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Contents

1.	Introduction	2
2.	Purpose of Policy.....	2
3.	Responsibilities.....	2
4.	Our Values	3
5.	Our Model of Behaviour.....	4
6.	Code of Conduct - Rural Financial Counselling Service Victoria – Goulburn Murray Hume ...	5
6.1	Foreword.....	5
6.2	Definitions	5
6.3	The objectives of the Code of Conduct	5
6.4	The relationship of the Code of Conduct to the law and the Deed of Grant.....	6
6.5	RFCS Personnel to observe the Code of Conduct.....	6
6.6	Behaviours.....	6
6.6.1	Lawful and Appropriate behaviour.....	6
6.6.2	Duty to act in the public interest.....	6
6.6.3	Conflicts of interest	7
6.6.4	Pecuniary interests	7
6.6.5	Gifts and benefits.....	7
6.6.6	Improper use of resources.....	8
6.6.7	Improper use of information.....	8
6.6.8	Secondary employment of employees	8
6.6.9	Dealings with business interests of Clients	8
6.6.10	Provision of Services to RFCS Personnel and Associates	8
6.6.11	Obligation to cooperate.....	9
6.7	Relationships	9
6.7.1	Relationship with fellow Board Members.....	9
6.7.2	Relationship with employees	9

6.7.3	Employees' relationship with Board.....	9
6.7.4	Equitable treatment of employees and potential employees.....	9
6.7.5	Equitable treatment of Clients.....	9
6.8	Information.....	10
6.8.1	Protection of personal information.....	10
6.8.2	Confidentiality of information.....	10
6.8.3	Dealing with media.....	10
6.9	Breaches of the Code.....	10
6.9.1	Penalties that may be imposed on Board members.....	10
6.9.2	Penalties that may be imposed on employees.....	11

1. Introduction

GMH Agcare is committed to the highest standards of conduct in rural financial counselling service and administration.

This document consists of two sections:

1. GMH Agcare **Model of Behaviour**.

To assist us to better understand how GMH Agcare expects its personnel to behave, we have developed the Model of Behaviour which incorporates our organisational values and ethics, in accordance with the DAFF specified Code of Conduct.

2. **Code of Conduct** for Boards, Executive Officers and employees of the Rural Financial Counselling Service Victoria – Goulburn Murray Hume.

This Code of Conduct was developed by DAFF's Office of Rural Financial Counselling Service for all Rural Financial Counselling Services in Australia, and has been adopted by GMH Agcare in accordance with DAFF's requirements. GMH Agcare is committed to ensuring that its personnel, both staff and Board members, perform their duties in accordance with the Code of Conduct.

2. Purpose of Policy

The code of conduct sets out the standards of behaviour that are expected of GMH Agcare staff and Board members in the performance of their duties. It give guidance in areas where a staff or Board member needs to make personal or ethical decisions.

3. Responsibilities

All staff and Board members have a responsibility to comply with legislation, GMH Agcare policy, procedures and the GMH Agcare Code of Conduct, to perform their duties effectively, and to act in a manner that promotes a productive and harmonious working environment.

4. Our Values

Our values reflect how we work within our organisation and with stakeholders and the wider community. We will demonstrate our organisational values in the following ways:

Organisational Value	Demonstrated behaviour
Respect	We will show respect and consideration to all those with whom we deal, by treating them with dignity, empathy, and courtesy.
Integrity	We will be honest, fair, ethical and trustworthy at all times, and take responsibility for our actions.
Positivity	We will encourage positivity within our organisation, and discourage negativity. We will effectively adapt to changing circumstances.
Team Spirit	We will work together as a team, working in partnership to achieve the goals of our organisation.
Clients	Because we care about the people and community in which we live, we will provide the best service we can to our clients, by ensuring that we are well trained, well qualified, and work in a timely manner according to the published processes and procedures of the organisation.
Caring	We will advocate and support each other and assist everyone to reach their full potential. We will contribute to ensuring that our working environment is enjoyable for all. We will encourage safe working practices in our fellow workers, and actively discourage unsafe working practices.
Involvement	We will encourage one another to be involved in activities within the organisation, by contributing to, influencing, and challenging the processes and decisions made within the organisation.
Communication	We commit to open honest and timely communication within the organisation, and open and transparent decision making.

5. Our Model of Behaviour

GMH Agcare expects all of our personnel to observe this Model of Behaviour when performing their duties. We are all required to adhere to the following.

