

Policy Name: Code of Conduct and Conflicts of Interest

Approved by: Chief Executive Officer

Date effective: May 2019

Due to be reviewed: May 2022

Section 1 – Introduction

PURPOSE

This Policy sets out a code of conduct and directions on conflicts of interest for all employees and Board Directors of VincentCare Community Housing.

The policy is intended to provide advice on the standards of behaviour that are required of VincentCare Community Housing employees and Board Directors. It provides guidance on VincentCare's values and code of conduct and promotes ethical behaviour. This policy sets out expectations of our employees across all work locations and Board Directors when fulfilling their duties as directors of VincentCare Community Housing

VincentCare operates a diverse range of accommodation and support services for people experiencing homelessness and disadvantage, and is committed to applying an appropriate duty of care to all people in contact with VincentCare services. This includes protecting people's personal and cultural safety regardless of ability, cultural background, ethnicity, gender identity, sexual orientation or religion.

SCOPE

This policy applies to all employees and Board Directors of VincentCare Community Housing.

The term "Employee" used in this Policy includes subcontractors, agents, representatives, students, volunteers and consultants.

REVIEW CYCLE

This policy will be reviewed every three years. It will be modified or replaced whenever VincentCare becomes aware that this policy no longer complies with the requirements of the organisation.



Section 2 – Policy Statement

GUIDING PRINCIPLES

Those who work with VincentCare are required to maintain standards of conduct and ethics consistent with Christian and Vincentian values and demonstrate the highest level of integrity and competence, treating everyone fairly, reasonably and equitably.

Ethical values to be practised by employees and the Board of Directors of VincentCare Community Housing include the following:

- **Responsibility and impartiality**
The Board will ensure compliance with Christian and Vincentian values and with all relevant legislative, industrial and administrative requirements and act in an impartial manner.
- **Respect for people**
All are to be treated fairly and consistently, in a non-discriminatory manner with proper regard for their rights and obligations. Board directors are expected to perform their duties in a professional and responsible manner and ensure that decisions and actions are reasonable, fair and appropriate to the circumstances, are based on a consideration of the relevant facts, and supported by adequate documentation.
- **Honesty integrity and public interest**
Board directors must always act honestly and in the public interest, rather than in their private interest.
- **Responsive service**
Board directors will understand their role, the relationship to other organisations and their relationship with management. Board directors should also understand who their stakeholders are.
- **Economy and efficiency**
The Board will look for ways to improve organisational performance and achieve high levels of service for clients experiencing disadvantage. The exercise of authority, use of resources and information should only be used for the work purposes intended.

VincentCare Community Housing employees and Board Directors are committed to the key principles of:

- Equity
- Integrity
- Accountability
- Team work
- Respect

Board Directors and employees must not disclose information or documents acquired as a consequence of membership of the Board other than with proper authority. Board Directors must also not make improper use of information acquired to, directly or indirectly; gain an advantage for themselves or for another person.

Board Directors and employees should be wary of accepting gifts and benefits where they may feel obliged to act contrary to rules of integrity, impartiality and honesty. Gifts received in order to obtain a benefit or favour a form of corruption.

Board directors and employees must not accept gifts or benefits that place them under an actual or perceived financial or moral obligation. Accepting a gift or benefit is essentially a matter of judgement but a Board Director will need to be satisfied that their position will not in any way be compromised or appear to be compromised by acceptance. Transparency and disclosure should be normal practice to ensure integrity.

Employees and Board Directors are expected to carry out their duties in a professional, responsible and conscientious manner and to be accountable for their conduct and decisions.

Conflicts of Interest

A conflict of Interest can be defined as a situation in which a person has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties.

Pecuniary Interests refer to interests that a VincentCare Community Housing decision maker may have in connection with a matter for decision or discussion where the decision maker (or a person or entity with whom or which the decision maker is associated) is reasonably likely to receive a benefit or a loss if the matter is decided in a particular way.

Examples of conflicts of interest are:

- when a Board Director or employee, or his/her immediate family or business interests, could stand to gain financially from any business dealings, programmes or services with or to VincentCare; and/or
- when a Board Director offers a paid professional service to VincentCare; and/or
- when a Board Director or employee stands to gain personally or professionally from any insider knowledge if that knowledge is used for personal or professional advantage.

Board Directors are required to disclose to the Board any actual, perceived or potential conflicts of interest. If a Board Director believes they may have a conflict of interest at any stage, the Board Director must disclose to the Board that actual or potential conflict as soon as it arises. If a Board Director has, or considers that another Board Director has, a possible conflict of interest, they should advise the Chair. Where a conflict of interest has been identified, the Board Director should not receive the relevant Board papers unless agreed with the Chair.

