



MercyWorks

SISTERS OF MERCY  
IN AUSTRALIA & PAPUA NEW GUINEA

## CODE OF CONDUCT POLICY

Policy Number:	12	Version:	2
Updated by:	Margery Jackman	Effective From:	3 September 2020
Reason of Review:	Review to include ACFID CSA/ ACNC and CPSL guidelines	Review Date:	As per schedule

### INTRODUCTION

Mercy Works Limited (MWL) promotes social justice through local and overseas relief and development activities that are part of the mission and vision of the Sisters of Mercy in Australia and Papua New Guinea.

The programs engage in partnerships with communities to promote justice, self-reliance and to support peoples and communities who are displaced or denied access to basic resources such as education, health care and social welfare.

### 1. CONTENT

This document contains the Mercy Works Limited (MWL) Code of Conduct Policy.

### 2. SCOPE

This Policy provides guidance to MWL Board Directors, committee members, employees contractors, volunteers, (defined as Workers) in relation to their work with/for MWL.

To meet the regulatory requirements, MWL has reasonable processes in place to ensure the procedures and tools for seeking informed consent meet ethical guidelines. These are made available in the local languages of PNG (Tok Pisin) and Timor Leste (Tetum).

### 3. PURPOSE

The purpose of this Policy is to set the standards of conduct, professional and personal behaviour that MWL requires of its Workers to uphold and achieve a safe, supportive, productive and harmonious workplace.

These standards are informed by the core values and principles of MWL, including the principles of freedom, mutual respect, participation, sustainability, and protection of the rights and responsibilities of all.

### 4. DEFINITIONS

**Workers** refers to all Board Directors, committee members, employees, contractors and volunteers.

### 5. POLICY

#### 5.1 Lawful Compliance

Workers must:

- obey the law including but not limited to complying with legislation, contractual obligations and industrial instruments;
- comply with MWL policies; and
- comply with reasonable and lawful directions given to them by MWL.

## 5.2 Ethical Behaviour

Workers are required to:

- respect the dignity, rights and views of others;
- respect diversity including cultural, ethnic, religious, age and gender differences;
- demonstrate acceptance and support for people with a disability;
- understand, promote and support the principles of social justice;
- be honest and act with integrity;
- be courteous, fair, sensitive and considerate to the needs of others in the workplace;
- listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view);
- act respectfully towards their supervisors and peers, including but not limited to respecting the decisions of management regardless of whether Workers agree with the decision;
- act cooperatively with persons who may perform review and assurance activities such as audit, compliance and risk management;
- acknowledge the genuine contributions that others make;
- when expressing feedback doing so objectively in a considerate manner with a moderate tone and demeanour;
- not harass, bully or unlawfully discriminate against colleagues, clients or members of the public (refer to the **Inappropriate Workplace Behaviour Policy**); and
- actively assist in managing workplace conflict, regardless of whether the conflict impacts personally on them or their Workers, to achieve positive and constructive outcomes.

## 5.3 Professional Behaviour and Development

Workers are expected to:

- maintain a high standard and quality of work;
- maintain and develop knowledge and understanding relevant to their role and any required area of expertise;
- continuously seek to improve work performance and bring about improvements in the workplace;
- exercise care, responsibility and sound judgement when carrying out their duties;
- maintain adequate documentation to support decision making;
- take reasonable care of their safety and health;
- take reasonable steps that their acts and or omissions do not adversely affect the health and safety of others;
- comply with policies or procedures;
- refrain from carrying out their duties under the influence of alcohol, an illegal substance, or any substance which impairs work performance or poses an actual or potential risk to the health and safety of themselves or others;
- not ignore work duties or waste time during working hours;
- not take or attempt to take improper advantage of any information gained during employment;
- not take or attempt to take improper advantage of their position to benefit themselves or others;

- not allow personal political views, affiliations or personal interests to influence the performance of their duties or responsibilities;
- maintain confidentiality; and
- report to the Executive Director any instance where the Worker believes they have observed or they themselves, have been the subject of inappropriate workplace behaviours.

#### 5.4 Safeguarding

Workers are required to:

- observe child safeguarding behaviours at all times (refer to the **Child Safeguarding Code of Conduct Declaration**);
- observe behaviours that safeguard against sexual exploitation, abuse or harassment of any kind including refraining from transactional sex (refer to the **Prevention of Sexual Exploitation and Abuse Policy**).

#### 5.5 Conflict of Interest

A conflict of interest occurs when a person's personal interests' conflict with their responsibility to act in the best interests of MWL. Workers must not place themselves in a position where there is an 'actual or sensible possibility' of conflict between either a personal interest or a duty owed elsewhere and the Workers duties and obligations as an employee or volunteer of MWL (refer to the **Conflict of Interest Policy**).

#### 5.6 Gifts and Benefits

Workers must not solicit or accept gifts, benefits or hospitality which might be reasonably seen to either directly or indirectly compromise or influence their professional duties with MWL.

Gifts of a nominal value generally used for promotional purposes, or moderate acts of hospitality offered as a genuine thank you by a client, maybe personally retained if they have not been solicited by the Worker or could not be seen to have compromised or unduly influenced the Worker's professional duties with MWL.

Gifts or hospitality offered as an inducement to purchase, provide information or treat someone favourably are not permitted, regardless of their monetary value. Examples of inducement include a recruitment agency offering theatre tickets for each temporary person employed.

Workers must not give gifts to children which could result in the child feeling "specially chosen" or indebted to the giver.