1. Comply with all Australian laws, and behave with honesty and integrity, and with the highest ethical standards.
2. At all times behave in a way that upholds the values and Code of Conduct of GMH Agcare and the integrity and good reputation of GMH Agcare.
3. Comply with a lawful and reasonable direction from a person within GMH Agcare who has authority to give the direction.
4. Always act with care and diligence. Where information is being gathered for the purpose of making decisions or taking action, then we will take all reasonable steps to ensure that the information is factually correct and that all relevant information has been obtained. Decisions should take all relevant information into consideration, and disregard irrelevant information or opinions. We will take due care to ensure that we do not provide false or misleading information at any time during the course of our duties.
5. Declare all conflicts of interest, and take steps to avoid any conflict of interest, either real or perceived.
6. We must not seek or accept a gift or benefit arising from involvement in our duties for GMH Agcare. Token gifts of small value incorporating a commercial logo and promotional material of an inconsequential nature are not considered as gifts under the Code.
7. We must not make improper use of inside information or our position to gain a benefit for ourselves or another person.
8. GMH Agcare resources must be used effectively and economically, and must not be used for private purposes unless approved by the Board or they form part of a contract of employment.
9. Staff must not engage in secondary employment or contract work which might conflict with their duties. Staff must notify GMH Agcare before commencing any form of secondary employment, whether paid or voluntary.
10. GMH Agcare will provide a workplace that is free from discrimination. We value communication, consultation, cooperation and input from employees on matters that affect their workplace. All employment decisions will be based on merit. GMH Agcare will provide a workplace that is fair, flexible, safe and rewarding.
11. We will treat members of the community fairly and equitably and with respect courtesy and sensitivity. We will always seek to be seen to be performing our public duties properly and completely.
12. We must take all reasonable measures to ensure that personal information is protected against loss, unauthorised access, use, modification or disclosure. At all times, personal information must be handled in a manner consistent with the Information Privacy Principles, and the National Privacy Principles set out in the *Privacy Act 1988 (Cth)*.
13. Confidential information must not be disclosed to any third party, except where prior permission has been granted by the owner of that information. Internal dealings of GMH Agcare must be treated with confidentiality.

6. Code of Conduct - Rural Financial Counselling Service Victoria – Goulburn Murray Hume

6.1 Foreword

This Rural Financial Counselling Service (**RFCS**) has been engaged under a Deed of Grant by the Commonwealth to provide rural financial counselling services (**Services**).

This Rural Financial Counselling Service is required to perform the Services under the Deed of Grant in compliance with the RFCS Resource Manual as amended from time to time. This Code of Conduct (**Code**) is part of the Resource Manual.

This Code applies to Board members, Executive Officers and other employees of this Rural Financial Counselling Service.

6.2 Definitions

Unless specified otherwise, terms used in this Code that are capitalised have the same meaning as in the Deed of Grant between the Commonwealth and this Rural Financial Counselling Service. In this Code, unless the context otherwise requires:

Associate	means an associate of an RFCS Personnel and includes (but is not limited to) the following categories of relationships: <ul style="list-style-type: none">• business associates• spouse, including de-facto spouses• children, including step-children and adopted children• parents, including parents-in-law• siblings, including step-siblings• aunts• uncles. <p>A business associate of an RFCS Personnel refers to any formal commercial relationship which may exist, or will exist, between the RFCS Personnel and other third parties. It includes, but is not limited to, partners, directors of a private company or any other legal entity which is undertaking, or considering undertaking, a business or commercial activity.</p>
Board	means the board of directors established by this Rural Financial Counselling Service in accordance with paragraph 1(d) of Schedule 2 of the Deed of Grant.
Client	means any person who is an Eligible Client within the meaning of the Deed of Grant and who seeks the Services from the Rural Financial Counselling Service.
Code	means this Code of Conduct.
Deed of Grant	means the Deed of Grant for Rural Financial Counselling Services between the Commonwealth and the Rural Financial Counselling Service commencing on [insert commencement date] .
RFCS Personnel	means Board members, Executive Officers and employees (including rural financial counsellors) of the Rural Financial Counselling Service.

6.3 The objectives of the Code of Conduct

This Code provides the rules of appropriate conduct applicable to RFCS Personnel in the performance of their duties. This Code should be read in conjunction, where applicable, with the

Australian Public Service (APS) Code of Conduct and the APS Values. The APS Code of Conduct and Values are specified in Part 3 of the *Public Service Act 1999* (Cth).

This Code embodies the commitment of the RFCS Personnel to act honestly and exercise a high degree of care and diligence in the discharge of their responsibilities. RFCS Personnel are required to acknowledge their obligation to undertake their activities in a manner which ensures public confidence in the administration of the Rural Financial Counselling Service, and then to comply with that obligation.

