

## Code of Conduct

### Purpose

1. The MHCC Code of Conduct will guide the behaviours and conduct of MHCC Personnel (Board, employees, contractors and members) in undertaking their roles and responsibilities in the organisation.

### Scope

2. This policy applies to all MHCC Board, employees, contractors and members.
3. This Code of Conduct sets out the general behaviours expected from all its Personnel. Separate Code of Conduct Agreements are attached to this policy for Board Directors, employees and contractors, and members (Attachments 1-3).

### Policy Statement

4. MHCC strives to create a positive environment for Board Directors, employees, contractors, members and visitors. MHCC requires its Personnel to behave professionally at all times, possess a responsible attitude towards their roles and responsibilities and demonstrate respect for people, premises and property.
5. MHCC Personnel are expected to contribute to the aims, objectives and activities of MHCC and to always represent MHCC in a positive light and never deliberately bring the organisation into disrepute.
6. Failure to comply with the Code of Conduct may lead to disciplinary action being taken.

### Code of Conduct

#### Respectful behaviour

7. Good relations with members, colleagues and the public are an integral part of MHCC values. MHCC Personnel will respect the rights of individuals to privacy, confidentiality, self-determination and autonomy.
8. MHCC Personnel will at all times demonstrate respectful behaviour including:
  - courtesy and responsiveness when dealing with others
  - fairness in dealing with MHCC Personnel and stakeholders

- making decisions that are procedurally fair and equitable
- avoiding discrimination based on age, gender, race ethnicity, national origin, religion, sexual orientation, disability, language and socio-economic status
- engaging in rational debate allowing for alternative points of view to be expressed
- managing conflict by encouraging open dialogue, active listening and finding mutual beneficial solutions, where possible
- avoiding behaviour that may reasonably be perceived as harassing, bullying or intimidation
- maintaining appropriate professional boundaries with other MHCC Personnel and stakeholders.

## Integrity

9. MHCC Personnel must:

- seek to promote integrity in the continual reform of the NSW mental health system. In participating in MHCC activities they will act in an honest, fair and respectful way of others
- strive to be aware of their own belief systems, values, needs and limitations and the impact these can have on their roles and responsibilities in participating in MHCC activities
- avoid any actual, perceived or potential conflicts of interest or declare them as soon as they arise.

## Performance

10. MHCC Personnel must:

- perform their duties to the best of their ability
- continue to develop their skills and knowledge and be familiar with advances and changes within their area of expertise
- be accountable for their decisions in regards to MHCC activities
- conduct themselves in a respectful manner
- understand and comply with MHCC's policies and procedures
- maintain confidentiality of any MHCC business
- maintain adequate security of MHCC property, facilities and resources
- carry out official decisions and policies faithfully and impartially
- address any disagreement with official decisions to the Board Chair (if Board Director) and to the relevant line manager or CEO (is an employee, member or contractor)
- work efficiently and avoid wastage of MHCCs resources
- exercise duty of care
- adhere to relevant professional codes of conduct (where applicable)
- report fraud or corrupt conduct to the relevant line manager or external authorities.

## Gifts

11. MHCC Personnel who receive gifts, as part of their MHCC activities, to a value greater than \$50 must declare the gift to:
  - the Board Chair (if Director or CEO). The Chair must then inform the CEO for recording on the gift register
  - CEO (if an employee or contractor).
12. The CEO will maintain a gift register and record the gifts declared.

## Breach of Code of Conduct

13. Failure to comply with any of the principles outlined above or the relevant Code of Conduct Agreement (attached to this Policy) may amount to misconduct.
14. A breach of the Code of Conduct by a Board Director will be reported to the Board Chair for consideration of the impact of the breach and any necessary action. Serious cases of misconduct may be referred to the Membership to consider removal of the Director, in accordance with the Constitution.
15. In the case of a breach by an employee or contractor, the breach must be reported to the relevant line manager and the CEO for consideration of extent of impact and consideration of necessary action. Serious cases of misconduct may be referred to the Board for consideration.
16. In cases of extreme misconduct, the CEO may stand-down an MHCC employee until the matter is investigated.
17. A member organisation who fails to abide by this Code of Conduct may result in the Board reviewing the membership status of the member.

