

# Ballarat Agricultural and Pastoral Society Inc.

## Code of Conduct

### Purpose

The Code of Conduct (the Code) outlines the standard of behaviour expected of employees, volunteers and other members of the Ballarat Agricultural and Pastoral Society (the Society). It is designed to assist those involved with the Society to understand their responsibilities and obligations and provide guidance on expected standards of behavior, or if faced with an ethical dilemma or conflict of interest when undertaking their duties or participating in the activities of the Society.

The Code does not seek to encompass all possible scenarios arising through the activities of the Society however it provides a set of principles to guide what the Society considers acceptable and unacceptable behavior or conduct.

The Code should be read in conjunction with the Society's rules

### Scope

The Code of Conduct covers all employees of the Society, members of the Executive Committee, sub-committees, volunteers and other members of the Society, including Advisors and other persons holding an honorary position within the Society.

Contractors and sub-contractors are expected to comply with the Code as a condition of their engagement with the Society.

### Definitions

Term	Definition
<b>Attribute:</b>	<p>Attributes are the following (actual or assumed) personal characteristics on the basis of which discrimination is prohibited under Commonwealth and Victorian legislation:</p> <ul style="list-style-type: none"><li>• Disability (further defined below)</li><li>• Sex (sex designated at birth: female, male, intersex)</li><li>• Gender identity (identification by a person as female, male, something other, or in between; with or without regard to sex designated at birth)</li><li>• Intersex status (people born with physical, hormonal or genetic features that are neither wholly female nor wholly male, or a combination of female and male)</li><li>• Sexual orientation (the nature of a person's basic sexual attraction to other people eg being heterosexual, homosexual, gay, lesbian, bisexual)</li><li>• Lawful sexual activity (includes adult, consenting sexual relationships or using legal sexual services)</li><li>• Pregnancy (being, or planning to become, pregnant).</li><li>• Marital status (being or not being married or single, having or not having a domestic partner)</li><li>• Parental status (being or not being a parent, which includes step-parent, adoptive parent, foster parent and guardian)</li><li>• Carer status (being or not being a person upon whom someone else relies substantially for their ongoing care)</li></ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• Breastfeeding (breastfeeding infants or expressing milk)</li> <li>• Race (colour, descent or ancestry, nationality or national origin, ethnicity or ethnic origin, and language spoken at home)</li> <li>• Religious belief or activity (holding or not holding a lawful religious belief or view; participating or not participating in a lawful religious activity)</li> <li>• Political belief or activity (holding or not holding a lawful political belief or view; participating or not participating in a lawful political activity)</li> <li>• Industrial activity (includes being or not being a member of an association of employees/participating or not participating in lawful activities organised by an industrial association)</li> <li>• Employment activity (making an enquiry or expressing a concern as an individual about their own employment entitlements)</li> <li>• Age (a person's age)</li> <li>• Physical features (a person's weight, height or other bodily characteristic, and may include body piercing, body hair or tattoos),</li> <li>• Personal association (being a friend, relative, associate or companion with an attribute listed above).</li> </ul>
<b>Bullying:</b>	<p>As defined by the Fair Work Act 2009 bullying is:  <i>"repeated, unreasonable behaviours directed towards a worker or a group of workers that creates a risk to health and safety".</i></p> <p>Examples of workplace bullying may include but are not limited to:</p> <ul style="list-style-type: none"> <li>a. abusive, insulting or offensive language;</li> <li>b. behaviour or language that frightens, humiliates, belittles or degrades;</li> <li>c. teasing or regularly making someone the brunt of practical jokes;</li> <li>d. spreading gossip, rumours and/ or innuendo.</li> </ul> <p>Workplace bullying may also take more subtle or covert behaviours including:</p> <ul style="list-style-type: none"> <li>e. deliberately excluding or isolating a person from normal workplace activities;</li> <li>f. tampering with personal effect or work equipment;</li> <li>g. intimidating someone through inappropriate personal comments, belittling opinions or unjustified criticisms;</li> <li>h. overloading a person with work;</li> <li>i. setting timelines that are difficult to achieve or constantly changing deadlines;</li> <li>j. setting tasks that are unreasonable or beyond a person's ability;</li> <li>k. deliberately isolating a person or ignoring them;</li> <li>l. deliberately denying access to information relevant to the person's duties.</li> </ul>
<b>Child Safe Standards:</b>	The Child Safe Standards are compulsory minimum standards for all organisations that provide services to children.
<b>Child Safe Code of Conduct:</b>	Sets out the expected standards of behavior with regard to the safety of children
<b>Conflict of interest</b>	A conflict of interest arises where there is a divergence between the individual interests of a person and their professional responsibilities such that an independent observer might reasonably conclude that the professional actions of that person may be unduly influenced by their own interests. This can include actual, perceived or potential conflicts of interest.

