



<b>EFFECTIVE DATE</b>	1 July 2020
<b>REVIEW DATE</b>	1 July 2023
<b>POLICY OWNER</b>	Chancery
<b>APPLIES TO</b>	This Policy applies to clergy, members of religious institutes, employees, board members, contractors (as defined and in relation to WHS legislation and a one member corporation), volunteers, work experience students and trainees ( <b>Workers</b> ) of the Diocese.
<b>EXCLUSIONS</b>	Where an agency or entity of the Diocese has its own policy, the relevant agency or entity policy will apply to Workers engaged by those agencies or entities. In the event of conflict between the policies of agencies or entities and the Diocesan policy, the Diocesan policy prevails.
<b>RELATED POLICIES, GUIDELINES &amp; PROCEDURES</b>	Acceptable Use of Electronic Communications Systems & Devices Policy Child Protection Policy Complaint Handling Policy Inappropriate Workplace Behaviour Policy Performance and Professional Development Policy Privacy Policy Work Health & Safety Policy
<b>REFERENCE</b>	Integrity in the Service of the Church Integrity in Ministry
<b>RELATED FORMS</b>	Application for Secondary Employment Approval Form
<b>HEADINGS</b>	Objective Definitions Policy <ul style="list-style-type: none"> <li>1. Lawful Compliance</li> <li>2. Ethical Behaviour</li> <li>3. Professional Behaviour and Development</li> <li>4. Conflicts of Interest</li> <li>5. Gifts and Benefits</li> <li>6. Secondary Employment</li> <li>7. Management of Resources</li> <li>8. Activities and Public Comment</li> <li>9. Protected Disclosures</li> <li>10. Confidentiality</li> </ul> Breaches of this Policy

	Revision/ Modification History Approval Date/ Revision History
<b>PAGES</b>	9

## OBJECTIVE

This Code of Conduct Policy sets down the behavioural standards and expectations of all Workers engaged by the Diocese of Lismore.

## DEFINITIONS

**Child** means a person who is under the age of 16 (as defined by the Children & Young Persons (Care & Protection) Act 1998).

**Close friend** means an individual who is more than a colleague or acquaintance and who has known the Worker for a sufficient period of time to be in a position where there is an actual or perceived obligation on the part of the Worker to give preferred or preferential treatment to that person. A person is not a Close friend solely because they are a member of the same parish, religious congregation or association.

**Contractor** means contractor as referred to in WHS legislation and/or a company when one main person through the personal skills or efforts as an individual of that person is contracted to the Diocese, and/or a one shareholder/member company.

**Diocese** means the Roman Catholic Diocese of Lismore and includes without limitation any Diocesan agencies, corporations, entities, parishes, parish corporations and parish entities where the Worker is employed or otherwise engaged.

**Family member** means a Worker's spouse or former spouse;

- de facto partner or former de facto partner;
- sibling, cousin, child, parent, grandparent, grandchild or sibling of the Worker's spouse or de facto partner;
- step-relations (e.g. step-parents, step – siblings, step-children) as well as adoptive relatives.

**Worker** means clergy, religious, employees, board members, contractors, volunteers, work experience students and trainees of the Diocese.

**Young person** means a person who is aged 16 years or above but under 18 (as defined by the Children & Young Persons (Care & Protection) Act 1998).

## POLICY

### 1. Lawful Compliance

Workers must:

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

### 2. Ethical Behaviour

Workers are required to:

- 2.1. respect the dignity, rights and views of others;
- 2.2. listen and seek to understand different points of view (this does not necessarily mean agreeing with the point of view);
- 2.3. 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;

