

## YMCA Geelong-Code of Conduct Policy



### OFFICE USE ONLY

Policy Number	Date Approved	Date Last Amended	Status
YG 106-G	29/08/2017	29/08/2017	APPROVED- BOARD 29/08/2017

## 1. INTRODUCTION

The YMCA Geelong Code of Conduct aims to:

- Set out the minimum standards of conduct required of all YMCA Geelong people (employees and volunteers)
- Explain the relevance of YMCA values to the Code of Conduct
- Direct employees and volunteers to other relevant policies and documentation related to the Code of Conduct
- Explain the consequences of breaching the Code of Conduct

This Code of Conduct is not intended to be exhaustive as it is difficult to anticipate and document every behaviour which may be considered appropriate or inappropriate. In addition to complying with the Code of Conduct and all supporting policies, procedures and standards, we expect our people to consider the YMCA values in determining what constitutes appropriate conduct in the workplace.

## 2. POLICY

### 2.1 Policy Statement

YMCA Geelong recognises that a positive work environment internally, and strong relationships with our customers and communities externally, cannot be achieved without appropriate conduct being displayed, encouraged and enforced amongst our people. Employees and volunteers of YMCA Geelong are required to act in accordance with this Code of Conduct, all relevant policies and procedures, the relevant industrial agreement and / or their contract of employment, relevant legislation and the YMCA values at all times.

### 2.2 YMCA Values

The YMCA values underpin the Code of Conduct, and help guide our conduct, actions and decisions in the workplace. Non-adherence to any of the expectations outlined in the Code of Conduct would usually also mean that the conduct was not in accordance with our values.

- **Honesty** means integrity, trustworthiness, and fairness
- **Respect** means acceptance, empathy, self-respect, tolerance
- **Responsibility** means commitment, courage, and service
- **Caring** means compassion, forgiveness, generosity, and kindness
- **Safety** means commitment to safe workplace and environment for participants and a actively promoting child safety standards.

## **2.2 Manager & Staff Responsibilities**

Managers and Supervisors have additional responsibilities in supporting the Code of Conduct. Please see section 5 of this policy regarding roles and responsibilities for further detail.

## **2.3 Personal & Professional Conduct**

We will:

- Ensure our personal and professional conduct conforms to the standards that could reasonably be expected of us at all times.
- Follow any lawful and reasonable direction made by YMCA Geelong.
- This also applies to individuals conduct online i.e. social media We will not:
- Engage in conduct which has the potential to damage YMCA's interests or reputation.

## **2.4 Compliance with the law**

We will:

- Comply with the laws, regulations and codes relevant to our duties
- Comply with the laws of the host location, in addition to Australian laws, when working in a different jurisdiction.
- Advise our Manager if we are charged with a criminal offence which is punishable by imprisonment or, if found guilty, could reasonably be seen to affect our ability to meet the inherent requirements of the work we are engaged to perform.

We will not:

- Engage in criminal activity in the workplace, during working hours or using work equipment or contacts. Criminal activity outside of working hours may still be deemed a breach of this policy in circumstances including, but not limited to, where the crime impacts on our ability to fulfill the inherent requirements of our role, damages the reputation of YMCA Geelong, represents a conflict of interest or is a breach of YMCA Geelong policy.

## **2.5 Interacting with others**

We will:

- Treat others with courtesy and respect during all interactions at work (including online / electronic interactions), and during all interactions related to work (which may include social activities).
- Contribute to a workplace environment in which different opinions, perspectives and cultures are valued and encouraged.
- Consider how our conduct might reinforce inappropriate stereotypes based on gender, race, sexual orientation or any other discriminatory ground, and refrain from such conduct.

We will not:

- Discriminate against, harass, bully or victimise colleagues and customers or anyone else we deal with in the course of our employment or engagement with the YMCA.

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## 2.6 Drug and alcohol use

We will:

- Ensure that we do not affect our work performance or cause any risk to health and safety through the consumption of alcohol or use of other drugs.

