Aim:
To state the minimum acceptable level of behaviours and attitudes for Staff (as defined) operating within Albury Wodonga Health (AWH) in the form of a ‘Code of Conduct’.

Rationale:
Internal and external users of the Health Service and its facilities are entitled to expect a minimum acceptable level of behaviour when interacting with employees, colleagues, volunteers and external contractors.

Policy:
1. The Code of Conduct applies to ALL members of the AWH Board of Management, AWH employees, external contractors (including Visiting Medical Practitioners), volunteers, volunteer committee members and others as defined.

2. Perceived breaches of the Code of Conduct will be investigated in accordance with the AWH Grievance Policy. In the event that a party or an individual with a contract for service with AWH breaches the Code of Conduct, then such dispute resolution will be in accordance with the dispute resolution provisions contained within that contract.

3. Proven breaches of the Code of Conduct may result in disciplinary action for employees, or the termination of contract for external contractors (including Visiting Medical Practitioners).

Related AWH Documents:

Accreditation Standards:

Other Relevant Information:

State Services Authority of Victoria - Code of Conduct for Victorian Public Sector Employees.

Contact Point: Executive Director of Human Resources.

In consultation with:

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THIS SECTION FOR QUALITY & CLINICAL GOVERNANCE OFFICE USE ONLY

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INTRODUCTION:
Albury Wodonga Health (AWH) is committed to being a leading edge health service where patients are treated with a high level of dignity, professionalism and accountability and where staff value and treat each other with respect and courtesy. Additionally, we are committed to being an organisation where resources are utilised wisely, Occupational Health & Safety (OH&S) issues are the responsibility of everyone, and conflicts of interest are appropriately managed. We are committed to being a harassment-free workplace and workforce, both for patients and for staff and will not tolerate bullying. To this end, the AWH Code of Conduct sets out the expectations for the behaviour of all staff / representatives of AWH.

The AWH Code of Conduct forms a legal basis for the removal of staff for unacceptable work practices or behaviours. Breaching the AWH Code of Conduct can have serious repercussions. It is the organisation's responsibility to ensure that all staff are aware of the behaviours outlined in this document and that the Code of Conduct is easily accessible to all staff. It is the responsibility of individual staff to ensure that their behaviour is in line with that set out in the AWH Code of Conduct.

As the health industry is a very complex environment, this Code of Conduct has been developed to assist staff by providing a framework for day to day decisions and actions whilst working at AWH.

The AWH Code of Conduct was written with reference to both the New South Wales (NSW) Health Code of Conduct and the Victorian Public Sector Employees Code of Conduct, and is consistent with applicable legislation in both NSW and Victoria. In addition, the Code of Conduct builds on the AWH Values of ethical behaviour, teamwork, respect, trust, accountability, compassion, equity and being a patient and client focused organisation.

Specific components within the Code of Conduct may refer to more detailed and specific AWH policies where differentials exist between NSW and Victorian State Legislation / Policy.

DEFINITIONS:  
The following definitions are provided to assist staff and managers in understanding the context within which the terms are applied.

Corrupt Conduct: The key notion is the misuse of public office. Commonly involving the dishonest or partial use of power or position that results in one person / organisation being advantaged over another. Corruption may take many forms, and may include but is not limited to:
- Official misconduct.
- Bribery / Blackmail.
- Unauthorised use of confidential information.
- Fraud; and
- Theft.

Maladministration: Conduct that involves action or inaction of a serious nature that is:
- Contrary to law.
- Unreasonable, unjust, oppressive, or improperly discriminatory; or
- Based wholly or partially on improper motives.
(As defined within the Victorian Whistleblowers Protection Act 2001).
SERIOUS OR SUBSTANTIAL WASTE:
Any uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in significant loss/wastage of public funds/resources.

STAFF:
Any person working in a permanent, temporary, casual, termed, volunteer or honorary capacity within AWH. This includes Volunteers, Advocates, contractors, visiting practitioners, students, advisory committee members drawn from the general community and consultants.

VIOLENCE:
Any incident where an individual is abused, threatened or assaulted and includes verbal, physical or psychological abuse, threats or other intimidating behaviours, intentional physical attacks, aggravated assault, threats with an offensive weapon, sexual harassment and sexual assault.

