

# SASI Code of Conduct

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## Introduction

SASI's purpose is to support people with disability. The purpose of the Code is to provide direction to employees regarding expected conduct and to assist employees in dealing with issues in ways that reflect organisational values. Employees are required to act and work in a manner consistent with SASI's values at all times. Where employee conduct does not meet the standards set out this policy and associated procedures, appropriate action may be taken.

## Applicability

### When

- This policy applies at all times.

### Who

- This policy applies to all persons including: directors, executive, senior management, full-time, part-time, casual employees, contractors and volunteers who are engaged to work or volunteer at any SASI locations and at any other location on behalf of SASI.
- They are collectively referred to as employees or volunteers in this Policy, unless specifically referenced.

## Documents relevant to this policy

 [Privacy Act 1988 \(Cth\)](#) 

 [Privacy Amendment \(Enhancing Privacy Protection\) Act 2012 \(Cth\)](#) 

## Policy Statement

Employees are responsible for their own behaviour and obliged to conduct themselves in keeping with all relevant laws, the provisions of this policy and associated policies and procedures. This policy and procedure is a lawful direction regarding the organisation's business and how employees should behave. It should be noted that the Code is relevant to breaches of conduct and not employee performance issues. Any low level performance issues should be managed as part of a regular Performance Development process.

## To who and when does the Code of Conduct apply?

The Code applies to anyone who is employed by or works at SASI's including permanent, fixed term and casual employees, contractors, consultants and volunteers.

Such examples where the Code is applicable are (but not limited to):

- Day-to-day business;
- Social functions facilitated by the organisation;
- Online interaction between employees and/or reference to the organisation through social media.

## Organisational Values and Ethics

Due to the vulnerable nature of the customers at SASI, particular emphasis is placed on behaviour towards customers in both the organisation's values and ethics. The wellbeing of clients is paramount and every effort is made to ensure they are treated with respect and dignity. Mistreatment, abuse, neglect or inappropriate behaviour of any kind will not be tolerated and may result in dismissal. SASI values underpin all of our work and are fundamental to achieving our purposes and our strategic objectives.

## Responsibilities of Employees

Employees are required to read, understand and abide by the terms of the Code. Should an employee require clarity as to what behaviour or action is expected of them in the workplace they should refer to their Manager or the Executive Manager People and Culture.

Employees are responsible for their own behaviour and are obliged to conduct themselves in the following manner when undertaking organisational business:

- Treat everyone with respect, dignity and courtesy and without harassment;
- Use organisational property and money efficiently, carefully and honestly with due authorisation and without misappropriation;
- Comply with all applicable laws;
- Comply with any lawful or reasonable direction given by a person with the authority to give direction;
- Maintain appropriate confidentiality about customers and any other organisational business;
- Provide an honest, competent and accountable service;
- Behave in a way that upholds the values, integrity and reputation of the organisation;
- Disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with employment at SASI;
- Must not make improper use of inside information or the employee's duties, status, power or authority in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person;
- Employees should strive constantly to improve their knowledge and skills; and
- No discrimination relating to religion, race, colour etc.

### Professional Standards

- **Mobile Phones:** You must never give your personal phone number out to clients or families or store clients personal details or photos. Any contact with clients and families using your personal mobile phone is a breach of SASI policy. Direct all contact with clients and families through your Line Manager to avoid real or perceived conflict of interest. You must not use your mobile during work hours. You may carry your phone to programs outside the Centre for use in emergencies only.
- **Punctuality:** Arrive at work and return from your breaks on time.
- **Personal Leave:** Ring your Line Manager if they are on shift, or the office 9-5 M-F, or Remote Response as soon as possible if you are sick or need carer's leave and you are unable to attend work. Texts and emails are not permitted.

