

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: ADMINISTRATION CODE OF CONDUCT		PROCEDURE REFERENCE NUMBER REG-001
DATE APPROVED 12 November 2015 by Bishop-in-Council		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 1 January 2016	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Professional Standards Committee

1.0 PURPOSE

This Code is intended to identify those professional and personal behaviours which will enable Diocesan staff, paid and unpaid, to serve the needs of others, including clients, colleagues and the public. The purpose of the Code of Conduct is to encourage the commitment, contribution and development of each employee in striving to achieve best practice and an exceptional quality of service.

The objective of defining a framework of conduct and ethical standards is:

- to ensure that staff act responsibly in carrying out duties in a courteous professional and honest way and use official information, equipment, goods and services in the manner for which they are intended;
- to uphold the individual rights of staff as private citizens;
- to ensure staff comply with their responsibility to act honestly and exercise due diligence and a high degree of care;
- To provide a guide to identifying and resolving situations which could result in:
 - a conflict of interest
 - impropriety
 - improper use of a person's position
 - improper use of Diocesan resources;
- to assist staff to act in ways which enhance both client and general public perception and confidence in the Anglican Diocese of Grafton.

2.0 SCOPE

This Code of Conduct will apply to paid and unpaid persons (herein referred to as "staff") who work in or serve the Anglican Diocese of Grafton in the Registry, Anglican Funds Grafton Diocese, or Archives operations of the Diocese.

This Code stands in place of Faithfulness in Service for all of the above staff except for Clergy or those engaged in working with Children.

This Code does not prevent the application of the Professional Standards Ordinance 2004 in relation to 'examinable conduct' as defined by that Ordinance.

3.0 POLICY

3.1 Clarification of the Code

If there is any conflict between this Code and applicable legislation, the legislation will prevail. If a staff member is in doubt about the interpretation of this Code, then the matter should be discussed with a more senior staff member. If this matter cannot be clarified at a local level, the matter should be referred to the Registrar of the Diocese.

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3.2 Professional Accountability

Staff who are members of, or who are registered through a Professional Body or Association, will have a code of professional conduct or similar to which they must align their performance. The Code of Conduct is to be read in collaboration with the professional Standards that apply to applicable Professional Bodies or Associations. Staff have a personal responsibility to practise at the level the Anglican Diocese of Grafton would expect from a competent and fully qualified person in the applicable role.

3.3 Conflict of Interest

A conflict of interest is a situation in which someone has competing professional or personal interests. Such competing interests can make it difficult to fulfil his or her duties impartially. A conflict of interest exists even if no unethical or improper act results from it. A conflict of interest may create an appearance of impropriety that may undermine confidence in the person or the Anglican Diocese of Grafton.

In all cases where it is believed that a conflict of interest may occur, advice of this should be promptly provided to the Registrar of the Diocese in writing.

Conflicts and perceptions of conflicts should be managed in accordance with the principles enunciated in the ethical principles of good governance.

3.4 Respect for the Law and the System of Government

Diocesan staff will uphold all duly constituted laws that apply and follow all work related instructions that are lawful.

3.5 Respect for Persons

Staff will treat fellow staff, clients, families, contractors or visitors honestly and fairly, and with proper regard for their rights, irrespective of their age, gender, disability, culture, language, racial origin, marital status, religious belief or sexual identity.

Staff will, at all times, act responsibly in the performance of their duties without misuse of power or position.

3.6 Integrity

Staff will, at all times, seek to maintain or enhance public confidence in the integrity of the Anglican Diocese of Grafton's services, including the keeping of accurate records. They will undertake their work with honesty, reliability, respect and impartiality.

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3.7 Diligence

Staff will exercise due diligence, care and attention, and at all times seek to achieve high standards in the performance of their duties.

Staff will:

- make sure that they have the knowledge, skills, judgement, energy, experience and motivation to do their job;
- accept the need to undergo ongoing training and skills development;
- work within their scope of practice and skills;
- be prepared to seek and implement guidance from supervisors/managers.

3.8 Employment Decisions

Staff will adhere to the highest ethical standards when participating in employment related decisions, when seeking employment or when planning to resign from a position. When participating in employment related decisions, staff will make every effort to ensure equal opportunity and fair treatment to all.

