

Code of Conduct Policy



1. OBJECTIVE

The Code of Conduct is a public statement of the standards of conduct and integrity expected of members of the Board, Management and Staff (paid and voluntary) of South West Music. It forms part of SWM's accountability framework and offers guidance and direction in identifying and resolving a range of ethical issues that may be confronted by all in the day-to-day execution of their duties. Implementation of the Code assists in maintaining public trust and confidence in the integrity of South West Music.

2. SCOPE

The Code of Conduct covers all staff and volunteers, including Board members, of South West Music. Staff and members of the Board will be asked to sign a statement that they have read and understood the Code of Conduct and agree to abide by it and implement any actions necessary to uphold the Code. See *South West Music Sign off on Policy and Procedures and Code of Conduct Agreement*.

3. PRINCIPLES

The Code of Conduct is based on the following principles, which require Board members and staff to:

- Operate with the highest level of probity
- Strive for best practice
- Avoid conflicts of interest
- Be accountable
- Be professional in their work and in their dealings with others
- Demonstrate a commitment to service quality
- Be mindful of confidentiality issues
- Report corrupt or unethical behaviour

4. LINKAGES

Fraud and Corruption Policy

Donation and Gift Policy

Whistleblower Policy

Breach of Code of Conduct Procedure

South West Music Sign off on Policy and Procedures and Code of Conduct

Confidentiality & Security Agreement

5. CODE OF CONDUCT

Board members, staff and volunteers agree to adopt the following Code of Conduct when undertaking their duties and the business of the organisation. The Code does not supersede other policies and agreements that South West Music has in place nor can it cover every possible situation.

CONFLICT OF INTEREST

- a. All staff and Board members are obligated to declare any actual or perceived conflict of interest in undertaking their duties and making decisions.
- b. All staff and Board members have an obligation to bring to the attention of management any potential conflicts of interest relating to other staff or Board members.
- c. Staff will be required to inform the Director, Board members will inform the Chairperson, of any financial, personal or other interest or potential interest which could directly or indirectly compromise the performance of their duties. For example, Board members or staff must not participate in any decisions concerning people with whom they have a personal or financial relationship.
- d. Staff and Board members agree to adhere to the actions proposed by management to address the conflict of interest. Actions may include
 - limiting the person's involvement in the matter
 - the person having no involvement in the matter
 - removing the source of the conflict

GIFTS AND BENEFITS

- a. All staff and Board members will not solicit or accept gifts, bribes, hospitality, benefits, services or favours in connection with their duties for SWM.
- b. All staff and Board members will not use their position to obtain or encourage a private benefit or advantage for themselves, colleagues, friends, family members, business acquaintances and other individuals through the obtaining of contracts or purchasing of goods and services connected with SWM.
- c. Gifts of nominal value or moderate acts of hospitality may be accepted, particularly where the rejection may cause unnecessary distress or offence, as long as the situation does not give rise to a perception that it is given to secure favours from the staff or Board member of SWM.
- d. Where a staff or Board member is offered or receives gifts, benefits or inducements of more than nominal value or is concerned that the nominal gift or benefit could be viewed as a possible act of bribery or corrupt behaviour, they should terminate the conversation and report their concerns to the Director or the Chairperson, immediately.

6. DECISION MAKING

- a. Staff and Board members agree to follow policies and procedures, as prescribed by SWM, in carrying out their duties.
- b. Staff and Board members agree to adhere to the rules of the organisation and ensure that all applicable legislation is abided by.
- c. Staff and Board members will always make decisions within the agreed and documented frameworks.

PUBLIC COMMENT

- a. Staff and Board members agree not to make public comment on behalf of the organisation. Only the Director and Board Chairperson, or delegates, have the mandate to make public comment on behalf of the organisation.
- b. Public comment by the Director or Chairperson will only be in accordance with previously agreed policy or decisions.
- c. Public comments made in a private capacity will not be attributed as official comment of SWM. In this regard use of official stationery for private correspondence or for purposes not related to official duties will not be permitted.
- d. Staff or Board members shall not use information of any confidential manner in any public comment whatsoever.

CONFIDENTIALITY AND SECURITY OF INFORMATION

- a. Staff and Board members will maintain the confidentiality, integrity, and security of all organisational information for which they are responsible.
- b. Staff and Board members will prevent unauthorized persons accessing confidential information and will not discuss confidential information with unauthorized persons.
- c. Staff and Board members will not use confidential information with the intention to cause harm or detriment to SWM or any other person or body.
- d. All information related to South West Music will be used for the intended work-related purposes and not for personal use or benefit.
- e. Unless formal authority is granted, staff and Board members will not disclose or use official information which would not normally be available to the public other than as part of official duties (formal disclosure mechanisms include Freedom of Information Legislation, Court Orders, Subpoenas and Mandatory Reporting procedures).