Term	Definition
<b>Corrupt Conduct:</b>	Includes improper use of influence or position and/or improper use of information or other improper acts or omissions of a similar nature
<b>Disciplinary Action:</b>	<p>Measures taken by the Society in relation a breach of the Code of Conduct and includes but is not limited to:</p> <ol style="list-style-type: none"> <li>a. Formal counselling;</li> <li>b. Giving an employee a written warning (including where appropriate, a final warning);</li> <li>c. Suspending an employee with or without pay of an employee;</li> <li>d. Formal censure;</li> <li>e. Removal of a volunteer or member of the Society from Office while remaining a volunteer or other member of the Society;</li> <li>f. termination of employment; or</li> <li>g. expulsion from the Society;</li> <li>h. other disciplinary action in accordance with the Society's rules..</li> </ol>
<b>Discrimination:</b>	Refers to unfavourable treatment based on the actual or assumed attributes as defined above. In determining whether or not a person discriminates, the person's motive is irrelevant. Discrimination includes Direct and Indirect Discrimination.
<b>Disability:</b>	<p>Refers to:</p> <ul style="list-style-type: none"> <li>• a partial or total loss of a bodily or mental function (which can be permanent or temporary, visible or invisible)</li> <li>• a total or partial loss of a part of the body</li> <li>• the presence in the body of organisms causing or capable of causing disease or illness (eg hepatitis or HIV/AIDS)</li> <li>• the malfunction, malformation or disfigurement of part of the body</li> <li>• mental or psychological disease or disorder</li> <li>• A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or</li> <li>• A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour</li> </ul> <p>Included is a disability (as defined above) that presently exists, previously existed but no longer exists, may exist in the future (including because of a genetic predisposition to that disability), is imputed to a person, and behaviour that is a symptom or manifestation of a disability.</p>
<b>Direct Discrimination:</b>	Occurs if a person treats, proposes to treat, a person with an attribute as listed above unfavourably, because of that attribute.
<b>Discriminatory Harassment:</b>	<p>Is a form of discrimination and refers to a wide range of deliberate and unintentional behaviours, based on an attribute as listed above, which are unwelcome and uninvited and which are reasonably likely, in all the circumstances, to humiliate, intimidate or offend. It includes behaviour which may be written, printed, verbal, non-verbal or physical (including transmission or display of inappropriate electronic communications, use of social media).</p> <p>Examples of potential discriminatory harassment include:</p> <ul style="list-style-type: none"> <li>• Spreading gossip about a person, such as gossip about a person's (real or assumed) attribute</li> <li>• Sexist or racist language or humour or images or emails</li> <li>• Intrusive personal questions based on an attribute</li> <li>• Displays of images (eg on computers, social media, posters, or graffiti) which target attributes and give rise to offence</li> <li>• Negative comments, taunts, jokes or insults eg at the expense of others' attributes</li> </ul> <p>Negative comments or actions about adjustments made because of a person's disability or culture or carer responsibilities</p>