We will not:

- Consume alcohol or illicit drugs during the course of employment or engagement with the YMCA unless the relevant Manager has specifically authorised alcohol provision or consumption at a particular event or occasion. Where alcohol consumption has been authorised and you choose to consume alcohol, you must drink in moderation and ensure your conduct is in accordance with all Code of Conduct expectations.
- Attend work under the influence of alcohol or illicit drugs.
- Attend work under the influence of prescribed drugs which may impact our ability to safely perform your duties; unless a medical certificate is supplied certifying your fitness for work.
- Distribute or sell alcohol or drugs during the course of employment or engagement with the YMCA.

## 2.7 Personal Presentation

We will:

- Present ourselves in a tidy and professional manner throughout the course of employment or engagement with the YMCA, with regard to our position and customer expectations and impressions.
- Wear the prescribed uniform as required, and take reasonable care in maintaining the uniform.
- Where advised by management of requirements of personal grooming due to health and safety requirements ie: finger nail length requirement will be met

## 2.8 Conflict of Interest

We will:

- Devote the whole of our time and attention during working hours to our duties as an employee or volunteer of YMCA Geelong.
- Actively prevent all conflicts of interest between our duties as an employee or volunteer of YMCA Geelong and our other/private interests, whether the conflict is actual, potential or perceived.
- Report any actual, potential or perceived conflicts of interest to our Manager at the earliest opportunity.
- Ensure that we comply with the above conflict of interest obligations in all relevant circumstances including, but not limited to, a personal relationship (whether intimate, family or friend) with another employee or volunteer of YMCA Geelong, employment outside of YMCA Geelong, recruitment and selection processes and supplier negotiations and agreements.

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## **2.9 Health and Safety**

We will:

- Uphold our health and safety responsibilities in line with our position requirements and relevant procedures.
- Perform all duties in accordance with relevant health and safety laws, policies and procedures.
- Report damaged or defective equipment / facilities, hazards and unsafe practices to our Manager or other relevant person.
- Use the appropriate Personal Protective Equipment and Clothing when required for our role or duties.
- Ensure that whilst attending work or working, we are in a state (physical, mental or emotional) where we are able to perform assigned tasks competently and in a manner which does not compromise or threaten the safety of our self or others.
- Ensure your conduct does not endanger our self or others.

## **2.10 Public Comments / Media**

We will not:

- Make written or oral comments which infer to represent the views of YMCA Geelong and which might reasonably be expected to become public, without the appropriate authority to do so.

## **2.11 Information technology / digital device use**

We will:

- Use the information technology / digital device equipment (including mobile devices), internet, telephone / mobile phone and email facilities provided for our use by YMCA Geelong for work purposes only. Any personal use should be limited, comply with all relevant policies, not interfere with our duties, and be reasonable in all of the circumstances.
- Ensure any personal use of our own digital device whilst working is infrequent, minimal, complies with all relevant policies, does not interfere with our duties, and is reasonable in all of the circumstances.
- Protect the confidentiality and security of YMCA's IT systems and make all reasonable efforts to keep our passwords secure.
- Use tools of the trade (ie: computers, laptops mobile devices) that are provided in the workplace and not use personal devices unless approved to do so.

We will not:

- Use YMCA information technology equipment, internet and email to view, post, publish, print or distribute inappropriate material with pictures or content that might be deemed sexually explicit, unlawful, defamatory, offensive, discriminatory, damaging to the interests or reputation of YMCA Geelong, or otherwise inappropriate.
- Publish or share content via social media or any other similar online public forum that might be deemed damaging to the interests or reputation of YMCA Geelong or might reasonably

offend, humiliate or adversely impact on employees, volunteers or associates of YMCA Geelong. This requirement extends to social media or online activity outside of work.

- Utilise personal devices to storage YMCA Information or Intellectual Property
- Publish images or filming of children in YMCA programs and service without the expressed consent of the Guardians or Parents, completed of the Photo Release Form or consent being recorded on software, enrolment forms, Enrollment databases etc.