- 2.4. act cooperatively with persons who may perform review and assurance activities such as internal audit, compliance and risk management;
- 2.5. respect cultural, ethnic and religious differences;
- 2.6. demonstrate inclusion and support for people with a disability;
- 2.7. acknowledge the genuine contributions that others make;
- 2.8. when expressing feedback doing so objectively in a considerate manner with a moderate tone and demeanour;
- 2.9. not harass, bully or unlawfully discriminate against colleagues, clients or members of the public;
- 2.10. be courteous, fair, sensitive and considerate to the needs of others in the workplace;
- 2.11. be honest and act with integrity;
- 2.12. refrain from engaging in conduct using electronic communication systems and devices that could damage the Diocese' reputation or standing in the community, cause embarrassment to the Diocese or that could damage the relationship between the Diocese and staff member/s, customers and/or clients;
- 2.13. actively assist in managing workplace conflict, regardless of whether the conflict impacts personally on them or their workers, to achieve positive and constructive outcomes;
- 2.14. understand, promote and support the principles and standards put forward in *Integrity in the Service of the Church* to the extent that those principles and standards apply to the Worker's role and are not inconsistent with the specific policies of the Diocese;
- 2.15. in respect of Workers who are Clergy and religious engaged in Ministry on behalf of the Catholic Church, understand, promote and support the principles put forward in *Integrity in Ministry*;
- 2.16. When working with children and young people, Workers must:
  - (a) refrain from making negative comments about their appearance or being overly positive including without limitation excessive flattery;
  - (b) refrain from inappropriate or overly familiar 'pet names' or 'nicknames' towards them;
  - (c) not groom them;
  - (d) not make enquiries of a sexual nature toward them;
  - (e) not be disrespectful or discriminatory towards them;
  - (f) not vilify or humiliate them;
  - (g) not swear or use offensive language within earshot of them;
  - (h) not allow them to access or facilitate their access to pornography or sexually explicit material;
  - (i) immediately intervene and report any suspected sexual harassment, discrimination or abuse involving children or young persons to the Diocese;
  - (j) avoid communications of a personal nature with them, unless you have the written consent of their parent or guardian;
  - (k) avoid introducing 'secrets' to them;
  - (l) not discuss personal lifestyle details or opinions of self to them or about them that could be perceived as overly personal;
  - (m) not visit or otherwise contact a child outside of hours, except with their parent or guardians' consent;
  - (n) if a child's parent or guardian wishes to engage a Worker to mentor, tutor or care for them outside of the Worker's work at the Diocese, the Worker must:
    - i. do so in the Workers own individual capacity only and not in conjunction with the Diocese;
    - ii. disclose this to the Worker's supervisor; and
    - iii. seek approval for secondary employment from the Diocese.
  - (o) not perform unwarranted or unwanted touching of them or engage in inappropriate unnecessary physical contact including without limitation massage, kisses, tickling games or facilitate situations which unnecessarily result in close physical contact with them;
  - (p) not administer corporal punishment to them including without limitation physical discipline or smacking;

- (q) avoid transporting when unaccompanied;
  - (r) not undress using facilities set aside for them or otherwise undress in sight of them;
  - (s) not give personal gifts, provide special favours, single them out for special duties or responsibilities;
  - (t) not consume alcohol, tobacco or other drugs (illicit or otherwise) in their presence or offer alcohol, tobacco or drugs (illicit or otherwise) to them;
  - (u) not administer medication to them without the consent of their parent or guardian and then only within the Worker's specific scope of practice.
- 2.17. disclose any personal relationship that may impact their ability to perform their role on the basis of professional boundary challenges, to their supervisor or if the relationship is with their supervisor make the disclosure to their supervisors' manager;
- 2.18. cooperate with any decisions made by the Diocese to assist the Worker to manage any conflict of interest arising from the personal relationship which may include transfer or reassignment of the Worker.

### **3. Professional Behaviour and Development**

Workers are expected to:

- 3.1. maintain a high standard and quality of work;
- 3.2. maintain and develop knowledge and understanding relevant to their role and any required area of expertise;
- 3.3. continuously seek to improve work performance and bring about improvements in the workplace;
- 3.4. exercise care, responsibility and sound judgement when carrying out their duties;
- 3.5. maintain adequate documentation to support decision making;
- 3.6. take reasonable care of their safety and health;
- 3.7. take reasonable steps that their acts and or omissions do not adversely affect the health and safety of others;
- 3.8. comply with policies or procedures;
- 3.9. refrain from carrying out their duties under the influence of alcohol, 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;
- 3.10. not ignore work duties or waste time during working hours;
- 3.11. not take or attempt to take improper advantage of any information gained during employment;
- 3.12. not take or attempt to take improper advantage of their position to benefit themselves or others;
- 3.13. not allow personal political views, affiliations or personal interests to influence the performance of their duties or responsibilities;
- 3.14. maintain confidentiality;
- 3.15. foster collegiality among members of the Diocese and broader Church community; and
- 3.16. report to the Diocesan HR & WHS Manager or the Worker's supervisor any instance where the Worker believes they have observed or they themselves, have been the subject of inappropriate workplace behaviours.