<b>Term</b>	<b>Definition</b>
<b>Employee:</b>	Any person who is an employee of the Society. This includes full-time, part-time, and casual employees.
<b>Ethics:</b>	The guiding values, principles and standards that enable people determine how things should be done and how they should act. Ethics refers to the judgements that people make and the process that determines those judgements. It is the process by which people make value based decisions which ultimately guides their actions and behaviours.
<b>Ethics Systems:</b>	The policies, codes, management structures and processes an organisation devises to encourage appropriate behaviour, including values; codes of ethics/conduct, performance management and rewards systems, corporate governance systems including risk analysis, performance evaluation and reporting protocols, risk audits and fraud and corruption policies.
<b>Fraud:</b>	Includes theft and criminal deception by electronic or other means; making false representations to gain an unjust advantage; and abuse of the Society's property or time.
<b>Gifts, Benefits and Hospitality</b>	<p>The term "gifts" should be used in its broadest context (for example, plaques, jewellery or an invitation to a corporate event).</p> <p>The Society does not encourage the proffering of gifts. However, subject a situation where a conflict of interest may occur, an employee or other member of the Society may give or accept a gift that is offered as part of a social, cultural or ceremonial practice.</p> <p>If an acceptance of a gift, in direct or indirect relation to performance of a duty by an employee or other member of the Society, may be regarded as acceptance of inducement to act in a certain way, thereby creating a real or perceived conflict of interest, an employee or other member of the Society should not accept the gift.</p> <p>Gifts do not include the receipt of:</p> <ul style="list-style-type: none"> <li>• standard promotional material distributed by an organisation, or business, free of charge, equally to all, where its primary purpose is to promote the organisation or business; or</li> <li>• a small gift or gesture of goodwill given solely in the spirit of a festive celebratory event that could not be reasonably deemed as a conflict of interest.</li> </ul>
<b>Inclusive practices:</b>	Are practices that anticipate and accommodate the needs of a diversity of people, and which result in learning and working activities and environments being accessible by all people, to the greatest extent possible, minimising the need for adjustments to respond to individual needs.
<b>Indirect Discrimination:</b>	Occurs if there is an unreasonable requirement, condition or practice that purports to treat everyone the same, but actually disadvantages someone with an attribute as listed above.
<b>Members/ membership:</b>	Person(s) or organisations who pay an annual fee to be a member of the Ballarat Agricultural and Pastoral Society Inc. In paying a membership fee the person(s)/organization agrees to abide by the rules of the Society.
<b>Misconduct:</b>	<p>In general terms misconduct means dereliction of duty or unacceptable behavior that may include:</p> <ul style="list-style-type: none"> <li>• conduct which is an impediment to the satisfactory performance of the work of an employee;</li> <li>• failure of an employee to comply with a reasonable instruction given by a person in the line management of the employee;</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>• behavior by an employee, volunteer or other member of the Society that may be reasonably perceived as bullying, harassing, intimidating, overbearing or physically or emotionally threatening;</li> <li>• an action of the employee, volunteer or other member of the Society which is prejudicial to the health or safety of other employees, volunteers or members of the public;</li> <li>• conduct of the employee, volunteer or other member of the Society that results in a conviction, sentence or other order imposed by a court which restricts the activities of an employee in a manner that constitutes an impediment to the employee carrying out their duties;</li> <li>• deceptive behaviour of a minor nature by an employee or other member of the Society.</li> </ul>
<b>Serious Misconduct:</b>	<p>In general terms means misconduct of such a nature that it would be unreasonable to require the Society to continue the employment of the employee or, in the case of other members of the Society, to continue an association with the Society. It is conduct of a kind which constitutes:</p> <ol style="list-style-type: none"> <li>1. a recurrence or continuation of conduct which has been found to be misconduct on the part of the employee, volunteer or other member of the Society; and/or</li> <li>2. serious misbehaviour, which may be a single occurrence, of a kind which constitutes: <ul style="list-style-type: none"> <li>• a serious impediment to the carrying out of an employee’s duties, or to other employees carrying out their duties; or</li> <li>• a serious risk to the safety of employees, volunteers, other members of the Society or to the public; or</li> <li>• a serious risk to the Society’s property as a result of the actions of an employee, volunteer or other member of the Society; or</li> <li>• dishonest behavior by an employee, volunteer or other member of the Society; or</li> <li>• a serious dereliction of duties by an employee, volunteer or other member of the Society; or,</li> <li>• a conviction by a court of an offence which constitutes a serious impediment to carry out of duties on behalf of the Society or which may constitute a serious risk to the reputation and good name of the Society.</li> </ul> </li> </ol>
<b>Other Members of the Society:</b>	Includes members of Society Executive committee or a relevant sub-committee, volunteers or other honorary appointed positions, as constituted under the rules and statutes.
<b>Prima Facie:</b>	The term ‘ <i>prima facie</i> ’ is used to describe the apparent nature of something upon initial observation. The term generally is used to describe two things: the presentation of sufficient evidence to support the claim (a prima facie case), or a piece of evidence itself (prima facie evidence).
<b>Principles of Natural Justice:</b>	<p>Involves all of the following elements:</p> <ul style="list-style-type: none"> <li>• the right to a fair and prompt hearing;</li> <li>• presumption of innocence until proven guilty;</li> <li>• the right to attend hearings with a friend or support person, if required;</li> <li>• the opportunity for all parties involved to be heard;</li> <li>• the respondent having full knowledge of the nature and substance of the complaint;</li> <li>• the complainant not determining the outcome, but may be a party to it;</li> <li>• the right to an independent, unbiased decision-maker, and</li> <li>• a final decision that is based solely on the relevant evidence.</li> </ul>