## **2.12 Confidentiality and Property**

We will:

- Take all reasonable care in the use of YMCA Geelong's physical and intellectual property and protect property in our care.
- Use YMCA Geelong's property for the intended purpose only, unless otherwise authorised.
- Return on termination of employment or engagement with the YMCA, in good condition, any property belonging to YMCA Geelong which may be under our possession and / or under our control.

We will not:

- Disclose to any person any confidential information of or relating to YMCA Geelong or any organisation or person we have come into contact with as a result of our employment or engagement with the YMCA. We will use our best endeavors to prevent the use or disclosure of any such information by third parties.

## **2.13 Honesty, theft and fraudulent activity**

We will:

- Act with honesty and integrity at all times during the course of employment or engagement with the YMCA.
- Report any known or suspected instances of inappropriate, dishonest or fraudulent conduct to our Manager, or other appropriate person.

We will not:

- Engage in improper and dishonest activity designed to benefit us to the financial or other detriment of YMCA Geelong, such as theft, corruption, falsification of documentation (including timesheets), or other fraudulent activity.
- Engage in any other dishonest activity that damages our relationship with YMCA Geelong.

## **2.14 Behaviour outside of work**

We will:

- Recognise that our obligation to abide by this Code of Conduct, and other relevant policies, procedures and guidelines extends beyond our working hours and physical workplace in

many circumstances, and comply accordingly. Relevant circumstances may include, but are not limited to, attendance at social functions with work associates, work-related travel, use of YMCA property and interactions (including online social networking interactions) with work associates.

We will not:

- Engage in conduct outside of work which could bring YMCA Geelong into disrepute, damage the interests or reputation of YMCA Geelong, damage our relationship with YMCA Geelong and / or our work associates, impact our ability to perform our duties safely whilst at work, or engage in conduct which is incompatible with our duty of good faith with YMCA Geelong.

## **2.15 Reporting Breaches of the Code of Conduct**

We will:

- Report any breaches of this Code of Conduct to our Supervisor or Manager. If the alleged breach relates to our direct Supervisor or Manager, we will report the breach to the next level of Management.

We will not:

- Make a vexatious report of a breach i.e. a report known to be false or misleading.

If in doubt as to how you or another employee or volunteer should act in any work-related situation, you should seek advice from your Manager prior to taking any action.

## **2.16 Breaches of the Code of Conduct**

Conduct that contravenes the Code of Conduct, or any other associated policy or agreement, may result in disciplinary action; or for continued breaches or serious breaches, termination may apply. For further information, please refer to the Disciplinary and Termination Policy.

## **2.17 Fitness for Work**

YMCA Geelong is committed to providing a safe and healthy place of work for its employees and others in the workplace. This commitment extends to our obligation as an employer under the Occupation Health and Safety Act 2004, Regulations 2007 and 2017.

YMCA and its employees have a responsibility for the provision of a safe, healthy, cost effective and productive workplace. This means that each individual has a responsibility to maintain personal fitness for work.

YMCA employees will:

- Be required to attend work in a good physical and mental condition so duties are performed in a safe, efficient and productive manner.
- Employees should be aware that many factors may affect fitness for work, and these can often interact with each other. These may include:
  - General health and physical and mental fitness
  - Secondary employment or volunteer activities
  - Recreational activities and sport
  - Insufficient sleep / fatigue
  - Medications
  - Excessive work hours / demands

- Injury or illness (work or non-work related)
- Consumption of alcohol or other drugs
- Personal factors (e.g. psychological, psychiatric issues, family issues or illnesses)

### **2.18.1 ASSESSMENT OF FITNESS FOR WORK**

An employee who attends work in an unfit manner is operating outside YMCA policy and may be subject to counseling and / or disciplinary action, depending on the degree of awareness and the severity of the risk to safety.

Immediate supervisors are responsible for initial assessment of an employee's fitness for work. If a supervisor becomes concerned about an employee's ability to safely perform their work, either through direct supervision or report, they must take prompt action. If an employee presents to work and the manager deems that the employee is not fit to be at work then the manager should deal with this immediately after they become aware of the issue. The matter should be dealt with sensitively and as a matter of safety rather than discipline. The employee should be stood down from duties and a private discussion should take place to determine the cause of the problem. The formality of this meeting will be dependent on the individual circumstances i.e. if the illness or injury is obvious then a simple direction to take a break or go home on sick leave will suffice but if the manager has reason to believe that the employee is unfit due to reasons which breach policy (e.g. intoxication) then a disciplinary investigation should be initiated.