- **Dress:** Your appearance is to be clean neat and professional. SASI shirts should be worn. Adhere to Dress Code Policy.
- **Smoking:** SASI is working towards a SMOKE FREE environment. You must use designated smoking areas as per site requirements in designated breaks only. You must not smoke in or around clients, on programs or in the community. SASI is committed to providing a Smoke Free environment
- **Safety:** Take care of your own safety and the safety of others affected by your actions, report anything that is unsafe to your Health & Safety Representative or Line Manager
- **Incidents:** Ensure reporting timelines and processes for any client or staff incidents are met.
- **Property:** Look after company property including vehicles as you would your own.
- **Social Media:** Any contact between staff on social media is expected to be safe and respectful after hours; and you can discuss any concerns with your Line Manager. You must decline social media contact with clients and family members. Social media must not be used during work hours.
- **Professional Boundaries:** Keep all contact with clients within service times and activities unless you have a declared pre-existing relationship. Approval in writing is required.
- **Respect:** Be courteous and professional towards each other, clients, families, suppliers and members of the public; carry out instructions given to you in a friendly and cooperative manner, raise any issues you have with the person directly where safe to do so.
- **Company:** Act in the interest of SASI at all times, comply with all company policies.
- **Photos:** Only take photos of clients with written consent using company equipment or company endorsed applications.

### Manager Responsibilities

All Managers and Practice Leaders are responsible for ensuring employees have access to the Code and, when appropriate, advising employees on expectations on appropriate and ethical behaviour. Executive Managers have the primary responsibility to make judgements about what kind of action may be necessary where behaviour occurs that may be a breach of the Code. Executive Manager People and Culture is responsible for investigating incidents when the Code may have been breached or the behaviour of employees may be in question. All Managers and Practice Leaders are required to lead by example by demonstrating ethical, fair and professional behaviour.

### Secondary Employment

SASI acknowledges that employees may engage, or seek to engage, in secondary employment that is outside of their regular employment with SASI. Secondary employment is considered any paid employment undertaken by staff with an organisation that is not SASI.

It is expected that all permanent, fulltime and part time staff will provide written notice to the Executive Manager People and Culture if they, or intend to, work for a secondary employer. SASI will take into account a number of considerations when approving or rejecting a staff members' request to work for a secondary employer.

Any failure to seek written approval will be acted on immediately if discovered and disciplinary action may be taken if the secondary employment is deemed in any way contrary to the Code of Conduct and /or be considered as conflict of interest.

### Failure to Report Suspected Misconduct

Employees have an obligation to report suspected misconduct. If suspected misconduct has been reported to a Manager by an employee, the employee should be advised how the report will be handled and their rights to protection from any victimisation, harassment or recrimination. All employees who hold concerns about serious wrongdoing or misconduct within the organisation will be encouraged, supported and protected to come forward and report such information. Refer to **Whistleblower Protection Policy** for detail. Any work-related conduct that might constitute neglect, abuse or criminal behaviour should be immediately reported to a member of the Executive team who will advise the Chief

Executive Officer. Should the alleged misconduct take the form of criminal activity, the matter be referred to the police and subsequent legal action may be taken against the employee.

## Potential Conflict of Interest

Conflicts of interest can arise in many forms. Examples may include:

- Business activity which is in competition with SASI business e.g. secondary employment or providing supports with personal ABN
- Business activity which leverages from SASI business e.g. secondary employment
- Working at a secondary employer whom maybe in direct competition with SASI
- Family members who are engaged in an activity which conflicts with the interests of SASI
- Situations where an employee may profit from privileged information or knowledge they may become aware of during their employment
- Activity which relies on access to business information

In all circumstances, employees are encouraged to discuss with their senior manager, any activity which has the potential to be construed as a conflict of interest. The company will act in a fair and reasonable manner and work with the employee to determine if this potential for a conflict of interest is real, what impact it would have and in determining possible solutions to the situation. It is in all parties' interests to provide written approval prior to any conflict of interest occurring.

## What is the difference between unsatisfactory work performance and misconduct?

Unsatisfactory work performance usually results from an employee's lack of capacity or competence to perform the job properly, such as failing to meet targets or deadlines or not performing required tasks to an acceptable standard.

Unsatisfactory performance should be handled in a different manner to that of misconduct. Should an employee be performing unsatisfactorily the Manager should refer the matter to the People and Culture team for assistance.