When seeking employment or promotion, prospective employees should provide accurate and complete information on their professional qualifications and experiences.

3.9 Gifts and Benefits

In the course of their role and as a representative of the Diocese, staff may accept the hospitality of other organisations for an event provided such action does not place them or the Diocese in a conflict of interest situation.

Staff will not:

- use their position to gain advantage or to influence other staff, clients, their families, their carers, suppliers or other persons for the purpose of private gain, personal benefit or for the benefit of a friend or family member;
- by virtue of their position, accept or acquire a personal profit or advantage of a material value;
- accept personal gifts or money, except as provided in the guidelines below;
- under any circumstances accept or coerce an invitation to become a recipient of a bequest in a client's will.

It is acceptable for staff to receive the occasional token gift on behalf of their team (e.g.: flowers, chocolates, handkerchiefs, alcohol, etc) not exceeding a value of \$100.00. Equally, staff may politely decline any gifts.

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Where offered a gift, other than as detailed above, staff must establish for whom the gift is intended and exercise discretion as to whether the gift should be personally accepted, considering:

- the size of the gift;
- the intention and circumstances of the giver, including frequency of gifts;
- the risk of personal integrity being compromised;
- whether acceptance of the gift would cause scandal and embarrassment if known publicly.

Staff will disclose the offer or receipt to their supervisor/manager.

3.10 Use of Diocesan Resources

In the course of their duties, staff will use available resources wisely and for the purpose for which they are intended.

3.11 Use of Information

Staff must:

- comply with the provisions of the Privacy Act and National Privacy Principles through application of the Diocese's Privacy Policy ADM-001 except where overridden by other applicable legislation (e.g. to avoid the risk of serious injury or harm to any person.)
- only use information gained in the course of their duty for professional matters; and
- treat staff and client information with the strictest confidence.

3.12 Particular Obligations of Staff

Staff will:

- make themselves aware of the various Acts, regulations, policies, delegations and protocols that relate to their duties. This responsibility is shared with the Diocese through its line management who will draw these provisions to the staff member's attention and ensure understanding;
- avoid publicly criticising other staff, volunteers, clients and the Anglican Diocese of Grafton;
- avoid making promises to the public, clients, other staff and members of other organisations which are outside the delegated authority of their position or knowingly cannot be kept;
- avoid making any comments to the media, unless delegated to do so, and then only with prior approval of the Bishop of Grafton;
- implement fully the lawful decisions, policies, delegations and practices of the Anglican Diocese of Grafton;

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- avoid behaviour that could give the impression of favouritism and inappropriate relationships
- use computers, telephones and related Information and Communications Technology (ICT) equipment in accordance with the Diocesan Acceptable Use of Information and Communications Technology (ICT) Policy.

3.13 Reporting of Corrupt or Inappropriate Conduct

Where the staff member knows or has good reason to suspect any fraud, theft or corrupt, criminal or unethical conduct, he/she will report it immediately to the Registrar of the Diocese. If the behaviour relates to the Registrar, it shall be reported to the Bishop of Grafton.

3.14 Personal and Professional Development

Staff members will look for, and take advantage of, opportunities to maintain and enhance skills appropriate to the responsibilities of their role, through:

- regular learning and ongoing professional development;
- professional supervision/consultation;
- peer support;
- having a mentor;
- regular feedback including performance reviews.

3.15 Personal Behaviour

Staff need to be aware that personal behaviours have impact on others and, especially in small communities, will impact on the reputation and well-being of the Anglican Diocese of Grafton.

Therefore, staff and the Diocese will not tolerate:

- Bullying;
- Emotional abuse;
- Harassment;
- Physical abuse;
- Sexual abuse.

Bullying or harassment

If as a staff member, another person indicates by their words or actions that they feel bullied or harassed by you, you are expected to review your conduct. If there is any doubt, you will cease that conduct and seek advice from your line manager, the Registrar or the Director of Professional Standards.

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Anger Management

Staff will as best as they can ensure that their frame of mind does not impact on their well-being or that of others when they are in the workplace. If the staff member has anger management issues or other significant problems that adversely affect their work capacity or the workplace and working relationships they are expected to seek professional assistance.