6.4 The relationship of the Code of Conduct to the law and the Deed of Grant

Nothing in this Code overrides or diminishes any obligations under federal and state or territory law. This Code forms a part of the Resource Manual. In interpreting the Code, the fullest effect should be given to the spirit of the Deed of Grant. If any provisions of this Code are inconsistent with the Deed of Grant, the Deed of Grant prevails.

6.5 RFCS Personnel to observe the Code of Conduct

RFCS Personnel are to observe this Code when performing the Services and any other duties in respect of the Rural Financial Counselling Service.

6.6 Behaviours

6.6.1 Lawful and Appropriate behaviour

When providing the Services or performing duties in connection with the Rural Financial Counselling Service, RFCS Personnel must:

- a) comply with all applicable Australian laws
- b) behave in a manner that is consistent with the APS Code of Conduct and Values
- c) conduct themselves while representing the Rural Financial Counselling Service in an appropriate manner.

For example, it is inappropriate for RFCS Personnel to:

- a) seek an improper inducement to act in a particular manner in relation to the Rural Financial Counselling Service's business activities
- b) take advantage of their position to improperly influence other RFCS Personnel in the performance of the Services for the purpose of securing a private benefit for themselves or third parties
- c) use their duties, status, power or authority, in order to gain or seek to gain a benefit or advantage for themselves or any other person.

Further information on inappropriate behaviour as it relates to conflicts of interests is provided in sections 6.6.3 and 6.7 of this Code.

6.6.2 Duty to act in the public interest

RFCS Personnel must at all times ensure they act in the public interest. In discharging their responsibilities, RFCS Personnel must:

- a) take all relevant information into consideration
- b) not take any irrelevant information or opinions into consideration
- c) take all reasonable steps to ensure that the information upon which decisions or actions are based is factually correct and that all relevant information has been obtained
- d) treat each matter on its merits
- e) have full regard to the obligations of the Rural Financial Counselling Service under the Deed of Grant and the achievement of the outcomes specified in the Deed of Grant.

6.6.3 Conflicts of interest

Definition of conflict of interest

RFCS Personnel must at all times ensure they put their responsibilities as providers of the Services under the Deed of Grant before any private interest. A conflict of interest occurs when the private interest of RFCS Personnel affects, or is perceived to affect, how they discharge their duties.

When a conflict of interest may arise

A conflict of interest may arise when RFCS Personnel have a private interest in a matter and there is a perception that the private interest could influence the RFCS Personnel's delivery of the Services. The private interest that gives rise to the conflict may be a private interest of an Associate of RFCS Personnel (see section B for the definition of Associates).

Declaration of a conflict of interest

RFCS Personnel must declare, and take reasonable steps to avoid, any conflict of interest (real or perceived) in connection with the delivery of the Services.

How should a conflict of interest be dealt with?

RFCS Personnel who have declared a conflict of interest may be required to leave meetings which deliberate and vote upon any matter where the conflict of interest arises. Relevant RFCS Personnel should not return to the meeting until the discussion on the matter has been concluded.

The declaration of the conflict and departure of RFCS Personnel from the meeting must be recorded in the minutes of the meeting.

6.6.4 Pecuniary interests

A pecuniary interest is an interest that RFCS Personnel have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to either themselves or an Associate (see section B for the definition of Associates).

The interest must be of a financial nature and there must be a reasonable expectation that the financial interest could be advanced by any decision or action of the relevant RFCS Personnel. The value of the interest is not a consideration for determining if a pecuniary interest exists.

Pecuniary interests are one type of interest that may give rise to a conflict of interest.

Declaring pecuniary interests

RFCS Personnel must notify the Chair of the Board and the Executive Officer of any pecuniary interest as soon as they become aware of the pecuniary interest.

How should a pecuniary interest be dealt with?

RFCS Personnel must not be involved in the handling of any matter where they have a conflicting pecuniary interest.

RFCS Personnel who have declared a pecuniary interest must leave any meeting which deliberates and votes on any matter related to that pecuniary interest. The RFCS Personnel must not return to the meeting until the discussion on the matter has been concluded.

The declaration of the pecuniary interest and departure of RFCS Personnel from the meeting must be recorded in the minutes of the meeting.

Non-pecuniary interests

Where an interest is non-pecuniary, RFCS Personnel must ensure that it does not influence their decision or actions or affect the discharge of their obligations.

6.6.5 Gifts and benefits

RFCS Personnel must not seek or accept a gift or a benefit arising from their involvement with the Services, whether from a Client or other parties. If, after every endeavour, it is not possible to refuse a gift or benefit, the acceptance must be notified to the Board which will determine what to do with the gift or benefit. The decision of the Board is to be recorded in the minutes of the meeting that deliberates and votes upon the treatment of the gift or benefit.