### **4. Conflicts of interest**

Workers must not place themselves in a position where there is an 'actual or perceived possibility' of conflict between either a personal interest or a duty owed elsewhere and the Worker's duties and obligations as a Worker.

Workers must:

- 4.1. not have a personal interest (pecuniary or otherwise) or an outside engagement that is inconsistent with the best interests of the Diocese;
- 4.2. not use their position with the Diocese to obtain advantage for themselves or a third party without the fully informed written consent of the Diocese;

- 4.3. not use Diocesan property or business opportunities for their own benefit or the benefit of a third party;
- 4.4. disclose a conflict of interest (or potential conflict) to the Diocese as soon as the Worker becomes aware. Disclosing the conflict does not infer that the Diocese has agreed to allow the Worker to continue to hold the interest that has created the conflict or absolve the Worker from potential disciplinary action for allowing the conflict to arise in the first place or not immediately notifying the Diocese of the conflict of interest whether actual or perceived;
- 4.5. avoid a conflict of interest and where a conflict of interest arises, immediately notify the Diocese in writing and cooperate with any direction that the Diocese makes to the Worker about managing the conflict of interest;
- 4.6. manage professional boundaries with other Workers by avoiding situations where the Worker is:
  - (a) 'dating', 'going out with' or in an intimate relationship with a fellow Worker who reports to them;
  - (b) supervising a family member or close friend as part of their role;
  - (c) a member of a selection or interview panel where a family member or close friend is being interviewed;
  - (d) the decision maker or influencer in respect of a promotion or appointment of a family member or close friend;
  - (e) approving expenditure or any other benefit including salary level or salary increases for a family member or close friend;
  - (f) giving preference or 'special treatment' to another Worker because that Worker is a family member or close friend;
- 4.7. When considering whether there is a conflict of interest the Worker should ask themselves:  
*Do I have a personal interest that may conflict or be perceived to conflict with my position at the Diocese?*

*Could there be benefits for me, now, or in the future, that could cast doubt on my objectivity to make decisions in my position at the Diocese?*

*How would my involvement in the decision or action be viewed by others?*

Examples of Conflicts of Interest are:

Position	Conflict
<b>Parish Sacramental Coordinator</b>	The Parish Sacramental Coordinator recommends that the Confirmation programs be printed by ABC Printing Pty Ltd, a company that is owned by her uncle. She does not disclose the interest or seek the written informed consent of the Parish Priest before making the recommendation.
<b>Parish Priest</b>	The Parish Priest allows ABC Travel Pty Ltd to advertise in the Parish Bulletin. He does not disclose that in return he is provided with free airline tickets for his annual holiday. He does not disclose the interest to the Bishop.
<b>Parish Secretary</b>	The Parish Secretary employs his wife to work to work as the Parish Bookkeeper at the same Parish. She reports to him and the other staff at the Parish are concerned because he is favouring her. The Parish Secretary failed to recognise boundary issues and that it was inappropriate to employ a Family member in a position that reports to him or to be involved in the decision to appoint her.
<b>Property Manager</b>	Knowing that the Diocese is about to develop a site at ABC Parish (which will likely significantly increase the value of commercial properties in the

	immediate vicinity of the site), the Property Manager tells a local property developer (before the announcement is made public) in return for a reduced commission on the sale of his own house.
<b>Human Resources Officer</b>	The Human Resources Officer uses ABC Recruitment Agency because, unbeknown to the Diocese, he/she personally receives free movie tickets from ABC Recruiting Agency every time he/she uses them to place temporary Workers.
<b>Youth Minister</b>	The Youth Minister agrees to speak at a conference for another Diocese in return for his conference expenses being paid. He does not disclose this benefit to the Diocese or seek approval for secondary employment.
<b>Financial Manager</b>	The Financial Manager decides to engage ABC Accounting as the Diocesan external accountants because they will do his personal tax returns for free. She does not identify this conflicted interest or seek to manage it by refusing the offer of free accounting services and moving her personal accounting work to another firm of accountants that has no relationship with Diocesan external accountants.