1.0 COMPETENCE AND PROFESSIONALISM:
All staff will carry out their duties to the best of their ability and to follow the highest standards of conduct.

1.1 Personal and Professional Behaviour:
- I will carry out my job with:
  - Courtesy and respect for everyone.
  - Openness, honesty, impartiality, integrity and accountability.
- I will be mindful, accepting of and responsive to the needs of people from different backgrounds and cultures when doing my job.
- My decisions will be fair and impartial.
- Staff engaged at Wodonga Hospital will also be required to be aware of the Victorian Charter of Human Rights and Responsibilities Act 2006. A copy of this document is available on the Health Service’s Intranet and that it is the responsibility of staff to be familiar with its intent with regards to developing policies or the provision of services, and ensure that they abide by the principles set out in that Act.
- I will take care in my duties and will always present myself for work in a fit and proper condition. I will never present myself for work under the influence of alcohol, drugs or other substances that could affect my ability to work safely and efficiently or compromise the health and safety or quality of care provided to patients/clients accessing our services.
- When carrying out my tasks I will always:
  - Observe any laws, professional codes of conduct and ethics relevant to my profession.
  - Follow lawful directions from a person in authority. If I have a concern about following any lawful direction, I may appeal either through my workplace complaint/grievance procedures or to the Chief Executive Officer (CEO) of AWH or his or her delegate.
  - Behave with honesty, openness and accountability. I have a duty to report other staff who are behaving in a way that breaches this Code of Conduct.
  - Report to an appropriate person or authority any situations that may affect clinical or professional standards.
  - Try to work to a standard that reflects favourably on AWH.
  - Follow the policies of AWH, whether or not I agree with these policies. If a situation arises where I cannot comply with a policy because of my personal or clinical views I will discuss the matter with my immediate supervisor to try and resolve the situation.
1.2 Good Faith:
- I will undertake all my duties in good faith and in the spirit of honesty, integrity, correct purpose and with the best motives. I will ensure that my actions are appropriate, accountable and totally within the area of my authority and scope of delegation.

1.3 Professional Standards:
- If I find any conflict between my professional standards and this Code of Conduct I will take up the matter with my immediate supervisor or the CEO or his or her delegate.
- I will fulfil my professional responsibilities by continuing to maintain and enhance my skills, knowledge and competence while undertaking my AWH duties.

1.4 Personal Relationships with Patients or Clients:
- I will not have personal relationships with patients or clients that result in any form of exploitation, obligation or sexual gratification.
- If a family member / spouse / partner becomes a patient or client of the service where I work, I will report this to my immediate supervisor so she or he can assess any conflict of interest issues.

Dealing with Finance or Property for Patients or Clients:
- As a general rule I will not become involved in any transaction that involves dealing with cash, bank accounts, credit cards or property of patients or clients.
- Where a patient or client requires such services, especially if they live at home and cannot conduct such transactions for themselves, I will discuss low risk alternatives with them. If they give their consent I will do the following:
  - Contact relatives.
  - Contact other agencies that can assist in such matters (eg Department of Community Services).
- I will contact the Guardianship Tribunal if I am concerned that a patient or client’s capacity to manage financial affairs may be impaired.

Management of Employment, Promotion and Transfer where Close Relationships Exist:
- Where I am required to work with a close relative or another person with whom I share a close personal relationship, potentially compromising circumstances may occur. I will advise my immediate supervisor that a real and/or perceived conflict of interest may arise in the course of my work.

1.5 Sexual Relationships with Patients or Clients:
- I will not exploit my relationship of trust with patients or clients in any way because I recognise that such behaviour is a breach of professional and ethical boundaries and amounts to serious misconduct.
- I will not have a sexual relationship with a patient or client during the professional relationship.

1.6 Quality Service
- To the best of my ability, I will provide accurate, frank, impartial and honest information to decision makers, as required.
- I am responsible for helping to create and maintain a public health system that provides safe and high quality health care.
- I will ensure that I get good value for any public money spent, and avoid waste.
1.0 General:

- I will ensure that all the money I spend is for legitimate items related to the work of the Health Service, and not for personal benefit.
- While at work, my attention will remain focused on my duties.
- I will carry out my duties within the agreed time frames. If resource issues prevent me from fulfilling my duties or meeting the time frames, I will report this to my immediate supervisor for advice and action.