Term	Definition
<b>Reasonable Management Action:</b>	<p>Reasonable management action can include:</p> <ul style="list-style-type: none"> <li>• disciplinary action taken against a member of the Society by a Disciplinary Committee appointed in accordance with the Society’s rules.</li> <li>• disciplinary action against an employee;</li> <li>• setting reasonable performance goals, standards and deadline in consultation with an employee and after considering their respective skills and experience;</li> <li>• allocating work to an employee in a transparent way;</li> <li>• fairly rostering and allocating working hours;</li> <li>• transferring an employee for legitimate and explained operational reasons;</li> <li>• deciding not to select an employee for promotion, following a fair and documented process;</li> <li>• informing an employee about inappropriate behaviour in an objective and confidential way;</li> <li>• implementing organisational changes or restructuring, and</li> <li>• performance management processes.</li> </ul>
<b>Sexual harassment:</b>	<p>Is where a person engages in any unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated. Sexual harassment can occur even if the behaviour is unintentional, and a single incident can amount to sexual harassment.</p> <p>Sexual Harassment refers to a wide range of behaviours and includes behaviour which may be written, printed, verbal, non-verbal or physical (including transmission or display of inappropriate electronic communications, use of social media).</p> <p>Examples of potential sexual harassment include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Physical intimacy or contact;</li> <li>• Sexual jokes, images, emails, gestures, remarks or conversations;</li> <li>• Intrusive personal questions;</li> <li>• Spreading gossip about a person, such as sexual gossip;</li> <li>• Displays of sexually explicit images (eg on computers, social media, posters, or graffiti);</li> <li>• Requests for sexual acts or favours, or unwelcome or repeated gifts or requests for ‘dates’; or</li> <li>• Indecent assault, rape or stalking (which are also criminal offences).</li> </ul>
<b>Support Person:</b>	A person of the employee’s or other member of the Society’s choice who is there to provide emotional support but who is not a practicing solicitor or barrister.
<b>Theft:</b>	The dishonest appropriation of the Society’s property, funds or assets with intent to deprive the Society of the same.
<b>Unreasonable Behaviour:</b>	Refers to behaviour that a reasonable person, having regard to all the circumstances, would expect to humiliate, intimidate, undermine or threaten. In this context, the hypothetical reasonable person does not require total knowledge of every aspect of the situation - rather this person knows as much as the alleged bully could reasonably be expected to know.
<b>Vicarious liability:</b>	Refers to the Society’s responsibility for the behaviours of employees or other members of the Society unless it takes all reasonable steps to prevent discrimination and harassment.
<b>Victimisation:</b>	Means to threaten or punish someone or to treat them less-favourable, in response to an actual or possible allegation or complaint.

<b>Term</b>	<b>Definition</b>
<b>Violence or threats of violence:</b>	<p>Violence and aggression is defined as any incident where employee or other member of the Society is abused, threatened or assaulted in circumstances arising out of, or in the course of, their employment or when participating in other activities for the Society.</p> <p>Within this definition:</p> <ul style="list-style-type: none"> <li>• threat means a statement or behaviour that causes a person or a third party to believe they are in danger of being physically attacked. It may involved an actual or implied threat to safety, health or wellbeing; and</li> <li>• physical attack means the direct or indirect application of force by a person to the body of, or clothing or equipment worn by, another person, where that application creates a risk to health and safety.</li> </ul> <p>Neither intent nor ability to carry out the threat is relevant. The key issue is that the behaviour creates a risk to health and safety.</p> <p>Examples of occupational violence and aggression include, but are not limited to verbal, physical or psychological abuse, punching, scratching, biting, grabbing, pushing, threats, stalking, attack with a weapon, throwing objects/ furniture, sexual harassment or assault, and any form of indecent physical contact.</p> <p>Occupational violence need only be a single incident or circumstance.</p>
<b>Volunteer:</b>	A person or persons who undertake activities on behalf of the Society without expectation of remuneration.
<b>Worker:</b>	<p>As defined by Fair Work Commission:</p> <p>A worker is an individual who performs work in any capacity including but not limited to:</p> <ul style="list-style-type: none"> <li>• an employee*;</li> <li>• a contractor;</li> <li>• a sub-contractor;</li> <li>• an out-worker;</li> <li>• an apprentice;</li> <li>• a trainee;</li> <li>• a student gaining work experience, and</li> <li>• a volunteer.</li> </ul> <p>* An employee includes full-time, part-time or casual employee who hold/ held a contract of employment with the Society at the time the alleged behaviours occurred.</p>