**Misconduct** - There are various degrees of behaviour which fall under the general description of 'misconduct', ranging from employee behaviour justifying counselling or formal warnings, through to behaviour justifying summary dismissal.

**Meaning of 'misconduct'** - The Court's have determined that 'misconduct' involves something more than mere negligence, error of judgement or innocent mistake. Both in law and in ordinary speech the term 'misconduct' usually implies an act done wilfully with a wrong intention, and conveys the idea of wrongful intention. It can also mean: wrongful, improper or unlawful conduct motivated by premeditated or intentional purpose or by obstinate indifference to the consequences of one's acts.

**Definition of 'serious misconduct'** - Fair Work Act

The term is defined in Reg 1.07 under Fair Work Regulations 2009 to mean:

- Wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment;
- Conduct that causes serious and imminent risk to the health and safety of a person, or the reputation, viability or profitability of the employer's business;
- Theft;
- Fraud;
- Assault, Abuse or Neglect;
- The employee being intoxicated (alcohol or drugs, other than prescribed drugs) at work; and

- The employee refusing to carry out a lawful and reasonable instruction that is consistent with the employee's contract of employment.

## Summary Dismissal

For an employer to believe on reasonable grounds that the employee's conduct is sufficiently serious to warrant summary dismissal, it is first necessary for the employer to establish as a matter of fact that:

- The conduct was by the employee;
- The conduct was serious; and
- The conduct justified immediate dismissal.

The common law has long recognised that where an employee is guilty of a serious act of misconduct the employer does not have to provide the employee with the period of notice of termination and certain entitlements normally due on termination of employment may be forfeited (ie forfeiture of accrued pro rata long service leave).

## Gifts, benefits and inducements

Employees may find themselves the recipients of gifts, rewards, incentives, opportunities for entertainment or other benefits from individuals or organisations that work with or seek to gain access to opportunities with SASI. Many of these activities are considered part of 'doing business' and are an integral part of relationship building and strengthening of business ties. However, employees should be mindful of accepting any benefit where the acceptance may give an appearance that they may be subject to improper influence.

Gifts, benefits and endorsements over \$50.00 to be declared to the People and Culture team in writing.

## Respect

SASI sets high standards and expectations in the way it employs people and interacts with them while they are an employee of the company. SASI expects honesty and integrity at all times. SASI treats employees with fairness, equality and respect and places this expectation for fairness, equality and respect on those working for the business. Employees are required to treat each other and any other person who has contact or dealings with the company with fairness, respect and courtesy at all times.

## Company assets and resources

An employee shall not misuse the assets or resources of SASI. All equipment supplied by SASI to employees in carrying out their duties remains the property of SASI. Assets and resources of SASI can only be used for SASI business and not for personal use or benefit of an employee.

## Intellectual property

Intellectual Property refers to any product of human intellect that is unique and has some value within the marketplace. Intellectual Property covers copyright, web site content, multimedia, ideas, inventions, literary creations, business models, industry processes, computer program codes registered and unregistered trademarks and other insignia of origin, as well as confidential information, including trade secrets. For example sharing SASI documents or templates.

## Ownership of intellectual property

Except as otherwise agreed in writing by the Chief Executive Officer, or stated in this Policy, SASI asserts legal and beneficial ownership of intellectual property:

- created by staff in the course of their employment at SASI
- created by contractors of SASI where:
  - generation of the intellectual property has required use of SASI resources; or
  - generation of the intellectual property has resulted from the use of pre-existing intellectual property owned by SASI; or
  - the intellectual property has been generated as a result of funding provided by or obtained by SASI.

## Non-compliance and policy breaches

- SASI will monitor employee performance to ensure compliance with all written policies and procedures as outlined in this Policy.
- Any breach of company policy must be reported directly to your Line Manager.
- Failure to comply with policies, procedures and instructions is a disciplinary offence and the relevant employees will be subject to an appropriate investigation and where appropriate, counselling through the performance improvement process outlined in the Performance Improvement Policy.
- Any employee found in breach of SASI's policies will face appropriate disciplinary action, which may include termination of employment, depending on the severity of the infraction.

If you have any questions or concerns, please discuss these with the Executive Manger People and Culture.