YMCA reserves the right to direct an employee, who it believes is unable to safely perform their duties due to some form of impairment attend a medical practitioner prior to continuation of duties, stand the employ down from duties or dismiss from duties.

There may be some warning signs including:

- Lethargy
- Obvious struggle to complete tasks
- Out of character behaviour e.g. irritability / aggression, vagueness
- Apparent lack of attention or concentration
- Smell of alcohol / drugs on an employee
- Obvious illness or injury (e.g. flu symptoms, limping)

If an employee attends work when they are unwell or fatigued, generally they do so because they are conscientious not because they are trying to put anyone else at risk. The supervisor needs to make a judgement call as to the correct response in the individual circumstances.

Appropriate actions may include:

- Having the employee take a short break
- Sending (or driving) the employee home on approved sick leave
- Driving the employee to a doctor or to the hospital (if they are not fit to drive themselves)
- Calling an ambulance if the severity of their condition warrants this

### **2.18.2 Incident Response**

The investigation of workplace incidents or accidents will include consideration of fitness for work issues.

YMCA management will provide a **Fit for Work Form** to an employee or volunteer who is deemed “Unfit for Work” and ensure it is completed by a medical practitioner before returning to a rostered shift.

### **2.18.3 Medical/Illness Disclosure & Pre-Existing Injury/Illness Information**

YMCA employees have a duty to inform their supervisors and the Payroll/HR Co-ordinator in writing at any stage during their employment or service with the YMCA that there is an injury, onset of a medical condition or illness that impacts on their ability to complete all duties and tasks. A **new Medical Disclosure Form and Pre-existing Illness form must be completed.**

- YMCA management has a Duty of Care, once a disclose of an non-work related illness, medical condition or injury of and employee to ensure that the workplace does not contribute the illness, condition or injury getting worse. A workplace management plan must be developed which may include;
  - Modifications to tasks,
  - Restricted duties,
  - Reduced hours of work,
  - Rotation of duties,
  - Investigation into the systems of work in the workplace.

### **2.19 Work related injury or illness**

All work related injury or illness is to be dealt with under YMCA’s Workers Compensation and Rehabilitation Policy and Procedures.

### **2.20 Work related injury or illness**

A non-work related injury or illness refers to an injury or illness (includes physical, mental or psychological conditions) which does not arise out of the course of employment or that has been deemed not to be compensable under Workers Rehabilitation and Compensation Act.

- i. Medical clearance to return to work- If an employee experiences a serious non-work related injury or illness which may affect their ability to undertake the full duties of their position then a medical clearance from a doctor will be required before that employee will be permitted to return to work. If an employee presents to work unable to carry out the duties of their position or where the manager believes that there is a risk to them or another employee they will be stood down until a medical assessment can be carried out – at the employees cost.
- ii. Provision of Alternative Duties is under no legal obligation to provide alternative duties to an employee returning to work following a non-work related injury or



illness. In general, if an employee is not fit to return to the full duties of their position then they must remain on appropriate leave until such time as they are fit to return to their full duties. In cases where an employee has no available leave balance attempts will be made to provide alternative duties. For this to occur there needs to be enough work to keep that employee productively occupied for the time that they are at work.

### 2.21 Chronic / long term fitness for work concerns

Where it is identified that an employee is not meeting the fitness requirements to carry out the inherent requirements of their position a Fitness for Work (FFW) Management Plan will be developed. This plan will be developed by the supervisor in consultation with the employee, the OH&S Officer and the HR Officer. Additionally, external medical / functional advice may be sought in specific circumstances. This plan is intended to support the employee to meet the requirements of their position over an agreed time period or to assess reasonable adjustment options where an employee has an identified disability. The plan will include an explanation of the condition affecting fitness for work, the effects on the employee's ability to perform duties and what steps are to be put in place to remedy or manage the situation. This plan will be maintained as a confidential employee medical record with only authorised staff having access to this information.