#### 5.7 Secondary Employment

Workers employed on a full-time basis must seek and obtain approval in writing from MWL prior to engaging in any secondary employment or business activity, including employment within a family company.

Part-time and casual Workers must also seek approval to undertake secondary employment from MWL if the employment may result in potential conflicts of interest that could adversely impact on the Worker's ability to perform their duties with MWL, including work, health and safety concerns, or where the secondary employment may affect MWL's financial position, services, clients or standing in the community.

Approval for secondary employment is still required when a Worker who is in the paid employment of MWL is on leave, including periods of leave without pay.

Where a Worker who is an employee of MWL is already involved in secondary employment, he/she must provide details of the secondary employment to MWL and obtain the necessary approval.

MWL will not unreasonably withhold consent for the Worker to undertake secondary employment; however, Workers are still required to advise MWL in writing and obtain its consent.

## **5.8 Management of Resources**

Workers are required to use MWL resources economically and ethically. Resources include but are not limited to money, facilities and equipment owned by or within the control of MWL. Workers also have a duty to ensure MWL resources are only used for their intended purpose and are well maintained and secured against theft or misuse. This includes the Intellectual Property of MWL.

Workers are accountable for their use of MWL work time and resources. Workers must not use MWL work time or resources for an outside interest, secondary employment or personal gain. Examples might include the development of a personal commercial idea or writing a book to sell privately.

## **5.9 Activities and Public Comment**

Workers are free to engage in political, professional, charitable and interest groups provided the participation does not give rise to a conflict with MWL's values.

Although Workers have a right to express personal views through public comment or the media, they are not to give the impression they are speaking on behalf of or representing the views of MWL unless they have prior authorisation from the Executive Director or MWL Board. This includes public speaking, media comments and letters, and comments posted to online services.

## **5.10 Confidentiality**

Workers who are in the paid employment of MWL must not divulge, either during employment or after the cessation of their employment, any confidential information obtained during their engagement with MWL.

Confidential information includes, but is not limited to:

- information about individuals, including but not limited to former, current and future Workers and clients;
- information about MWL;
- computer databases and computer software; and
- all other information obtained in the course of working for MWL that is, by its nature, confidential or personal information.

# **6. BREACH**

## **6.1 Duty to Report**

Workers have a responsibility to report any suspected breaches of the Code of Conduct to their manager/supervisor immediately. Where the suspected breach involves their respective manager/supervisor, Workers are required to report the matter immediately to the Executive Director, or if the breach involves the Executive Director then to the Chair of the Board.

## **6.2 Examples of Breaches**

Breaches of the Code of Conduct include, but are not limited to:

- exploitation, abuse or harassment
- offensive, threatening or damaging behaviour
- disregard of health and safety requirements
- misappropriation of funds or assets
- corrupt or fraudulent conduct
- improper use, waste or abuse of resources

- misuse of information
- maladministration
- conduct that could bring MWL into disrepute
- misrepresentation of MWL

### **6.3 Protected Disclosures**

In reporting any suspected breach of the Code of Conduct, a disclosing Worker is entitled to protection from adverse actions taken against them purely because of the disclosure.

Protection is not afforded to the disclosing party in respect of the reasonable actions of management toward the disclosing party that are taken for a reason other than the disclosing party making the disclosure.

Disclosing Workers are not entitled to protection for disclosures that are in the reasonable belief of MWL vexatious, malicious or made to assist the disclosing party avoid disciplinary action.

### **6.4 Consequences of Breaches**

All suspected breaches of the Code of Conduct will be investigated in line with MWL policies and procedures. Breaches may result in disciplinary action, which can take various forms, including formal warnings and termination of employment, depending on the nature and seriousness of the breach.

## **7 AUTHORITY**

This Policy is approved and reviewed by the Board.

## **8 RELATED POLICIES/DOCUMENTS**

Other organisational policies, documentation that should be read in conjunction with this Policy and MWL's ethical value principles include:

- Employee Services Manual
- Acceptable Use of Electronic Communications Systems & Devices Policy
- Managing Concerns, Complaints & Commendations Policy
- Privacy Policy
- Work Health & Safety Policy
- Child Safeguarding Policy
- Prevention of Sexual Exploitation and Abuse Policy
- Conflict of Interest Policy
- Whistleblowing Policy
- Annexure A- Acceptance of Code of Conduct Policy Form

## **9 CONTACTS**

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## 10 POLICY REVIEW

Review of this Policy, related forms and resources will be undertaken every 2 years by the Executive Director and approved by the MWL Board.

## 11 REVISION/ MODIFICATION HISTORY

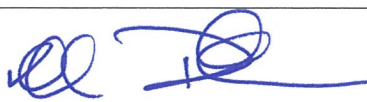
Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
29 April 2020	1.	Code of Conduct	New	29 April 2020	30 April 2020
2 September 2020	2.	Code of Conduct	Updates to 5.6 and Related Policies	2 September 2020	3 September 2020

## 12 APPROVAL DATE/REVISION SCHEDULE

Approved by: Board, Mercy Works Limited

Date: 2 September 2020

To be Revised: 2 September 2022

Board Chair Signature	
Date	23.09.20





MercyWorks

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**Annexure A – Acceptance of Code of Conduct Policy.**  
**Version 2 – Approved by Mercy Works Ltd Board Directors**

Acceptance of Code of Conduct Policy.

I ..... have read  
(please print name)

and understood this Code of Conduct Policy and agree to comply unconditionally, with all its directives.

Signed: .....

Date: .....