2.0 Conflicts of Interest:

Staff will avoid and resolve any conflict of interest and be open and honest in all activities where personal interests may clash with work requirements.

2.1 Managing Conflicts of Interest:

- I will perform my duties fairly, impartially and with integrity and ensure that my decisions are not influenced by self-interest or personal gain.
- I will avoid situations that give rise to conflicts of interest.
- I will report any actual, potential or perceived conflicts of interest to my immediate supervisors, my CEO or his or her delegate at the first available opportunity, preferably in writing. A decision can then be made as to what action should be taken to avoid or to deal with the conflict.
- If I am not sure whether a conflict exists, I will discuss the matter with my immediate supervisor to resolve the matter.
- If I am aware that another staff member has a real, potential or perceived conflict of interest I will report the matter to my immediate supervisor.

2.2 Bribes, Gifts and Benefits:

The following broad principles will be applied; however, specific reference should be made to the relevant AWH policy relating to “Gifts, Bribes and Benefits”.

- I will not allow the offer of any gift or bribe to change the way I work or the decisions I make.
- I will never accept gifts of cash and I will not accept any gifts or benefits.
- I will take all reasonable steps to ensure that neither myself nor my immediate family members accept gifts or benefits that an impartial observer could view as a means of securing my influence or favour.

Token Gifts:

- I may accept token or inexpensive gifts offered as a gesture of appreciation, and not to secure favour.
- I will report the acceptance of the gift to my supervisors and seek their agreement to retain the gift.

Non Token Gifts:

- As a general rule I will not accept gifts that are more than a token.
- If I do receive a non-token gift I will declare it to my immediate supervisor straight away.
- I will only accept a gift or other benefit that is more than a token (including modest acts of hospitality) in the following cases:
  - Where these are given for reasons other than my job or status
  - Where the gift is given to me in a public forum in appreciation for the work, assistance or involvement of myself or the health service, and refusal to accept the gift would cause embarrassment or affront, eg: an overseas delegation (the
issue of causing embarrassment or affront does not apply to gifts offered by commercial organisations).
- Where there is no chance that accepting the gift could reflect badly on myself or AWH.
- In circumstances generally approved by the CEO or delegate of AWH. Otherwise I need the formal written approval of the CEO or delegate, preferably in advance.
- If I accept a gift in these circumstances, I will indicate that I am accepting the gift on behalf of AWH. The CEO or delegate will determine the most appropriate use of the gift.
- If any offer or suggestion of a bribe is made directly or indirectly to me, I will report the facts to my immediate supervisor as soon as possible.
- I am particularly alert to attempts to influence me when I am dealing with, or have access to, sensitive or confidential information.

2.3 Recommending Services:
- I will not recommend a particular private service provider to patients or their relatives for either my own personal gain or to benefit my family members or friends.
- If patients or clients request a list of private practitioners, I will include the statement that AWH does not recommend or favour these services and does not accept responsibility for any private practitioners whose names are included on the list. I will do this even when the list contains names of practitioners who work within the facility.
- In all circumstances, I will make it clear that the information is impartially provided to assist the patient, client or relative in making informed decisions between a wide range of alternative and appropriate services. These may be private or public, clinical or non-clinical.

2.4 Outside Employment and Business Activities:
- If I work full-time in AWH and want to undertake another paid job or participate in other business activities (including a family company or business) I will seek the approval of the CEO or his or her delegate.
- If there is any real, potential or perceived conflict of interest, I will put the duties of my AWH job first or reach an agreement on ways to resolve the conflict.
- If I work for AWH on a part-time or casual basis (includes permanent, sessional (less than 10 sessions per week), temporary or contract) I will advise the CEO or delegate of any actual, potential or perceived conflict of interest between my job in AWH and any other employment.
- I will provide details of any other employment to AWH in the event of allegations of conflict of interest.
- Any work I perform outside my AWH employment will:
  - Be performed outside my normal working hours.
  - Not conflict with AWH work.
  - Not adversely affect my work performance.
  - Not affect my safety or the safety of colleagues, patient, clients or the public.
  - Not involve the use of AWH resources.
- I will not misuse my AWH position to obtain opportunities for future employment and will not allow myself to be inappropriately influenced by plans for, or offers of, outside employment.
2.5 Party Political Participation:
Victorian staff participating in the Political / Public environment shall also have regard to the Victorian Human Rights Charter (the Charter).
- I will carry out my duties in a politically neutral manner.
- When participating in political activities, I will ensure that I present my views as my own and not as the views of AWH.
- I will also ensure, as far as possible, that others do not present my views or actions as an official comment of AWH, but as my individual views or those of the political organisation I am representing.
- I will not undertake political activities in paid AWH time.
- I will meet the special requirements that exist if I contest State or Federal elections.