## 3 DEFINITIONS

<b>Code of Conduct</b>	A code of conduct outlines the standards of behaviour expected of people belonging to a certain organisation or group.
<b>Conduct</b>	Behaviour – revealing itself in actions, responses, words, gestures or choices.
<b>Confidential Information</b>	Information, knowledge or communication that is intended to be private including, but not limited to, intellectual property and trade secrets, Information Technology systems, business plans, finance information, software, manuals and client information.
<b>Conflict of Interest</b>	A situation in which an employee or volunteer has a private or personal interest sufficient to appear to influence their objectivity in the performance of their duties; or a situation in which an opportunity exists for an individual to exploit their professional capacity for the benefit of their other interests.
<b>Course of employment</b>	A legal term that refers to activity of any kind or character that is related to the employee's duties and work. Whether a certain activity is considered to have occurred during the 'course of employment' is determined based on all of the circumstances.
<b>Digital Device</b>	Physical hardware consisting of, but not limited to, desktop computers, laptop computers and notebooks, desk phones and mobile phones, tablet devices and PDAs.
<b>Fraudulent activity</b>	Wrongful or criminal deception intended to result in financial or personal gain.

<b>Fitness for Work</b>	The ability to perform all duties and tasks prescribed in the Position Description and workplace instructions with a general degree of physical and mental capacity that ensures safety, productivity expected of a person in the role.
<b>Reasonably / Reasonable</b>	In determining whether conduct or a conduct expectation is reasonable, all of the circumstances of the situation will be taken into account, including the YMCA Values. Determining reasonableness requires consideration of how a reasonable person would act in the same or similar situation.
<b>Social Media</b>	Includes various online technology tools that enable people to communicate and interact via the internet or mobile network, and share information and resources. Examples of social media include and not limited to Facebook, Twitter, YouTube, blogs and Wikipedia.
<b>Stereotype/s</b>	A conventional, formulaic, and oversimplified conception, opinion, or image of a group of people, often negative in nature.
<b>Work Associates</b>	People you have a relationship or connection with, or interact with, through work. A work associate may include, but is not limited to, a colleague, a manager, a subordinate, a client, a supplier or a customer.
<b>YMCA Property</b>	Property owned or managed by YMCA Geelong, including all intellectual property, mobile telephone/s, documents, manuals, programs, computer programs, reports, processes and / or improvements made by the employee or volunteer whilst she/he is employed by YMCA Geelong.
<b>YMCA Geelong</b>	Refers to the The Young Men's Christian Association of Geelong Inc., its subsidiary entities, and the Geelong YMCA Youth and Community Services Inc.

#### 4 SCOPE

The Code of Conduct is binding on all employees, volunteers, board members, consultants, contractors and other authorised personnel of YMCA Geelong Inc, its clubs, auspices.

However, particular clause exemptions may be appropriate for the following categories of people, depending upon the terms and circumstances of engagement:

- Contractors
- Consultants

Any clause exemptions should be determined by CEO and recorded in writing. Exemptions from the full Code of Conduct Policy should be approved by the CEO in accordance with the Policy Framework exemptions process.

#### 5 ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
Corporate Services/Payroll	<ul style="list-style-type: none"> <li>● Responsible for reviewing and updating the Code of</li> </ul>