## Policy Statement

The Society's values of:

<b>Access</b>	Creating an environment and providing events that promote equity, inclusiveness and diversity.
<b>Respect</b>	Respect for each other, our volunteers and for our community
<b>Engagement</b>	Build positive and collaborative relationships of mutual benefit with our community

underpin the Code of Conduct.

The Society's values guide how we behave towards our each other and the wider community. These principles are what we stand for and we will bring these principles to life in everything we do.

This Code of Conduct confirms that commitment, outlines the expectations of all employees and other members of the Society, and is designed to promote a culture of fair, respectful and ethical behaviour and to ensure the Society meets its obligations under state and commonwealth legislation.

The Code will assist the Society safeguard public trust and confidence in the integrity and professionalism of its employees and other members of the Society by ensuring that all employees and other members of the Society:

- maintain appropriate standards of conduct;
- exhibit fairness, impartiality, honesty and equity in decision making; and
- foster and protect the reputation of the Society.

Employees, volunteers and the public can expect that members of the Society's Executive Committee will lead by example in actively promoting and complying with the Code.

All employees, volunteers and members of the Society are expected to act with integrity, which includes being aware of and acting within the laws that apply to their conduct.

Essentially the Code is a public statement about how the Society expects to be perceived and, ultimately, judged. All employees, volunteers and members of the Society are required to comply with the Code.

This Code does not prevent the Society from undertaking reasonable management action against an employee, **volunteers and members of the Society**, so long as it is carried out in a fair way and in accordance with the principles of natural justice and the Society's rules (with regard to members). Employee's supervisors have a right to direct the way work is carried out, following discussion with the employee, and to monitor and give feedback on performance, giving due consideration to the manner in which this is done.

The President and the Executive Committee has a right to direct the operations of the Society, in accordance with the Society's rules.

This Code does not cover situations where an employee, volunteer or other member of the Society is dissatisfied with actions taken that are legitimate and reasonable.

#### **a) Fair, Safe and Ethical Environment**

An ethical environment relies upon individuals having responsibility for their own behavior and conduct. The Society has a responsibility to provide a safe, encouraging and supportive environment that recognises and values diversity, abilities and contributions.

All employees, members, volunteers and other members of the Society are entitled to be treated with respect and work/volunteer in an environment free from discrimination or harassment because of a protected attribute, bullying, violence (or threats of violence), victimisation or vilification. Equally, employees, volunteers and other members of the Society have a responsibility to act with integrity, honesty, transparency and impartiality in their dealings with colleagues and members of the wider community.

Employees, members, volunteers and other members of the Society are required to perform their duties/responsibilities in a safe and competent manner in accordance with relevant Occupational Health and Safety legislation and the Society's rules, policies and procedures.

Employees, members, volunteers and other members of the Society must take care not to put themselves or members of the community at risk or reduce their ability to carry out their duties through unsafe practices, inappropriate behaviours or conduct or the misuse of alcohol or drugs. Every effort should be made to ensure that the events and functions or activities of the Society are carried out in a safe and compliant manner.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for members of the Society).

#### **b) Personal and Professional Behaviour**

All employees, members, volunteers and other members of the Society are to perform any duties or responsibilities associated with their position diligently, impartially and conscientiously, to the best of their ability.

In the performance of their duties, employees, members, volunteers and other members of the Society are to:

- Follow the directions of the Executive Committee or the relevant sub-committee chair person;
- Treat each other and members of the public with courtesy and sensitivity to their rights;
- Provide all necessary and appropriate assistance;
- Strive to keep up-to-date with changes in rules, regulations, and ethical standards that impact on the operation of the Society;
- Comply with any relevant legislative, industrial or administrative requirements, and all of the Society's rules, policies and procedures;
- Maintain adequate records to support any decisions made;
- Strive to obtain value for money spent and avoid waste and extravagance in the use of resources;
- Maintain the confidentiality of official information in accordance with Information Privacy requirements;
- Avoid undertaking any activity that could potentially compromise the reputation of the Society or the performance of assigned duties; and
- Comply and adhere to this Code.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for volunteers and members of the Society).