2.6 Participation in Voluntary Organisations, Charities and Professional Associations:
- When participating in voluntary organisations, charities or professional associations, I will ensure that I present my views as my own and not as the views of AWH and ensure I do not commit AWH to any action without approval to do so.
- If I wish to join the Country Fire Authority Volunteers / Rural Fire Service Volunteers / State Emergency Service I will seek the approval of my CEO or delegate, in the same way as seeking approval to undertake secondary employment.

2.7 Public Comment:
- If I make public comment and publicly debate political and social issues, I will make it clear that I am presenting my own views and not speaking as an AWH staff member representing an official position of AWH.
- I will not use my job title when making such comment as this may create the impression that I am officially representing the views of AWH.
- I may make official comment on matters relating to AWH if I am:
  - Authorised to do this by the CEO or delegate
  - Giving evidence in court, or
  - Authorised or required by law.
- I will only release official information when given authority to do this.

2.8 Intellectual Property:
- I will respect and safeguard the intellectual property rights of AWH.
- I will ensure any intellectual property developed by me, either as an individual or as part of a team, in the course of my employment is protected as being owned by AWH.
- I will not pass on, or sell, any intellectual property developed by me or others at AWH in the course of my employment, without the authorisation of the CEO or his / her delegate.

3.0 Use of Official Resources:
Staff will use all equipment, goods and materials provided to them at work for work related purposes only.

3.1 Using Official Resources:
- I will use official resources lawfully, efficiently, with integrity and only for official purposes.
- I understand that it is illegal to use official resources to:
  - Intentionally create, transmit, distribute or store any offensive information, data or material that violates Commonwealth or State laws.
  - Produce, disseminate or possess child pornography images.
Transmit, communicate or access any material that may discriminate against, harass or vilify colleagues, patients / clients or the public.

- I will not use official resources to display, access, store or distribute inappropriate or objectionable (non work related) material that may be offensive to others.
- I understand that this includes material that depicts, expresses or deals with matters of nudity, sexual activity, sex, drug misuse or addiction, crime, cruelty or violence in a manner that a reasonable adult would generally regard as unsuitable.
- I will only use official resources for non-official purposes if I have obtained permission from the CEO or his or her delegate beforehand.
- If I am authorised to use official resources for non-official purposes I will:
  - Take responsibility for maintaining, replacing and safeguarding the property and follow any special directions or conditions that apply to its use for non-official purposes.
  - Ensure the resources are used effectively and economically.
- I will not use official resources for any private commercial purposes, under any circumstances.
- The Health Service has provided the opportunity for utilisation of Internet access for non-work related activities on the proviso that such use is reasonable, does not compromise the Health Service and does not involve pornographic, offensive or other activity that breaches underlying health service policy or procedure or the Organisations values.
- Use of hospital phones for personal use is to be reasonable.

4.0 Use of Official Information:

*All staff will ensure that they keep all information they may obtain or have access to, in the course of their work, private and confidential. The trust of our patients and clients is paramount.*

4.1 Using Official Information:

- I will never:
  - Use official information without proper authority or for purposes that breach privacy law.
  - Use or disclose official information acquired in the course of my employment outside of my workplace or professional relationships (eg: Professional Colleges) unless required by law or given proper authority to do this.
  - Misuse information gained while undertaking my work role for personal gain.