/HR	<p>Conduct and designing any education or communication tools associated with this policy.</p> <ul style="list-style-type: none"> <li>• Support directors/managers and staff in the implementation of the policy and its review</li> <li>• Participate in the development of fitness for work management plans as required</li> </ul>
Managers and Supervisors	<ul style="list-style-type: none"> <li>• Responsible for implementing training and awareness raising strategies regarding the Code of Conduct when required</li> <li>• Responsible for role modelling the behavioural standards outlined in the Code of Conduct</li> <li>• Responsible for addressing any instances of non-compliance with the Code of Conduct</li> <li>• Ensuring compliance against the Policy.</li> <li>• Identify fitness for work risks</li> <li>• Implement any restrictions or reasonable adjustments within the work area as approved by the manager</li> <li>• Maintain confidentiality</li> <li>• Sight employee medical clearance to return to duties and approve return to work following serious illness or injury including restrictions or reasonable adjustment arrangements.</li> <li>• Resolve disputes / grievances within the scope of this policy including complying with time frames</li> <li>• Develop Fitness for Work Management Plans in consultation with employee as required</li> </ul>
All Employees, Volunteers, Board Members, Consultants, Contractors and other authorised personnel (including Managers and Supervisors)	<ul style="list-style-type: none"> <li>• Responsible for adhering to the behavioural expectations outlined in the Code of Conduct</li> <li>• Responsible for reporting any instances of non-compliance</li> <li>• Inform supervisor of any potential fitness for work risks prior to commencing duty</li> <li>• Comply with medical restrictions at all times</li> <li>• Provide medical certification of fitness for work prior to returning to work after non-work injury or illness</li> </ul>

## 6 MONITORING, EVALUATION AND REVIEW

The YMCA Geelong Corporate Services is responsible for formally reviewing and updating this policy on a bi-annual basis, in consultation with representatives from key stakeholder groups. However, small changes and additions may be made outside of the formal bi-annual review to ensure the policy remains relevant and current.

Managers and Supervisors are responsible for ensuring compliance with this policy, including sharing this policy with existing and new employees and volunteers. The Senior Management team may monitor compliance through random audits of induction checklists and policy sign-off records.

## 7 SUPPORTING DOCUMENTS (LINKS TO PROCEDURES, LEGISLATION, FORMS, WORK PRACTICES)

There are a number of documents (policies, procedures, guidelines and industrial instruments) which support or relate to the Code of Conduct, including, but not limited to:

- YMCA Geelong Staff Collective Agreement and / or relevant Award
- Contract of employment
- Prevention of Bullying, Harassment and Discrimination Policy
- Disciplinary and Termination Policy
- Diversity Policy
- Privacy Policy
- Health and Safety Policy
- Recruitment and Selection Policy
- Safeguarding Children and Young People Policy
- Digital Device & Usage Policy
- Social Media Policy

These supporting documents are designed to be read in conjunction with the Code of Conduct. The Code of Conduct is not intended to replace or supersede these documents.

Approved by: SMT, YMCA Geelong Board

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Policy Owner: Chief Executive Officer

Contact Details policy owner: Ph: 5221 8344 E: geelong@ymca.org.au

Amendment history:

V1	July 2011	Colin Hunt	Document created
V2	04/04/2014	Shona Eland	Uploaded to YMCA Geelong Policy Template included scope, monitoring and evaluation clauses.
V3	29/04/2014	Board	Insert Clause 2.4 Includes Social Media Definitions included in Social media section - "and not limited to"
V4	16/08/2017	Shona Eland	Inserted Clause 2.8 <ul style="list-style-type: none"> <li>● Where advised by management of requirements of personal grooming due to health and safety requirements ie: finger nail length requirement will be met</li> </ul>

			<p>Inserted to Clause 2.12</p> <ul style="list-style-type: none"> <li>• Use tools of the trade (ie: computers, laptops mobile devices) that are provided in the workplace and not use personal devices unless approved to do so.</li> <li>• Utilise personal devices to storage YMCA Information or Intellectual Property</li> <li>• Publish images or filming of children in YMCA programs and service without the expressed consent of the Guardians or Parents, completed of the Photo Release Form or consent being recorded on software, enrolment forms, Enrollment databases etc.”</li> </ul> <p>Inserted into Clause 2.13 reference to “physical and intellectual property”</p> <p>Insert new Clause  2.18 Fitness for Work  2.19 Work related injury or illness  2.20 Work related injury or illness  2.21 Chronic / long term fitness for work concerns</p>
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Adopted and reviewed by the YMCA of Geelong Inc on 29/08/2017



Chief Executive Officer YMCA Geelong Inc.