### **c) Equity, Diversity and Social Inclusion**

Employees, members, volunteers and other members of the Society will be instrumental in creating an environment where everyone involved with the Society are able to participate fully, find a sense of belonging, and have opportunity to engage meaningfully with the broader community.

Employees, members, volunteers and other members of the Society will act to create a fair, respectful, inclusive and safe environment, where diversity is valued and where unlawful discrimination, violence (or threats of violence), bullying, harassment and victimisation in any form are considered unacceptable.

Employees, members, volunteers and other members of the Society will seek to understand their rights and responsibilities in relation to State and Federal anti-discrimination legislation and integrate the principles of equality of opportunity, natural justice and inclusivity into their day-to-day practices and behaviours.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for volunteers and members of the Society).

### **d) Conflict of Interest**

The potential for a conflict of interest arises when employees, members, volunteers and other members of the Society have private interests that could influence or appear to influence judgements made during the course of discharging their duties for the Society. Employees, members, volunteers and other members of the Society must ensure that there are no real or apparent conflicts of interest with respect to:

- The misuse of influence to further personal, sexual and financial relationships, whether with other employees, volunteers or members of the community;
- Making decisions and providing advice;
- External, private work including directorships and board memberships; and
- Use of confidential information.

Employees, members, volunteers and other members of the Society must not solicit gifts or benefits that might in any way compromise or influence them in their capacity as representatives of the Society. An employee or other member of the Society may give or receive a gift which is offered as part of a social, cultural or ceremonial practice.

Should members, employees, volunteers or other member of the Society have a financial interest in a company that is in a position to influence a contract for business between that company and the Society, this interest should be declared to the President of the Society and Executive Committee before acting in matters with the company. If the President has the potential conflict of interest, a declaration must be made to an Advisor to the Executive and the Executive Committee.

Where an employees, members, volunteers and other members of the Society has a conflict of interest that relates to a family member or with persons with whom a close personal relationship has developed, the employee or other member of the Society must bring the matter to the attention of the President of the Society and the Executive Committee and take immediate steps to resolve any conflict. If the matter involves the President, a declaration must be made to an Advisor to the Executive and the Executive Committee. This includes situations where such relationships as described has the potential to create a conflict of interest.

Any employees, members, volunteers and other members of the Society who are unsure if a conflict of interest exists must seek direction from the Executive Committee.

In some cases, only the individual members, employees, volunteers employee or other member of the Society will be aware of the potential for conflict of interest. If so, or if in doubt, the onus is on the employee or other member of the Society to declare any possible conflict in writing. ‘

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society’s rules (for other members of the Society).

**e) Gifts, Benefits and Hospitality**

Employees, members, volunteers and other members of the Society, have a responsibility to behave with integrity and impartiality in discharging their duties for the Society. This includes responding appropriately to offers of gifts, benefits and hospitality. Employees and other members of the Society must not seek or accept gifts that could be reasonably perceived as influencing them, particularly from people or organisations about whom they are likely to make decisions about on behalf of the Society.

Gifts of money may not be accepted in any circumstances. If an employee or other member of the Society is unsure how to respond to an offer of a gift, benefit or hospitality, they should seek advice from the Executive Committee.

Employees, members, volunteers and other members of the Society may give or receive a gift that is offered as part of a social, cultural or ceremonial practice. Such gifts will remain the property of the Society (and not the individual receiving the gift). If the gift could be construed as an inducement to act in a certain way, the employee or other member of the Society should not accept the gift.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society’s rules (for other members of the Society).

**f) Employees undertaking outside employment**

Employees of the Society are encouraged to contribute and engage with the community by providing assistance to government, community agencies, the professions and industry through a range of activities. In undertaking these activities, employees must observe the following requirements:

- have approval from the President of the Society for activities undertaken during normal working hours and/or if these activities could conflict with their employment;
- Outside activities must not involve the use of the Society’s resources without prior permission and reimbursement to the Society where appropriate.

Failure comply will result in disciplinary action in accordance with the relevant industrial instrument.

**g) Public Comment**

Employees, members, volunteers and other members of the Society must not engage in public comment about the activities or decisions of the Society without prior permission.

The President of the Society (as official spokesperson) has delegated authority to make public comment on behalf of the Society. The President may delegate this authority to the Executive Officer or other member of the Executive Committee.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for other members of the Society).

