



Code of conduct policy

1. Introduction

In keeping with its vision and values, Motivation Australia is committed to ensuring that all personnel maintain the highest standards of ethical conduct at all times. This policy establishes organisation-level obligations for supporting personnel to maintain high ethical standards, and then translates these into a series of behavioural standards which all personnel are individually expected to meet. These behavioural standards comprise the Code of Conduct, which is incorporated into this policy. This policy also outlines the context in which Motivation Australia's Code of Conduct is embedded.

Importantly, Motivation Australia's Code of Conduct policy is informed and guided by the *Australian Council for International Development Code of Conduct*¹. Motivation Australia is a member of the *Australian Council for International Development* and signatory to its Code of Conduct. As signatory to this Code, Motivation Australia has accepted a range of obligations in relation to compliance and the reporting of wrongdoing.

For the purpose of this policy, the following terms are defined as follows:

Personnel	Motivation Australia personnel include employees, consultants, contractors, interns and volunteers. Volunteers may include professional volunteers, students, or any other person who has entered into a volunteer contract with Motivation Australia.
Transactional sex	<p>Transactional sex is a form of sexual exploitation. It refers to sexual relationships or acts where the giving and/or receiving of gifts, money, employment or other services is an important component.</p> <p>Motivation Australia recognises that people can be sexually exploited through transactional sex even in places where sex work is legal. Motivation Australia works in contexts where there are significant power imbalances. For a person purchasing sex in this context, it is often impossible to distinguish between exploitative and non-exploitative transactional sex.</p>
Fraternisation	<p>Fraternisation refers to any relationship that occurs in the course of conducting business that involves, or appears to involve, preferential treatment, partiality or improper use of rank or position.</p> <p>Fraternisation could potentially take the form of inappropriate friendships, public displays of affection, or voluntary sexual relationships.</p> <p>Where there are significant power imbalances (based on gender, age, ability, authority, social and economic inequality, etc), the potential for friendships based on equality and mutuality is reduced and this must be taken into consideration by personnel.</p>

¹ Australian Council for International Development Code of Conduct: <https://www.acnc.gov.au/for-charities/manage-your-charity/governance-hub/governance-standards/acfid-code-conduct-and-acnc>

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2. Scope

Motivation Australia's Code of Conduct applies at all times to the professional and personal behaviours of all personnel, including the CEO. We recognise that behaviour observed both inside and outside of normal working times, everywhere and anywhere we may work can variously promote or damage the reputation of Motivation Australia within our community and among our partners and beneficiaries.

Motivation Australia recognises that compliance with this Code of Conduct does not absolve personnel from complying with international laws and respecting local cultures. International laws and cultures are diverse, and all personnel are expected to uphold local laws wherever they work, simultaneously to upholding the Code of Conduct.

Motivation Australia recognises that the application of the Code of Conduct may vary for different personnel, depending on their relative position of power in the contexts in which they work. For example, the CEO will always have relatively greater power on account of the position they hold, and this will necessarily constrain the CEO's ability to engage in friendships with staff or students (fraternisation). In contrast, local staff drawn from the populations being served may have longstanding and existing relationships, familial and otherwise, with partners and/or service users, which will likely continue for the period of their engagement with Motivation Australia. Motivation Australia commits to supporting personnel to make sound ethical judgements about the management of power imbalances towards compliance with the Code of Conduct, consistent with the personal circumstances of different personnel.

Ethical standards expected of Motivation Australia's Board of Governors and comparable to those outlined here, are documented in the *Board Charter*.

3. Purpose

The purpose of Motivation Australia's Code of Conduct policy is both to outline the context in which its Code of Conduct is embedded and detail the Code of Conduct itself. The Code of Conduct documents the values and expectations of professional and personal conduct of all Motivation Australia's personnel for the period of their engagement with Motivation Australia, and in some instances, beyond. Misconduct and breaches of the Code of Conduct are grounds for disciplinary action, including dismissal.

4. Guiding Principles

The Code of Conduct is underpinned by Motivation Australia's values, as outlined in its strategic plan.

5. Statement of Organisational Obligations

Motivation Australia commits to:

- Adhere to the *Australia Council for International Development* (ACFID) Code of Conduct and provide regular training to enable Motivation Australia personnel to understand and apply the principles outlined in this Code.
- Maintain and communicate a comprehensive Code of Conduct aligned to ACFID's Code of Conduct that enables stakeholders to understand what they can reasonably expect from our personnel when they engage with Motivation Australia. Motivation Australia personnel have their understanding of Motivation Australia's Code of Conduct regularly checked and refreshed.

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- Maintain a range of supporting policies that clearly specify behavioural standards for personnel, giving priority to child safeguarding, prevention of sexual exploitation, abuse and harassment, and non-engagement in transactional sex, bullying and sexual harassment. Training in how to apply Motivation Australia’s policies is offered regularly by Motivation Australia.
- Stay up-to-date with any and all additional legal obligations that may arise, ensuring that these are adequately reflected in the Code of Conduct, where required.
- Report any wrongdoing that breaches the *Australian Council for International Development Code of Conduct* and/or Motivation Australia’s Code of Conduct.
- Ensure that Motivation Australia’s personnel are adequately trained to deliver the highest standard of work to the best of their abilities.
- Support personnel in interpreting, applying and following the Code of Conduct giving due regard to their personal circumstances.
- Manage personnel performance and behaviours effectively and fairly, in accordance with all relevant human resource policies.