Boards must maintain a Gifts Register to record all offers of gifts and whether the offer has been accepted or declined, and whether the gift (if accepted) is to be kept by the recipient for personal use, used in the workplace or disposed of.

Promotional material of an inconsequential nature and other token gifts of small value incorporating a commercial logo are not considered as gifts under the Code.

6.6.6 Improper use of resources

RFCS Personnel must use the Rural Financial Counselling Service's resources effectively and economically in the course of their duties, and must not use them for private purposes unless (in respect of employees) as part of a contract of employment. Any other private use must be approved in advance by the Board and is subject to proper payment being made. RFCS Personnel will not convert any property of the Rural Financial Counselling Service to their own use.

6.6.7 Improper use of information

RFCS Personnel must not make improper use of:

- information received in the course of delivering the Services
- information from the Commonwealth which has been provided for internal use or purposes
- their duties, status, power or authority,

in order to gain or seek to gain a profit, benefit or advantage for themselves or any other person.

6.6.8 Secondary employment of employees

RFCS Personnel who are Executive Officers or employees must not engage in secondary employment or contract work outside the employment of the Rural Financial Counselling Service that relates to the provision of the Services or that might conflict with their duties in relation to the delivery of the Services.

Notification of secondary employment

An RFCS Executive Officer or employee must, in writing, advise and seek permission from, the Board before commencing any form of secondary employment, paid or voluntary. The obligation to notify and request permission is not dependent on the value, remuneration or duration of the secondary employment.

Board members must advise the Board of their primary forms of employment (if any). Board members that hold their position on the Board as a form of secondary employment should be aware of any real or perceived conflict of interest this employment creates and manage these in accordance with paragraphs 6 to 10 of the Code.

Secondary employment approval may not be granted

The Board may prohibit RFCS Personnel who are Executive Officers or employees of the Rural Financial Counselling Service from engaging in secondary employment or contract work outside the employment of the Rural Financial Counselling Service that relates to the Services, or that might cause a conflict of interest (real or perceived) with their duties in delivering the Services. An employee must not engage in secondary employment or contract work outside of the employment of the Rural Financial Counselling Service if prohibited from doing so by the Board. Permission for secondary employment shall not be withheld by the Board if it can be satisfied that delivery of the Services will not be adversely affected.

6.6.9 Dealings with business interests of Clients

RFCS Personnel are required to exercise sound judgment in dealing with the business interests of a Client. RFCS Personnel should not take advantage of their position to deal with a business interest of a Client. However, it is recognised that a member of the Board should not be placed in a position of disadvantage nor unduly restricted in pursuing their normal and usual business interests (i.e. primary forms of employment) within the community by virtue of their membership of the Board.

6.6.10 Provision of Services to RFCS Personnel and Associates

RFCS Personnel and Associates (see section B for the definition of Associates) should not be disadvantaged in their individual access to the Services. However, to avoid potential conflicts of interest, RFCS Personnel and Associates should, if possible, seek financial counselling from neighbouring rural financial counselling services. If accessing

neighbouring services is not a practical option, then RFCS Personnel and Associates are permitted to access the Rural Financial Counselling Service. In accessing the Rural Financial Counselling Service, particular consideration must be given to ensure that there is no conflict of interest. RFCS Personnel receiving Services from the Rural Financial Counselling Service should make a declaration of their or their Associate's relationship through a letter to the Board. The letter should contain a conflict of interest statement and be tabled at the next Board meeting. A Board member in such a client/counsellor relationship must declare the relationship at any Board meeting where an issue that may be affected by such a relationship is raised and abstain from voting on issues as appropriate.

6.6.11 Obligation to cooperate

The Board shall, by way of resolution, delegate to the Chair of the Board the responsibility to notify the Department of Agriculture, Fisheries and Forestry (**DAFF**) in writing of any conflict of interest that has arisen and of the proposed steps to take to resolve or otherwise deal with the conflict of interest. In informing DAFF, the Chair shall make full disclosure and provide all relevant information relating to the conflict of interest. RFCS Personnel are to cooperate to the fullest extent to enable the Chair of the Board to fully inform DAFF of the circumstances of any conflict of interest. RFCS Personnel shall not deliberately withhold or delay the forwarding of any information which would assist the Chair to comply with the resolution to notify DAFF.

6.7 Relationships

6.7.1 Relationship with fellow Board Members

Members of the Board must acknowledge and respect the views of fellow Board members. Members of the Board must extend respect and courtesy to fellow members of the Board.