## Related Policies and Procedures

18. Related policies and procedures:
  - Acceptable use of Information Technology
  - Bullying and Harassment Policy
  - Conflict of Interest
  - Delegation of Authority
  - Discrimination and Equal Opportunity Policy
  - Disciplinary Procedures Policy
  - Diversity Policy
  - Financial Delegation
  - Fraud, Corruption, Prevention and Control Policy
  - Grievances and Dispute Resolution
  - Media Policy
  - Whistleblower Policy

- Work Health and Safety Policy

## Related standards and legislation

19. Relevant standards and legislation include:

<p>Australian Charities and Not-for-Profits Commission Governance Standards, in particular:</p> <ul style="list-style-type: none"> <li>• Standard 5 – duties of responsible people</li> <li>• Standard 6 – maintaining and enhancing public trust and confidence in the Australian not-for-profit sector</li> </ul>	<p>Age Discrimination Act 2004 (Cth)                  Anti-Discrimination Act 1977 (NSW)                  Australian Human Rights Commission Act 1986 (Cth)                  Corporations Act 2001 (Cth)                  Disability Discrimination Act 1992 (Cth)                  Fair Work Act 2009 (Cth)                  Privacy Act 1988 (Cth)                  Privacy Amendment (Enhancing Private Protection) Act 2012 (Cth)                  Privacy and Personal Information Protection Act 1998 (NSW)                  Racial Discrimination Act 1975 (Cth)                  Sex Discrimination Act 1984 (Cth)                  Workers Health and Safety Act 2011 (NSW)</p>
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## Approval and Amendment History

Original issue date	Last Updated	Author/ reviewer	Policy owner	Policy approver	Review date
January 2006 October 2006 (members)	23 February 2024	Nazli Munir Evelyne Tadros Neuda Spencer	CEO	MHCC Board	23 February 2027

### Amendment summary

Date approved	Describe changes
23 February 2024	Alignment of three Code of Conduct policies into one policy with separate agreements

## Attachment 1 - Directors' Code of Conduct Agreement

MHCC Board Directors are expected to:

1. Maintain an understanding of, and ensure they comply with their statutory obligations as Directors
2. Act in accordance with MHCC's Constitution and, values and ensure these values are reflected in organisational behaviour & practice
3. Carry out their duties in a conscientious, competent, constructive, safe and honest manner
4. Act with integrity and transparency
5. Treat staff, volunteers, visitors, other Directors, and members with respect, honesty and fairness
6. Contribute to MHCC leadership by acknowledging, supporting and encouraging collaboration and the recognition of the skills of MHCC staff and Board
7. Act in accordance with relevant roles and responsibilities for the purpose of participation in MHCC activities through attendance and participation at relevant events and meetings
8. Abide by relevant legislation and meet Statutory obligations
9. Adhere to relevant professional codes of conduct (where applicable)
10. Use any real or perceived position of authority in a fair and equitable manner
11. Declare and/or void any interest, which may be in conflict with their duties and responsibilities of their involvement or employment with MHCC
12. Use information obtained through their involvement with MHCC only for the purposes of carrying out their duties, and not for financial or other benefits, or to take advantage of another person or organisation
13. Maintain the confidentiality of sensitive information gained through engagement with MHCC and only access, read and use personal or sensitive information that is specifically required to carry out their duties, observing privacy principles at all times
14. Respect property, funds and facilities of the organisation and make use of such for authorised purposes only
15. When representing MHCC, promote MHCC positively and act in accordance with the goals and objectives of MHCC as outlined in the MHCC Constitution and Strategic Plan
16. Seek clarification if needed about any part of their involvement including details of the MHCC Code of Conduct

Code of Conduct

17. Be loyal and supportive to MHCC, professionally abiding by MHCC decisions, notwithstanding a Directors right to pursue a review or reversal of an official MHCC decision, and not to do anything that denigrates MHCC or harms its public image

18. Discuss any disagreement with a Board decision with the MHCC Chair

19. Report fraud or corrupt conduct to the Chair and to relevant external authorities.

By signing acknowledging this document, I understand and agree to abide by the MHCC Code of Conduct above.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_

