

# RSPCA NSW Code of Conduct

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## 1. Introduction

RSPCA NSW is acutely aware that to continue and prosper we must maintain a reputation as an ethical and professional organisation that strives for excellence in all ways. To achieve this we must operate in an open manner and be accountable to each other as well as to the wider community for our actions. RSPCA NSW relies on every workplace participant to maintain the highest standard of integrity.

To ensure that RSPCA NSW maintains these standards we have developed a Code of Conduct that applies to all workplace participants.

All RSPCA NSW workplace participants are accountable for their own conduct and those in positions of authority are also responsible for the conduct of those reporting to them and must take all reasonable steps to ensure that all workplace participants understand and follow the principles of this Code of Conduct.

## 2. Objective

This Code of Conduct sets down the behavioural standards and expectations of all workplace participants engaged by or associated with RSPCA NSW.

## 3. Scope

This policy applies to all employees and workers of RSPCA NSW (whether full-time, part-time, voluntary or casual) and all persons performing work at the direction of, in connection with, or on behalf of RSPCA NSW. This includes contractors, subcontractors, agents, consultants, and temporary staff (collectively 'workplace participants').

This policy extends to all functions and places that are work related, for example, work lunches, conferences, branch activities, Christmas parties and client functions. This policy also extends to online activities that are intrinsically linked to the workplace. This policy does not form part of an employee's contract of employment, nor does it form part of any contract for service.

## 4. Application

This Code of Conduct applies to all workplace participants of RSPCA NSW. The Code of Conduct does not exclude or replace the rights and obligations of RSPCA NSW workplace participants under common law.

## 5. Definitions

### 5.1 Workplace Participant

The term workplace participant refers to:

- a member of the group of persons who is responsible for the executive decisions of RSPCA NSW at that time;
- any other person who has authority or responsibility for (or significant influence over) planning, directing or controlling the activities of RSPCA NSW at that time;
- any person who is responsible for the services provided by RSPCA NSW;
- any person who is responsible for the day-to-day operations of the service, whether or not the person is employed by the RSPCA NSW;
- RSPCA NSW volunteers;
- RSPCA NSW members;
- Contractors.

### 5.2 Manager

Manager refers to those workplace participants who have been delegated the responsibility of managing this Code of Conduct. These include;

- Chief Executive Officer;
- Executive managers;
- Senior managers;
- Site managers;
- Supervisors;
- Team leaders;
- Coordinators;
- Branch President;
- Supporter group person in charge;
- Contractors.

## 6. Workplace Participant Obligations

RSPCA NSW workplace participants are expected to carry out their work in an ethical, collegial environment and perform their duties with efficiency, fairness, impartiality, integrity and honesty.

All workplace participants employed by or associated with RSPCA NSW have the following obligations:

- **Duty of Care:** a duty of care to observe standards of equality and justice in dealing with every member of the RSPCA NSW community;
- **Obligations to RSPCA NSW:** an obligation to RSPCA NSW in terms of responsible stewardship of its resources and protection of its reputation in the wider community;
- **Conflict of Interest:** an obligation to act appropriately when a conflict arises between a workplace participant's own self-interest and duty to RSPCA NSW. Where such conflict does or may arise, the issue should be disclosed to an appropriate manager within RSPCA NSW and wherever feasible the workplace participant must play no role in decision-making that might be associated with that issue.

### Duty of Care:

With respect to their duty of care to others, workplace participants shall:

- treat all members of the RSPCA NSW community with dignity and respect;
- not allow personal relationships to affect professional relationships;
- not engage in any form of harassment, bullying or intimidation;
- give due credit to the contributions of others;
- not act in any way that would unfairly harm the reputation and career prospects of other workplace participants;
- consider the desirability of intervening constructively where a colleague's behaviour is clearly in breach of this Code of Conduct;
- report any suspected fraud, corrupt, criminal or unethical conduct to an appropriate person within RSPCA NSW;
- consider the impact of decisions on the well-being of others;
- respect an individual's right to privacy and undertake to keep personal information in confidence, including information gained through records from outside RSPCA NSW.

### Obligations to RSPCA NSW:

With respect to their obligation to RSPCA NSW, workplace participants shall:

- act with care and diligence in the course of their work in RSPCA NSW;
- not represent themselves as a spokesperson for RSPCA NSW unless authorised to do so;
- act honestly, in good faith and speak the truth in all matters;
- not represent themselves as acting for, or on behalf of RSPCA NSW when undertaking any outside work;
- not use the resources of RSPCA NSW for private gain or the gain of a third party and avoid behaviour which might reasonably be perceived as corrupt;
- carry out work in a safe manner and take precautions to protect the health, safety and welfare of themselves and others;
- comply with any legislative, industrial or administrative requirements;
- foster harmonious working relationships among members of RSPCA NSW;
- ensure their private conduct maintains the integrity of RSPCA NSW and their ability to perform their duties;
- be aware that personal comments about a public issue may compromise their capacity to perform the duties of their role in an independent, unbiased manner, and;
- not use confidential or privileged information in a manner that is detrimental to RSPCA NSW.