Alcohol and other drugs

Staff will ensure that any consumption or use of alcohol and other legal mind altering or addictive substances or product (e.g. gambling) does not impact on their well-being or that of others when they are in the workplace. Staff will seek professional help if the use of these substances adversely affects their work capacity or the workplace and working relationships.

Language

Staff will be sensitive to the effects of their language on others and will avoid using language that is culturally insensitive or that is, or could be, interpreted as discriminatory, bullying, threatening, belittling, and humiliating or causes unnecessary offence or embarrassment. Staff will refrain from using:

- any offensive language or action;
- language or actions that could be interpreted as sexual harassment;
- language or actions that could be interpreted as derogatory as defined under the Anti-Discrimination Act 1991.

Restricted Material

Without a legitimate purpose staff will not view, possess, produce or distribute restricted material. Staff will disclose the purpose and circumstances in advance to a line manager to avoid any misunderstanding and obtain approval.

Dress

Staff will be sensitive to the effect of their dress on others and dress appropriately to the context (e.g. modestly), having regard for health and safety.

Observance of Laws

Staff will comply with Copyright Legislation and ensure that any licences for the use of copyright material are current and complied with and that copyright is duly acknowledged.

Staff will comply with workplace health and safety legislation and provisions. Staff with medical or personal issues (e.g. addictions) that affect their behaviour or capacity at work are encouraged to discuss those issues with their line supervisor so that the line supervisor can consider the workplace health and safety implications for both the staff member and their co-workers.

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Staff must not engage in any unlawful activity e.g. tax evasion, theft, fraud, etc.

Influence

Staff will avoid personal advantage or financial gain for them or their family or other persons through their position beyond their wage and recognised allowances and deductions.

Staff will resist being influenced by offers of money, financial or other non- financial rewards.

Staff will avoid situations of conflict between their personal financial interest and their work responsibilities.

Staff will minimise the risk of them and other staff being accused of or engaging in financial impropriety by adhering to the applicable policy directive for:

- ensuring that cash is kept secure at the workplace;
- ensuring that money is not taken home;
- ensuring that all money received is banked promptly;
- ensuring that Diocesan credit cards are not misused;
- ensuring that proper accounting records are kept for transactions, in the form of receipts, diary entries, tax invoices, accounts and account statement.

3.15 Background Checks

Despite the application of this Code, the Registrar and those covered by the Code who are clergy or who work with children, shall be required to obtain and maintain a clear Working With Children's Check (WWCC).

The requirement for a WWCC clearance for any other staff covered by the Code will be determined by the Registrar after assessment of the risks involved.

Staff covered by this Code may require a criminal record check prior to employment or deployment to a new role or activity. The Registrar will make the assessment of the requirement for a criminal record check based on the risk however this will be a standard requirement for employees of Anglican Funds Grafton Diocese and the accounts employees of the Registry.

3.16 Fidelity Provisions

The following is contained within all letters of offer for employees and forms part of the Code of Conduct:

The contractual relationship between the Anglican Diocese of Grafton and its employees is founded on trust. Any breach of this trust, such as the unauthorised disclosure to a third party of confidential matters connected with the Anglican

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Diocese of Grafton, will render the employee liable to disciplinary action, and/or civil proceedings to restrain the employee from disclosing information to a third party, or from making personal use of it without authority from the Registrar of the Diocese, or for damage if loss to the organisation results from unauthorised disclosure.

All confidential records, documents and other papers, together with any copies of extracts thereof, made or acquired by them in the course of their employment with the Anglican Diocese of Grafton, will be the property of the Anglican Diocese of Grafton and must be returned on the termination of their employment.

The staff member agrees that any invention or intellectual property made or created by them arising from their work and activities remains the property of the Anglican Diocese of Grafton.

Further, the staff member will not engage in any activities which in any way might give rise to a conflict of interest with or be detrimental to the Anglican Diocese of Grafton.

3.17 Breaches of this Code

Action will be initiated if this Code or any relevant Act, Regulation or Policy is breached. Depending on the nature of the breach, action may include counselling, disciplinary action (including termination of employment), the laying of criminal charges, and/or the taking of civil action.

4.0 REFERENCES

Faithfulness in Service – A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers – as amended by Grafton Synod May 2006

Professional Standards Ordinance 2004

ADM-001 Privacy

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ATTACHMENT A

DEFINITION OF KEY TERMS

Abuse in relation to an adult means any of the following types of conduct:

- bullying
- emotional abuse
- harassment
- physical abuse
- sexual abuse
- spiritual abuse.

