCOHOL AND DRUGS

In relation to the consumption of alcohol and other drugs, Maroochy Waterwatch’s requirements are:

* No one should come to work or return to work under the influence of alcohol or other drugs that could impair the carrying out of their duties or cause danger to themselves or others;
* Employees may not consume illegal drugs during working hours or on Maroochy Waterwatch premises or work sites at any time;
* Any alcohol consumed during work-related functions must be in moderate quantities;
* Employees may not under any circumstances drive Maroochy Waterwatch vehicles while under the influence of alcohol or other drugs which may affect their ability to operate the vehicle safely and legally.

OCCUPATIONAL HEALTH AND SAFETY

Managers must ensure that their work area provides for the health, welfare, physical and psychological safety of their staff, volunteers, contractors and customers. Specifically managers are responsible for providing: safe systems of work; a safe work environment; supervision and information; safe equipment and facilities; as well as identifying and controlling risks and responding to staff member’s reports of issues.

As a staff member you share responsibility for occupational health and safety by following safety and security directives, using safety equipment provided, keeping your work area tidy and safe and raising safety issues promptly. If you are injured at work you must report the injury to your manager, immediately.

For more information refer to Maroochy Waterwatch’s Workplace Health and Safety Policy and Procedure manual.

DISCIPLINE STATEMENT

Employees, volunteers and contractors who fail to comply with the Code of Conduct or any other lawful directive, will be required to explain their actions. If an employee’s conduct is contrary to the Code’s requirements and does not involve an honest mistake, a range of management options and remedies will be implemented. A breach of this code may lead to disciplinary action being taken. Disciplinary action can include counselling, official notification of unsatisfactory performance, dismissal or prosecution.

**Related Documents**

• Occupational Health and Safety Policy

• Discrimination Policy

• Sexual Harassment Policy

• Computer Use Policy

• Intellectual Property and Confidentiality Policy

• Bullying Policy