4.2 Personal Health Information:

- I will always comply with the NSW State Government *Privacy and Personal Information Protection Act 1998*, and *Health Records and Information Privacy Act 2002* and the Victorian State Government *Information Privacy Act 2000* and *Health Records Act 2001* with regard to personal information held by AWH.
- In doing this I will:
  - Follow privacy and security procedures in relation to any personal information accessed in the course of my duties.
  - Preserve the confidentiality of this information.
  - Inform the appropriate person immediately if a breach of privacy or security relating to information occurs.
  - Only access personal information that is essential for my duties. This includes accessing any records relating to other staff.
ANNEX 1

CODE OF CONDUCT

- Ensure that any personal information is used solely for the purposes for which it was gathered.
- Always act with integrity in relation to personal health information in my possession.
- Only divulge personal information to authorised staff of AWH who need this information to carry out their duties.
- Requests for personal health information should be dealt with in accordance with Freedom of Information Requests or referred to the relevant Chief Health Information Manager.

4.3 Security of Official Information:
- I will:
  - Ensure that unauthorised parties cannot readily access confidential and/or sensitive official information held by me, in any form whether documents, emails, computer files, etc.
  - Maintain the security of confidential and/or sensitive official information overnight and at all other times when my place of work is unattended.
  - Only discuss confidential and/or sensitive official information with authorised people, either within or outside AWH.

4.4 Staff Information:
- If I am requested to release information about staff of AWH to external bodies (e.g.: in response to Freedom of Information or Heath Care Complaints Commission requests) I will first obtain appropriate legal authority and the authorisation of the CEO or delegate.

4.5 Providing Referee Reports:
- The provision of referee reports will only be undertaken by Senior Management within the Health Service. Accordingly, Senior Manager will:
  - Provide honest and accurate comments when giving verbal or written references for other staff members, or people outside AWH.
  - Take care to avoid making statements that could be regarded as malicious.
  - Keep a record of what was said, when providing verbal references.
  - Avoid using AWH letterhead for writing references.

4.6 Using Intellectual Property:
- I will respect other people’s / parties intellectual property rights.

5.0 Employment Screening and Reporting of Serious Offences:

*Staff must report serious criminal charges against them to their Executive Director or the CEO.*

5.1 Employment Screening:
- I will undergo probity screening (criminal record checks and working with children checks as appropriate) when working in any capacity in AWH.
- It is a requirement that ALL new staff within AWH will provide evidence of a current Criminal Record Check and/or Working with Children’s Check prior to commencement of employment. This will be undertaken in accordance with the Criminal Records Screening (Police Check) and Working with Children’s Check Policy.
5.2 Reporting Serious Offences:
- I will report any charges and convictions against me relating to any serious sex, drug or violence offence in writing to the CEO within 7 days of the charge being laid or of conviction.
- As a Visiting Practitioner, if I have a finding of unsatisfactory professional conduct or professional misconduct made against me under any relevant health professional registration Act, I will, within seven (7) days of receiving notice of the finding, report the fact to the CEO. I will provide a copy of the finding.
- I will report to the CEO any charges brought against me relating to the production, dissemination or possession of child pornography.

6.0 Fairness in Decision Making:
*Staff must be fair, in all actions, when making decisions at work.*

6.1 Fairness in Decision Making:
- I will:
  - Deal with issues, cases or complaints consistently, promptly, openly, fairly and with integrity.
  - Act fairly and reasonably when using any statutory or discretionary power that could affect individuals within or outside of AWH.
  - Avoid any unnecessary delay in making decisions or taking action.
  - Follow the principles of equal employment opportunity in employment-related decisions.
  - Take all reasonable steps to ensure that the information I act or decide on is factually correct and relevant.

6.2 Use of Statutory Power:
- When I make a decision based on a statutory power (ie: power defined in legislation), I will ensure that:
  - I am authorised by the law to make the decision.
  - I comply with any required procedures.
  - I document my decision and the reasons for it.

6.3 Use of Discretionary Power:
- I will only exercise discretionary power (ie: power to act according to my own judgement) for proper purposes, on relevant grounds and within my delegation of authority.

6.4 Appealing Decisions:
- I will promptly inform individuals who are adversely affected by, or who wish to challenge a decision, of their rights to object, appeal or obtain a review. I will also inform them how they can exercise those rights.