Bullying means the repeated behaviour directed to a person or persons which a reasonable person, having regard to the circumstances, would expect to victimise, humiliate, undermine or threaten the person or persons, and which creates a risk to their health and safety. Where it involves the use of information and communication technologies, it is sometimes called cyberbullying. Bullying can include:

- making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background or capability;
- communicating in an abusive manner;
- spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
- dismissing or minimising someone's legitimate concerns or needs;
- inappropriately ignoring or excluding someone from information or activities;
- touching someone threateningly or inappropriately;
- invading someone's personal space or interfering with their personal property;
- teasing or making someone the brunt of pranks or practical jokes;
- displaying or distributing written or visual material that degrades or offends.

Behaviour which is not bullying includes:

- respectfully disagreeing with or criticising someone's beliefs or opinions;
- setting reasonable performance goals, standards or deadlines;
- giving reasonable directives, feedback or assessments of performance or behaviour
- taking legitimate disciplinary action.

Diocese means The Anglican Diocese of Grafton and includes The Corporate Trustees of the Diocese of Grafton and Anglican Funds Grafton Diocese.

Harassment means unwelcome conduct, whether intended or not, in relation to another person where the person feels with good reason in all the circumstances offended, belittled or threatened, such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- making unwelcome physical contact with a person;
- making gestures or using language that could reasonably give offence including continual and unwarranted shouting;

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- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form (for example: phone calls, email, text messages);
- stalking a person.

Offensive Language includes verbal harassment, racial and other forms of vilification, personal insult or comment and obscene words.

Physical Abuse means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with another person. This may take the form of slapping, punching, shaking, kicking, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures.

Prohibited Material may include:

- making available to a person or persons publications, films and computer games that have been classified by the Office of Film and Literature Classification as being unsuitable for that particular group to read, see or play;
- any other images or sounds not subject to classification by the Office of Film and Literature Classification that are considered by the Diocese to be unsuitable;
- any substance or product whose supply of or use by certain individuals is prohibited by Law;
- items inappropriate to be used, stored, displayed or shared within a workplace and especially a Church-based organisation;
- items referenced within *Diocesan Acceptable Use of Information and Communications Technology (ICT) Policy*.

Prohibited Substance means any substance banned or prohibited by law for use or consumption.

Restricted Material means:

- publications, films and computer games that have been classified as Category 1 or 2 restricted, X or RC classification by the Office of Film and Literature Classification; or
- any other images or sounds not subject to classification by the Office of Film and Literature Classification (for example, internet material) that are considered with good reason within the Diocese as being offensive on the grounds of violence, sex, language, drugs abuse or nudity.

Sexual Abuse of an Adult means sexual assault, sexual exploitation or sexual harassment of an adult.

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Sexual Assault means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against an adult without their consent (or sexual activity against a child regardless of consent) that is punishable under Law.

Sexual Harassment means unwelcome conduct of a sexual nature, whether intended or not, in relation to an adult where the person reasonably feels in all circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

- asking a person for sex;
- leading a person to understand that you would like sexual favours from them;
- making any gesture, action or comment of a sexual nature to a person directly or making a comment of a sexual nature about them in their presence;
- making jokes containing sexual references or innuendo using any form of communication; exposing a person to any form of sexual explicit or suggestive material;
- making unwelcome or unnecessary inquiries about or attempts to discuss personal matters of a sexual nature;
- deliberately intruding on an individual's personal space;
- staring at or secretly watching for the purpose of sexual stimulation or gratification; or
- stalking a person.

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ATTACHMENT B



DECLARATION BY EMPLOYEE/VOLUNTEER

I, _____
(Full Name)

acknowledge that I have been provided with a copy of the Code of Conduct and that I have read through this document. Regarding any aspects of which I am unsure, I have sought clarification from my Manager or someone in authority in my workplace.

I understand that if I am unclear in any of these aspects, or whether a future action may breach the Code of Conduct, I must discuss the matter with my manager or equivalent who may refer the matter to the Diocesan Registrar.

Signature

____/____/____
Date

(This page should be handed to your local Manager or equivalent for retention in your staff file.)