### Conflict of Interest:

You have an obligation to ensure that there is no actual or perceived conflict between your personal interests and professional duties.

In general, if any personal advantage is obtained or may be perceived to be obtained, there is potential to bring your actions into question.

As a rule of thumb, a good test to apply to difficult situations would be for you to ask how you would react if all workplace participants were informed of your conduct or behaviour. If you would feel uncomfortable then you should seek advice prior to proceeding.

Some examples where conflicts of interest will or may arise include;

### Activities which automatically result in a conflict of interest and therefore must be avoided

- acting as a supplier (either in a personal capacity or through your business) of goods or services to RSPCA NSW, yourself, or anyone you deal with in a professional capacity;
- being involved anywhere in the purchasing process when an associate's business is the supplier of goods or services;
- being a member of an interview panel where your spouse, partner, near relative or friend is an applicant; and
- owning, operating or performing work for a business whose mission, vision and values clearly contradict with the mission, vision and values of RSPCA NSW.

In the examples given above, the position you hold in the organisation is significant and it is inappropriate for you to delegate the arrangements to a subordinate and expect that any conflict is automatically removed. In the case of recruitment and purchasing activities you should remove yourself from any decision making and brief your manager on the concern.

### Activities which will result in an actual or perceived conflict, unless formal procedures are followed

- accepting a discount on a personal purchase from a business you deal with in your professional capacity;
- providing private paid services in your own time, for which you are already being paid by the organisation; and
- accepting gifts, including hospitality, which may be linked to or be perceived as a link to, the letting of a contract or tender.

In these types of cases, it is important for you to declare your interests to your manager who should ensure the processes are documented and transparent to the community and all interested parties.

### Activities where a conflict of interest may occur or be perceived, depending on the circumstances

You have an obligation once you become aware that there is, or may be, a potential conflict between your personal interest and professional duty (whether real or apparent) to immediately inform your manager and seek guidance on how or if to proceed.

In general, it is not necessary for you to obtain permission to be involved in voluntary or unpaid activities. However, where a conflict of interest arises between these activities and official responsibilities, you have an obligation to raise the issue with your manager.

## 7. Professionalism

In the performance of your duties, you are required to comply with this Code of Conduct and maintain professional and ethical behaviour at all times. You must respect the dignity, rights and views of others by:

- listening to and seeking to understand different points of view (this does not necessarily mean agreeing with the point of view);
- respecting cultural, ethnic and religious differences;
- acknowledging the genuine contributions that others make in meeting RSPCA NSW' vision;
- expressing constructive feedback that is considerate and moderate in its tone;
- being courteous, sensitive, and considerate to the needs of others;
- being honest in communications;
- actively managing workplace conflict involving yourself or workplace participants under your supervision to create positive and constructive outcomes;
- informing people of their rights and entitlements where appropriate;
- working co-operatively and collaboratively with others to achieve common goals and a harmonious work environment, and;
- supporting the personal and professional development of workplace participants under your supervision.

## 8. Ethics

You will perform any duties associated with your position diligently, impartially and conscientiously, to the best of your ability. You will:

- maintain and improve the skills, knowledge and competencies required for your position;
- keep up to date with advances and changes in the body of knowledge and the professional and ethical standards relevant to your area of expertise;

- exercise care, responsibility and sound judgement when carrying out your duties and conform to the principles of natural justice;
- ensure procedural fairness is followed in all processes;
- maintain adequate documentation to support any decisions made;
- undertake to be mentally and physically fit to carry out your employment responsibilities at all times;
- Cease carrying out your duties if under the influence of alcohol, any illegal substance, or any drug which impairs your performance or poses a safety risk to yourself or others;
- not tolerate dishonest behaviour by colleagues or others;
- not take or seek to take improper advantage of any official information gained in the course of your engagement with RSPCA NSW;
- not take improper advantage of your position to benefit yourself or others, and;
- not allow personal political views/affiliations or other personal interests to influence the performance of your duties or exercise of responsibilities.

## 9. Compliance with Lawful Direction

You will recognise legitimate authority within RSPCA NSW. You will carry out the reasonable directions of management. Failure to do so may result in disciplinary action, up to and including the termination of your employment or association with RSPCA NSW.