Employees may have private interests that could prove to be a conflict of interest with their role at VincentCare Community Housing. Staff shall avoid situations where there is a reasonable basis for the perception of such a conflict. Any staff with actual or possible conflict of interest shall stand down in any decision making process where the impact could be felt and declare the full extent of it to the CEO without delay.

Employees must act honestly in the exercise of powers and the discharge of functions, and exercise the degree of care and diligence that a reasonable person in a like position would exercise in the circumstances.

The common law requires disclosing potential conflicts of interest as soon as they arise.

Breaches of the Code of Conduct

The behaviours listed in this code that reinforce our values outline an expected standard of behaviour. Behaviours which are contrary to the spirit or the stated requirements of this Code may result in the provision of counselling and/or guidance. In severe or repeated cases of behaviour which disregards the code, disciplinary action may be taken in accordance with VincentCare's disciplinary policy and procedures, where appropriate. Resultant actions may include:

- verbal or written warnings;

- performance management processes
- undertakings to correct behaviour, attending training or mentoring to improve behaviour;
- where necessary, termination of employment or cessation of engagement with the organisation, in accordance with any relevant policies/procedures and current employment legislation.

Communication

VincentCare Community Housing will provide clear information and direction to both Board directors and employees on their appointment/employment regarding the Code of Conduct and Conflict of Interest.

Section 3 – Procedures

Procedures established by VincentCare Community Housing will include processes to ensure compliance with this policy, including:

- periodic reviews of Board operations;
- providing periodic training to employees on the code of conduct, conflicts of interest, procurement and other related matters;
- inclusion of this code of conduct and conflict of interest policy in both Board Director and employee induction packages;
- ensuring all Board directors and employees of VincentCare Community Housing sign the code of conduct upon appointment/employment testifying their knowledge of the code and their commitment to comply with it.

Section 4 – References

Related policies

Policy name	Description
VincentCare Community Housing Governance Charter (April 2018)	This Charter outlines the main corporate governance practices of the Board adopted to ensure a governance framework that supports robust and principled decision making consistent with VincentCare's mission and Vincentian values, to pursue effectively the organisation's purposes.
VincentCare Community Housing Code of Ethics and Conduct (October 2015)	The purpose of this document is to establish and maintain an effective, positive, ethical workplace culture that leads to informed decision making and practice within VincentCare and all its controlled entities and workplaces.
VincentCare Community Housing Fraud and Corruption Policy (July 2017)	This policy provides instruction and guidance relative to fraud and corruption, its prevention including actions for reporting alleged fraud and corruption as well as investigatory actions.
VincentCare Community Housing Procurement Policy (November 2016)	Provides instruction and guidance on VincentCare Community Housing's procurement processes including levels of authority etc.
VincentCare Community Housing Tendering and Contract Management Guidelines (April 2018)	Provides instruction and guidance with regard to procurements obtained through open tender processes with an emphasis on probity and also contract management guidelines.
Gifts and Benefits Declaration Form (July 2017)	This form provides for Board directors and officers to declare and gifts or benefits received that are in excess of \$100 value.

Legislation and standards

This policy implements the obligations of VincentCare Community Housing under:

- Housing Act 1983 (Vic)
- Guidelines for Registered Housing Agencies published by Department of Health and Human Services DHHS
- Performance Standards for Registered Housing Agencies
- Privacy Act 1988 (Commonwealth)
- Privacy and Data Protection Act 2014 (Vic)
- Housing Act 1983 (Vic) Part VIII A – Social Housing
- Performance Standards for Registered Housing Agencies
- DHHS Victorian Housing Register Operational Guidelines
- Charter of Human Rights and Responsibilities 2006
- Children, Youth and Families Act 2005 (Vic) (effective 2020 for CHOs)
- Child Wellbeing and Safety Act 2005 (Vic) (effective 2020 for CHOs)

Transparency and Accountability

This policy will be available on the VincentCare Community Housing website
<https://vincentcare.org.au>

Section 5 - Governance

Responsibility

Process Owner	General Manager Housing
Content Holder/s	Housing Program Managers
Recommending body	Quality Committee
Endorsed by	Chief Executive Officer

Change history

Version	Effective Date	Author	Change
1	May 2019	GM Housing	<ul style="list-style-type: none">• This is a new policy for publication on VincentCare's website• This policy is a compliance requirement for registered agency participation in the Victorian Housing Register (VHR)