## 5. Gifts and Benefits

- 5.1. 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 the Diocese.
- 5.2. Gifts of a nominal value generally used for promotional purposes, or moderate acts of hospitality offered as a genuine thank you by a client, may be personally retained if they have not been solicited by the Worker or could not be seen to have comprised or unduly influenced the Worker's professional duties with the Diocese.
- 5.3. 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. Gifts such as a Christmas hamper for work allocated to a consultant should be shared or, if a singular gift (such as a box of chocolates) should be made available for consumption at a work function. Consideration should also be given to donating such gifts to charity. Acceptance of gifts and hospitality is a matter for the Worker to manage. Worker's must be satisfied that their position will not in any way be compromised or appear to be compromised by acceptance of the gift or hospitality.

## 6. Secondary Employment

- 6.1. Secondary employment includes paid work and volunteer work where a benefit is received in return for the work e.g. paid travel expenses or reimbursement of conference expenses;
- 6.2. Workers must seek and obtain approval in writing from the Diocese prior to engaging in any secondary employment or business activity, including employment within a family company;
- 6.3. Approval for secondary employment is still required when a Worker who is in the paid employment of the Diocese is on leave, including periods of leave without pay;
- 6.4. Where a Worker of the Diocese is already involved in secondary employment, they must as soon as reasonably practicable provide details of the secondary employment to the Diocese and obtain the necessary approval;
- 6.5. Workers are required to refrain from engaging in any outside work that would compromise their integrity and independence;

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

## **7. Management of Resources**

- 7.1. Workers are required to use Diocesan resources economically and ethically. Resources include but are not limited to money, facilities and equipment owned by or within the control of the Diocese;
- 7.2. Workers also have a duty to ensure Diocesan resources are only used for their intended purpose, are well maintained and secured against theft or misuse;
- 7.3. Workers are accountable for their use of Diocesan work time and resources. Workers must not use Diocesan 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 using the intellectual property of the Diocese, to sell privately;
- 7.4. Workers have a duty to report to the Diocese improper use, waste or abuse of resources, corrupt or fraudulent conduct, inadequate administration or short fallings in accountability.

## **8. Activities and Public Comment**

- 8.1. Workers are permitted to engage in political, professional, charitable and interest groups provided the participation does not give rise to the conflict with the Diocese's values;
- 8.2. Although Workers are permitted 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 the Diocese unless they have prior authorisation from the Bishop or his delegate. This includes public speaking, media comments and letters, comments to online services.

## **9. Protected Disclosures**

- 9.1. In reporting any suspected improper use, fraud, waste, abuse of resources, corrupt conduct, inadequate administration or accountability, the 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 a disclosure.
- 9.2. Disclosing Workers are not entitled to protection for disclosures that are in the reasonable belief of the Diocese vexatious, malicious or made to assist the disclosing party to avoid disciplinary action.
- 9.3. A person who makes a protected disclosure will be notified, within six months of the disclosure being made, of the action taken or proposed to be taken in respect of the disclosure. If a disclosure is made in accordance with this Policy, the Disclosure Coordinator (Diocesan Human Resource Manager) is responsible for the six month notification to the person who made the disclosure, unless this responsibility has been retained by or allocated to another officer by the Diocesan Business Manager.
- 9.4. The notification provided to the person who made the disclosure should contain sufficient information to demonstrate that adequate and appropriate action was taken, or is proposed to be taken, in respect of the disclosure.

## **10. Confidentiality**

- 10.1. Workers who are in the paid employment of the Diocese must not divulge, either during employment or after the cessation of their employment, any confidential information obtained during their engagement with the Diocese.
- 10.2. 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 the Diocesan finances;*
  - *computer databases and computer software; and*



- *all other information obtained in the course of working for the Diocese that is, by its nature, confidential or personal information.*

## BREACHES OF THIS POLICY

Breaching this Policy may result in disciplinary action, which may include the termination of employment or engagement and, notification to external agencies including without limitation professional standards associations, regulatory agencies and police.

## REVISION/ MODIFICATION HISTORY

Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
April 2009	1	Code of Conduct	Initial Policy	April 2009	April 2009
January 2019	2	Code of Conduct	Review	January 2019	January 2019
June 2019	3	Code of Conduct	Update	15 June 2020	1 July 2020
1 June 2021	4	Code of Conduct	'Religious' included in definition of Worker	1 June 2021	1 June 2021

## APPROVAL DATE/ REVISION HISTORY

Approved by: Bishop Gregory Homeming

Date: 15 June 2020

To be revised: 1 July 2023

I have read, understood and will be compliant to the Diocese of Lismore Code of Conduct for the duration of my employment/engagement.

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signed: \_\_\_\_\_