## 10. Acceptance and/or Giving of Gifts or Benefits

It is expected that you will never solicit any gifts or benefits. Nor should you accept gifts or benefits either for yourself or for another person which might in any way, either directly or indirectly, compromise or influence you in your professional capacity.

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 accepted by you as long as they have not been solicited.

Gifts or hospitality offered as an inducement to purchase, provide information or treat favourably are not acceptable 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 of judgement for you, as a workplace participant, however, you must be satisfied that your position will not in any way be compromised or appear to be compromised by acceptance of the gift or hospitality. If accepted, you must consider what is 'reasonable' and if made public knowledge, how would you be perceived, what may be the impact upon your personal or professional reputation and how might it impact upon future dealings with clients, stakeholders and contractors.

## 11. Reporting of Improper Conduct

You have a responsibility to immediately report any suspected cases of improper conduct to a relevant senior staff member, branch president or supporter group person in charge.

## 12. What is Improper Conduct?

Examples of behaviours that are unacceptable include (but not limited to):

- continually communicating in a loud and/or offensive manner;
- rude or insulting behaviour;
- persistent sarcastic behaviour;
- making decisions based on favouritism;
- stalking, threatening or menacing behaviour; and
- behaviour that endangers the safety and well-being of others.

## 13. Secondary Employment

Full-time employees of RSPCA NSW must seek written approval from RSPCA NSW prior to engaging in any secondary employment or business activity, including a family company.

Part-time and casual employees of RSPCA NSW are entitled to work in a secondary capacity outside RSPCA NSW provided RSPCA NSW is informed of the details of any secondary employment.

Part-time and casual employees must provide details of any secondary employment to their manager, team leader or supervisor.

This is to ensure that a conflict of interest doesn't arise that could adversely impact on RSPCA NSW's financial position, services, clients or RSPCA NSW' standing in the community.



## 14. Management of Resources

You must use RSPCA NSW resources economically and ethically. RSPCA NSW resources include finances, facilities, equipment, vehicles, and any other property which is the responsibility of RSPCA NSW. You have a duty to ensure that RSPCA NSW resources are used only for their intended purpose, are well maintained and secured against theft or misuse.

You are fully accountable for the use of RSPCA NSW work time and resources. You should not use work time or resources for an outside interest or personal gain; examples include the development of a new commercial idea or writing a book.

You have a duty to report any improper use, waste or abuse of resources, corrupt or fraudulent conduct or inadequate administration or accountability.

## 15. Confidentiality

RSPCA NSW workplace participants must not divulge any confidential information gained as a result of the employment or association with RSPCA NSW that could adversely affect the reputation of RSPCA NSW.

## 16. Personal property at work

Workplace participants who bring personal items into the workplace do so at their own risk. Any workplace participant found to have taken property not belonging to them, including a colleague's personal property, can be disciplined, up to and including termination of employment, or association with RSPCA NSW.

## 17. Breaches of the Code of Conduct

Breaching the Code of Conduct is viewed seriously by RSPCA NSW and may result in formal counselling and for serious and/or repeated breaches, likely result in the termination of employment, volunteer work or branch membership with RSPCA NSW.

## 18. Interactions with other policies and procedural guidelines

It is expected that this Code of Conduct is read and understood in conjunction with the existing policies and procedural guidelines of RSPCA NSW. In particular, it is expected that workplace participants understand and regularly review the policies and procedural guidelines of RSPCA NSW which can be found on the RSPCA NSW Intranet:

<http://intranet.rspcansw.org.au/home/Resources/Policies.html>

## 19. Revision, evaluation and review of Code of Conduct and procedural guidelines

Executive managers are responsible for monitoring the implementation and ongoing success of this Code of Conduct and advising of necessary amendments when desired outcomes are not being achieved.

The RSPCA NSW Chief Executive Officer through the executive managers shall authorise all changes pertinent to this Code of Conduct. When a significant change to this Code of Conduct has occurred, the new or revised Code of Conduct will, after approval by the executive managers, be implemented.

Consultation will occur with all personnel in relation to Code of Conduct changes.

## 19. Endorsement

<b>Policy Name</b>	RSPCA NSW Code of Conduct Policy 2018
<b>Status</b>	Active
<b>Date Issued</b>	19 November 2018
<b>Policy Contact Officer</b>	Human Resources, RSPCA NSW
<b>Related Documentation and Legislation</b>	<ul style="list-style-type: none"><li>• Anti-Discrimination Act 1977</li><li>• Fair Work Act 2009</li><li>• Privacy Act 1988</li><li>• Work Health and Safety Act 2011</li><li>• Work Health and Safety Regulation 2011</li><li>• Workplace Surveillance Act 2005 (NSW)</li></ul>
<b>Date implemented</b>	1 February 2019
<b>Next Review</b>	31 January 2022