6. Behavioural standards (the ‘Code’)

6.1 Personal and Professional Conduct

All personnel must apply their best efforts to:

Perform

- Perform their duties reliably, responsibly and professionally, with integrity and to the best of their abilities in keeping with Motivation Australia’s mission and vision.
- Appropriately role-model behaviours; wherever relevant, influence and guide other personnel to perform to the best of their abilities also.

Respect

- Treat everyone with respect, equality and dignity.
- Accept differences in culture, religion and politics, showing care for how their actions may impact others with different experiences and beliefs.
- Foster, promote and contribute to a positive work environment that is fair, inclusive, equitable and free from any form of harassment, bullying or discrimination.

Represent

- Uphold and actively promote Motivation Australia’s values of equity, integrity, sustainability, collaboration, and adaptability.
- Promote and protect Motivation Australia’s good reputation in the wider community, online and among Motivation Australia’s partners and beneficiaries.
- Refrain from promoting ideological, religious, or philosophical beliefs contrary to the neutral and apolitical policies of Motivation Australia.

Communicate

- Be truthful and transparent when communicating with any stakeholders.
- Respect everyone’s rights to privacy and do not disclose personal information whether during or after the period of engagement with Motivation Australia, except as required by our privacy policies.

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Uphold human rights

- Behave in a manner that respects, protects and, where practicable, addresses the human rights of all people, consistent with Motivation Australia's Statement on Human Rights.
- Strive not to dehumanise any person or group, recognising that this extends beyond our duty to 'do no harm'.

Protect

- Advance the safeguarding of those who are vulnerable or who are at risk of marginalisation such as women and girls, children, people with disabilities and the elderly, in compliance with Motivation Australia's Child Protection policy, noting that this includes our Child safe code of conduct. This means personnel must not engage in any form of fraternisation or transactional sex with primary stakeholders.
- Protect the health and safety of others, especially when working with Motivation Australia's partners and beneficiaries.
- Be vigilant against all forms of harassment and discrimination in compliance with Motivation Australia's Equal Employment Opportunity and Anti-discrimination policy and Prevention of Sexual Exploitation, Abuse, and Harassment of Adults policy and Child Protection policy.

Relate

- Listen to others respectfully and actively deal with disagreements in a professional manner.
- Follow the four agreements² i.e. be careful with your word, don't take anything personally, don't make assumptions, and always do your best.

Learn

- Seek feedback, reflect and learn.
- Strive for continuous improvement.

Account

- Be accountable for their behaviours and decisions, following ethical decision-making processes.
- Not abuse or misuse their position, power or influence for personal benefit or to cause harm to another person.
- Comply with the *Conflict of Interest Policy* whenever dealing with a (real or apparent) conflict of interest. This means that personnel must take every reasonable step to avoid any conflict of interest (real or apparent) in connection with their engagement with Motivation Australia and, where one exists, declare it.

Report

- Seek advice from their line manager where a colleague's behaviour is perceived to be in breach of the Code. Seeking advice about your own behaviour is also encouraged.
- Report any corrupt, criminal, negligent or otherwise unethical conduct (whether known or suspected, actual or potential) to their line manager and/or to the CEO without delay. Failure to do so may result in disciplinary action, including dismissal.

² The four agreements are based on ancient Toltec wisdom.

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6.2 Finances and Resources

All personnel are responsible for the use and management of Motivation Australia's resources and property. This means that we:

- Source and use resources in an ethical manner that minimises harm to people or the environment.
- Ensure that funds and resources entrusted to us are properly controlled and managed.
- Use Motivation Australia's property responsibly, properly and for legitimate purposes.
- Secure Motivation Australia's property against theft or fraud, in compliance with Motivation Australia Fraud Prevention policy.
- Maintain the integrity and security of Motivation Australia's intellectual property.
- Responsibly and appropriately use our own devices at work in accordance with Motivation Australia's *Bring your own device Policy*.
- Responsibly and appropriately access communication and digital technologies (internet, email, Zoom, etc).

7. Breaches

Conduct that does not comply with Motivation Australia's Code of Conduct will result in personnel being counselled and/or disciplined in accordance with relevant Motivation Australia's human resource policies.

8. Implementation and Responsibility

It is the responsibility of the CEO and the Motivation Australia Board of Governors to ensure adherence to this policy. The CEO is responsible to notify the Motivation Australia Board of Governors of any allegations of a breach of this policy.

It is the responsibility of all personnel to meet the behavioural standards prescribed in Motivation Australia's Code of Conduct. Personnel indicate their agreement to this by personally signing that they have received, read and understood the Code of Conduct upon induction and annually thereafter.

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9. Related documents

Document no:	Title and location
<i>POL-0009</i>	Conflict of interest policy
<i>POL-0025</i>	BYOD policy
<i>POL-0016</i>	Work Health and safety policy
<i>POL-0033</i>	Anti-fraud and anti-corruption policy
<i>POL-0035</i>	Prevention of sexual exploitation, abuse and harassment of adults (PSEAH) policy
<i>POL-0008</i>	Disability inclusion policy
<i>POL-0007</i>	Equal opportunity and anti-discrimination policy
<i>POL-0002</i>	Gender equity and women's empowerment policy
<i>POL-0006</i>	Human rights statement
<i>POL-0037</i>	Performance management policy
<i>POL-0022</i>	Privacy and security policy
<i>POL-0024</i>	Privacy of personal information policy
<i>POL-0011</i>	Transparency and accountability policy

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