USE OF RESOURCES

- a. Staff and Board members will ensure that all organisation resources are used ethically, effectively, efficiently and economically in the course of undertaking their duties.
- b. Staff and Board members will not use the organisation's resources for any private or commercial activity or for financial gain.
- c. Staff and Board members will be scrupulous in their use of SWM property, inclusive of intellectual property, official services and facilities, and will not permit their misuse by any other person or body.
- d. Any action or situation that could be perceived as abuse of SWM property and official services for the benefit of the employee or Board member will be avoided at all costs.

POLITICAL AND PERSONAL ACTIVITY

- a. Staff and Board members will be mindful that their involvement with activities, outside of their official duties, is not perceived to reflect badly on their ability to contribute to the organisation's activities.
- b. Staff and Board members will bring to the attention of the Director or Chairperson any activities or association that may impact on their work or the reputation of the organisation.

EXTERNAL ACTIVITY

- a. Staff members shall not engage in outside employment or conduct business that might interfere with the proper performance of their official duties and could give rise to a conflict of interest.
- b. Board members will ensure that they bring to the attention of the Director and Chairperson any activity which may be perceived or directly interfere with the proper performance of their duties.

EXPECTATIONS AT THE END OF THE RELATIONSHIP

- a. At the cessation of staff employment or engagement of Board members confidential information obtained in the course of their duties at SWM shall not be relayed to anyone else. The information shall not be used to advantage any prospective employer or disadvantage SWM.
- b. On leaving SWM all documentation and equipment obtained, as part of work requirements will be returned.
- c. Intellectual property relating to an official's work will remain with SWM unless there is an agreement in writing to the contrary.
- d. During subsequent employment ex-SWM Staff and Board members will respect the confidentiality of information gained in their official capacity and not use it to their personal advantage.

APPROPRIATE BEHAVIOUR

- a. Staff and Board members will treat everyone with courtesy and respect, in a fair and non-discriminatory manner, appropriate to their role as a professional and in accordance with relevant legislation.
- b. Staff and Board members will not be under the influence of alcohol or drugs during working hours or when undertaking the organisation's activities or representing the organisation at public events.
- c. Staff and Board members will under no circumstances participate in any activities that are fraudulent or give the perception of being fraudulent whether within the organisation or not and will notify the Director or Chairperson if any fraudulent activities come to their attention.
- d. Staff and Board members will always represent and present the organisation in a positive way.
- e. Board members will not interfere with the day-to-day operations of the organisation, which have been delegated to the Director and staff.

7. BREACHES OF THE CODE OF CONDUCT

DISCLOSING BREACHES

- a. Every individual has a responsibility for ensuring that the organisation maintains the highest level of probity and that the organisation is not brought into disrepute. As such each person has an individual responsibility to report possible breaches of the Code of Conduct to the appropriate persons so that it can be fully investigated.
- b. Breaches of the Code can be reported in person, writing or by email.

- c. All disclosures will be kept confidential until initial investigations are completed and an action plan to address the breach is implemented.
- d. Any person who discloses breaches of the Code of Conduct will be given a guarantee of anonymity if they desire. See Whistleblower Policy.
- e. The appropriate person to notify will vary depending on the nature of the conduct and the persons believed to be involved.
- f. If the suspected fraud or corrupt conduct involves:
 - one or more staff members – report to the Director
 - the Director - report to the Chairperson
 - one or more Board members – report to the Chairperson
 - the Chairperson – report to the other Board Executive members
 - more than one Board member involving the Chairperson - contact the Chairperson of the Association of NSW Regional Conservatoria (the peak organisation).

INVESTIGATING BREACHES OF THE CODE OF CONDUCT

- a. Investigations will be handled discreetly. Information will be shared on a 'need to know' basis only and all people questioned should be reminded of their responsibilities to maintain confidentiality.
- b. Any investigation should be handled with a view that a person who is alleged to have breached the code of conduct:
 - will be presumed innocent till proven guilty
 - should have a right to respond to allegations made against them.
 - Depending on the nature of the breach the outcome may be as follows:
 - Counselling or training
 - Additional supervision or mentoring
 - Formal warning (staff or board member)
 - Dismissal (staff or board member)
 - If the breach is serious it shall lead to legal action being taken by the organisation.

REPORTING BREACHES

All breaches of the Code of Conduct and the outcome of investigations will be reported to the Board of Management by the Director or Chairperson, in strict confidence, in a timely manner. See *Breach of Code of Conduct Agreement*.

8. Acknowledgment

I hereby acknowledge that I have read and understood the South West Music Code of Conduct.

I further acknowledge that I have read and understood all my obligations, duties and responsibilities under each principle and provision of the South West Music Code of Conduct.

I understand that violations of the Code of Conduct may result in disciplinary action including suspension and/or termination of employment.

Employee name

Signature

Date