6.7.2 Relationship with employees

Members of the Board will ensure their relationship with employees is conducted in an appropriate manner and through the Executive Officer. Unless delegated to do so by the Board, members of the Board must not direct individual employees in the discharge of their duties.

6.7.3 Employees' relationship with Board

Employees will adhere to the policies and procedures adopted by the Board and direct concerns and suggestions on the policies and procedures to the Board through the Executive Officer. Relationships with members of the Board and fellow employees will be conducted in an appropriate manner.

6.7.4 Equitable treatment of employees and potential employees

Members of the Board and Executive Officers must provide a workplace that is free from discrimination with established workplace relations that value communication, consultation, cooperation and input from employees on matters that affect their workplace. Members of the Board and Executive Officers must make employment decisions based on merit and should ensure they provide a reasonable opportunity to all eligible members of the community to apply for employment with their Rural Financial Counselling Service.

6.7.5 Equitable treatment of Clients

RFCS Personnel must treat members of the community fairly and equitably and with respect and sensitivity in the discharge of their duties. They must refrain from any form of conduct in the performance of the Services which may give rise to the appearance of improper conduct or incomplete performance of their public duties.

6.8 Information

6.8.1 Protection of personal information

RFCS Personnel must protect Personal Information in accordance with the obligations under the Deed of Grant. In particular, RFCS Personnel must:

- a) take all reasonable measures to ensure that Personal Information is protected against loss, unauthorised access, use, modification or disclosure
- b) comply with, and at all times act in a manner consistent with, the Information Privacy Principles (**IPPs**) and National Privacy Principles (**NPPs**) set out in the *Privacy Act 1988* (Cth)
- c) not make Personal Information available to third parties, other than in accordance with the IPPs.

6.8.2 Confidentiality of information

RFCS Personnel must not:

- a) use Confidential Information for any purposes other than the delivery of the Services
- b) disclose Confidential Information to any third party, except as permitted to be disclosed by the Rural Financial Counselling Service under the Deed of Grant.

Confidential Information includes, but is not limited to, the following:

- Personal Information concerning particular clients, employees and members of the Board
- information that would, if disclosed, confer a commercial advantage on a third party
- information affecting the personal security of the clients, employees and members of the Board
- advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

6.8.3 Dealing with media

Members of the Board and Executive Officers must in the first instance raise any matters regarding the administration of the Deed of Grant with the Office of Rural Financial Counselling in DAFF.

RFCS Personnel shall not issue any statements concerning the administration of the Deeds of Grant to the media unless authorised by the Board.

The Chair of the Board or Executive Officer may be delegated by the Board to make media statements as considered appropriate.

6.9 Breaches of the Code

RFCS Personnel are presumed to be aware of and familiar with this Code and their individual obligations to act in accordance with this Code. Failure on the part of RFCS Personnel to act in accordance with this Code or a failure to exercise due diligence in accordance with a provision of this Code is a breach of this Code. For the purpose of determining if a breach has occurred it is not necessary to establish that there was an intention to act contrary to this Code.

Where an employee or Board member is reported as being in breach of the GMH Agcare Code of Conduct, then normal disciplinary processes will apply.

6.9.1 Penalties that may be imposed on Board members

If a member of the Board is considered, after due consideration by the Board to be in breach of a provision of this Code, the Board, by way of resolution, may impose penalties, such as:

- a written reprimand

- a written reprimand and an interview with the Chair or other persons as delegated by the Board to review the incident
- a motion of no confidence in the Board member and a request to resign.

Before a penalty is imposed, the Board member must have the allegations put to them and must be provided with the opportunity to respond to those allegations, including, if requested, a right to address the Board. The Board member is not to be present at the meeting when the motion to impose a penalty upon that Board member is before the meeting.

6.9.2 Penalties that may be imposed on employees

If an employee, including the Executive Officer, of the Rural Financial Counselling Service is considered, after due consideration by the Board, to be in breach of a provision of this Code, the Board, by way of resolution, may deal with the matter as a disciplinary matter.

The matter shall be dealt with in accordance with GMH Agcare grievance procedures. The Board, by way of resolution, may consider imposing disciplinary measures, such as:

- a written reprimand
- a written reprimand and an interview with the Chair or other persons as delegated by the Board to review the incident
- termination of contract.

Before a penalty is imposed, the employee or Executive Officer must have the allegations put to them in accordance with the grievance procedures and must be provided with the opportunity to respond to those allegations, including the opportunity to present their views fully and directly to the Board before the Board considers whether to impose any penalty.

An employee or Executive Officer is not to be present at the meeting when the motion to impose a penalty upon that person is before the meeting.

End of Code