## Attachment 2 – Employee and Contractors Code of Conduct Agreement

MHCC employees and contractors are expected to:

1. Carry out their duties in a conscientious, competent, constructive, safe and honest manner
2. Act with integrity and transparency
3. Treat employees, contractors, volunteers, visitors, Board Directors, members and other stakeholders with respect, honesty and fairness
4. Contribute to MHCC leadership by acknowledging, supporting and encouraging collaboration and the recognition of the skills of MHCC staff
5. Act in accordance with relevant roles and responsibilities for the purpose of participation in activities governed by MHCC through attendance and participation at relevant meetings and contributing towards relevant policy and training activities
6. Abide by relevant legislation in the course of their duties
7. Comply with MHCC policies and procedures
8. Follow lawful and reasonable direction from the relevant line manager and/ or CEO
9. Use any real or perceived position of authority in a fair and equitable manner
10. Declare and/ or void any interest, which may be in conflict with their duties and responsibilities of their involvement or employment with MHCC
11. Use information obtained through their involvement or employment only for the purposes of carrying out their duties, and not for financial or other benefits, or to take advantage of another person or organisation
12. Maintain the confidentiality of sensitive information gained through engagement with MHCC
13. Only access, read and use personal or sensitive information that is specifically required to carry out duties, observing privacy principles at all times
14. Respect property, funds and facilities of the organisation and make use of such for authorised purposes only
15. When representing MHCC, promote MHCC positively and act in accordance with the values, goals and objectives of MHCC as outlined in the MHCC Constitution and Strategic Plan

Code of Conduct

16. Seek clarification if needed about any part of their involvement or employment including details of this Code of Conduct.
17. Be loyal and supporting to MHCC, professionally abiding by MHCC decisions, notwithstanding an employee's right to pursue a review or reversal of an official MHCC decision, and not to do anything that denigrates MHCC or harms its public image
18. Adhere with the law and encourage the development of law and social policy that serve the interests of the MHCC constituency and the broader community
19. Comply with all reasonable and lawful instructions even if not stated within the relevant job description. MHCC does not expect staff members to follow unsafe or unlawful requests
20. Where an employee declines a lawful and reasonable instruction based on an issue of conscience, they may request the instruction be amended. However due to the size of the organisation this is not always possible and MHCC has the right, given fair consideration of any discrimination issues, to determine what is to be done.

By signing acknowledging this document, I understand and agree to abide by the MHCC Code of Conduct above.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_



## Attachment 3 –Member Code of Conduct Agreement

MHCC members are expected to:

1. Accord appropriate respect to the fundamental rights, dignity and worth of all people
2. Respect the rights of individuals to privacy, confidentiality, self-determination and autonomy
3. Act in a way that maintains, promotes and enhances the vision, mission and reputation of MHCC
4. Bring to the attention of the MHCC CEO or Chair any issues they feel detract from the positive reputation of MHCC
5. Undertake their work in accordance with appropriate standards and with a commitment to continuous quality improvement
6. Be respectful and act with integrity at all times, by:
  - practicing honesty and fairness
  - not knowingly making, preparing or certifying as true any oral or written statement which is false, incorrect, misleading or incomplete
  - conducting themselves with courtesy and consideration
  - only using constructive criticism and not attempting to maliciously damage the reputation, practice or prospects of other organisations or individuals within the Sector
  - agreeing to comply with and conduct its operations in accordance with all regulatory, statutory and operating requirements that are proclaimed by law.
7. Ensure the responsible use of information obtained in the course of their service delivery and work with MHCC
8. Not divulge any confidential information pertaining to MHCC, its members or its customers
9. Not use the MHCC name or logo or claim MHCC endorsement of activities or events without the prior written approval of the MHCC CEO
10. Not disclose or allude to privileged information about other MHCC members without their expressed permission
11. Respect MHCC members' diverse backgrounds, the range of their needs, interests and contributions
12. Acknowledge the diversity of interests across the membership base and the limited resources of MHCC to respond to all areas of interest

Code of Conduct

13. Declare any potential conflicts of interest at the earliest possible opportunity.

By signing acknowledging this document, I understand and agree to abide by the MHCC Code of Conduct above.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_