#### **h) Use of Social Media**

Any social media accounts or sites utilised by the Society and/or its sub-committees must ensure that posts and comments comply with the expectations of this code of conduct. Individual social media sites linked to the Society must also comply with this code and administrators must ensure posts and comments are monitored to ensure no inflammatory statements, inappropriate content or comments are posted.

Employees, members, volunteers and other members of the Society must be mindful of their use of social media and ensure their interactions are respectful to the Society, its members and volunteers and the wider community. Members of the Society, volunteers and/or members of sub-committees of the Society must not post negative, inappropriate or derogatory comments on any of the Society's social media accounts or sites.

Derogatory, inflammatory or inappropriate comment on the Society's social media accounts or website will be deleted and the author may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for other members of the Society).

#### **i) Confidential Information and Privacy**

Employees, members, volunteers and other members of the Society are entitled to confidentiality and privacy with respect to information relating to them. Employees and other members of the Society should ensure they are aware of the legal and ethical requirements relating to the use and disclosure of personal information and the use of commercially sensitive and confidential information.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for other members of the Society).

#### **j) Records Management**

The Society is bound to adhere to proper records management practices and procedures. All documents that form part of the Society's public record must be placed on official files. Employees, members, volunteers and other members of the Society must not damage, dispose of, or in any other manner interfere with official documents or files. The destruction of records may only take place in accordance the rules of the Society and relevant legislation.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for other members of the Society).

#### **k) Society Resources**

Employees, members, volunteers and other members of the Society are accountable for the efficient and effective use of funds and must only act within delegated authority and in accordance with the Society's rules. Proper documentation and records of financial transactions must be maintained at all times. Any instances of misuse or misappropriation of funds or other resources must be reported to the President of the Society or the Executive Committee.

All facilities, equipment or vehicles owned by the Society must be used efficiently and in accordance with the Society's rules, policies and procedures. Damaged or defective equipment and facilities must be reported immediately. Where the damage or defect is a danger to health and safety, action is taken to protect the employees, other members of the Society or the public from danger.

All information technology owned by the Society must be used for undertaking the business of the Society.

Inappropriate use of the Society's information technology will not be tolerated.

Employees, members, volunteers and other members of the Society found to be in breach of these provisions of the Code may face disciplinary action in accordance with the relevant industrial instrument (for employees) or the Society's rules (for other members of the Society).

**l) Demonstrating Leadership**

Employees, members, volunteers and other members of the Society should model their behaviour based on the Society's values and this Code of Conduct and at all times act in an ethical manner. Leadership is about positive influence, inspiring and empowering others.

**m) Child Safe Code of Conduct**

Employees, members, volunteers and other members of the Society must adhere to the Child Safety Standards and the Society's Child Safe Code of Conduct

## Breaches/Complaints Provision

Any person, whether a member of the Society or not, who on reasonable grounds believes that there may have been a breach to this Code of Conduct may complain in writing to the Executive Committee, specifying details of the alleged breach.

In some circumstances, the seriousness of allegation/s or information provided may place the Society under a legal obligation to act beyond that which the complainant intends or wishes, in which case the Society may initiate a complaint or progress a complaint of its own volition.

Failure to behave in the ways described in the Code may lead to action under the relevant Misconduct/Serious Misconduct provisions of the relevant industrial instrument (for employees), or the Society's rules (for volunteers and/or members of the Society). Volunteers and sub-committee members who are not members of the Society may be expelled from the Society if found to be in breach of this Code of Conduct.

Before disciplinary action is taken, the Executive Committee will consider the prima facie evidence provided. In the case of a complaint against an employee, the Executive Committee may choose to appoint an independent investigator to ensure the impartiality of any investigation. The appointed investigator will provide a confidential report to the Executive Committee.

If the Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take in accordance with the rules of the Society (for volunteers and members of the Society).

## Supporting Documents

- Rules of the Ballarat Agricultural and Pastoral Society Incorporated.

## Responsibility

The Executive Committee is responsible for the review and ongoing maintenance of the Code to ensure the Code reflects current good practice in ethical behaviour and complies with relevant legislation.

The Executive Committee is responsible for the promulgation and implementation of this Code.

Chairs of sub-committees are responsible for the promulgation of this Code to their members.

Employees, members, volunteers and other members of the Society and other members of the Society are responsible for complying with the Code.