7.0 Discrimination, Harassment, Bullying and Violence:
*Staff must treat all people in the workplace with dignity and respect. Specific reference should be made to the relevant Health Service Policy pertaining to the “Prevention of Bullying and Harassment in the Workplace”.*

7.1 Discrimination, Sexual Harassment and Bullying:
- I will never:
  - Sexually harass, discriminate or bully other staff, patients or members of the public.
- Encourage or support other staff in harassing, discriminating or bullying staff, patients or members of the public.
- Discriminate against someone because of their sex, race, ethnic or ethno-religious background, marital status, pregnancy, disability, age, sexual preference, transgender or carers' responsibilities.
- Victimise or take detrimental action against individuals, or
- Make malicious or vexatious allegations.

7.2 Violence:
- I will not act violently or knowingly place myself at unnecessary risk of violence.

8.0 Occupational Health and Safety:
*Staff must look out for their safety and the safety of all others in the workplace.*

8.1 Occupational Health and Safety:
- I will:
  - Follow all occupational health and safety policies and safe working procedures.
  - Take reasonable care for the health and safety of myself and other people who are at my place of work and who may be affected by anything that I do or fail to do.
  - Cooperate with AWH to comply with relevant OH&S legislative requirements including reporting workplace hazards when I become aware of them, and
  - I will never intentionally or recklessly interfere with or misuse anything provided to me in the interests of health, safety or welfare (eg: personal protective equipment such as safety glasses, gloves etc).

8.2 Injury Management:
- I will take care and cooperate with AWH to prevent work related injuries to myself and others.
- If I am injured in the workplace I will register my injury in the relevant incident reporting tool and, if appropriate, seek first aid or medical attention.

9.0 Complying with Reporting Obligations:
*Staff must abide by all legal and policy reporting obligations.*

9.1 Complying with Reporting Obligations:
- I will report, in good faith and without malice or being vexatious, behaviour or actions that may appear to be in breach of ethical management or clinical practice including those related to:
  - Corruption, maladministration and serious and substantial waste.
  - Public health issues.
  - Reportable conduct related to child protection (eg: sexual misconduct, assault, neglect).
  - Other criminal matters.

9.2 Child Protection:
- I will follow AWH policy in relation to the care and treatment of children and young people.
- I will report any behaviour or circumstance that leads me to suspect reportable conduct towards a child by another staff member to my supervisor or the designated person within AWH.
9.3 Reporting Corrupt Conduct, Maladministration and Serious and Substantial Waste:
- I will report any suspected instances of possible corrupt conduct, maladministration and serious and substantial waste of public resources to the CEO or his or her delegate or the appropriate external body, in accordance with AWH policy.

9.4 Protected Disclosures:
- I will not take action against, or victimise another person for making a protected disclosure.

10.0 Conduct of Former Staff Members:
*Former staff must not take workplace information or property with them when they leave.*

10.1 Conduct of Former Staff Members:
- When I leave my current employment I will not use or take advantage of confidential information obtained in the course of my official duties until this information is publicly available.
- I will not take documents that are the property of AWH to another position prior to or after my resignation without approval.
- I will not give, or appear to give, favourable treatment or access to privileged information to former staff of AWH.
- I will not take, use or take advantage of any intellectual property created or developed as a result of my employment with AWH without approval.

11.0 Breaches of the AWH Code of Conduct:
*Staff must be aware of, and abide by, this Code of Conduct.*

11.1 Breaches of this Code of Conduct:
- I will familiarise myself with the contents of this Code of Conduct, to ensure that I have a clear understanding of all of the standards of behaviour required.
- If I do not understand any issue covered in this Code of Conduct I will discuss it with my immediate supervisor or a member of the Human Resources Department or our Internal Auditor.
- I will abide by the standards outlined in this Code of Conduct and the legislation, policies and procedures it reflects. I understand that breaches of this Code of Conduct may lead to disciplinary action.
- Certain sections of the Code of Conduct reflect the requirements of legislation, and I am aware that breaches of these conditions may be punishable under law.
- If I become aware of a breach of this Code of Conduct, by either myself or by other staff members, I will immediately report the matter to my supervisor, or another manager with whom I am comfortable to make such a report.