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| **Policy Reference Number:** | **P05 Code of Conduct** | | |
| **Responsible Officer** | President | **Policy Type** | Governance |
| **Related Legislation /Regulations / Guidelines** | **State legislation**  *Associations Incorporation Act 1981*  *Associations Incorporation and Other Legislation Amendment Act 2020*  *Work Health and Safety Act 2011*  *Anti-Discrimination Act 1991* | | |
| **Associated TCS Policies** | P01 Risk Management Policy  P06 Membership Policy | | |
| **Associated Forms** | Nil | | |
| **Purpose of the Policy** | 1. To ensure that all members and volunteers of the Toowoomba Choral Society Inc are treated in a manner that reflects the mission, culture and legal obligations of the Society. 2. To provide guidelines on the high standards of conduct that are expected from those who carry out the activities for, or on behalf of the Society. | | |
| **Scope of the Policy** | To apply to any situation or activity where members and volunteers are representing the Society. | | |
| **Exclusions (if any)** | There are no exclusions to this policy. | | |
| **Who does it apply to?** | This policy applies to members and volunteers and guest artists where they provide services to the Society over a period of time. | | |
| **Approval Authority** | Toowoomba Choral Society Management committee | **Policy Effective From** | 17 May 2021 |
| **Date to Review:** | 17 May 2022 | **Date of last Review** |  |

**CODE OF CONDUCT**

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**1. PRINCIPLES, PURPOSE AND SCOPE**

**1.1 Statement of Principles**

This Code of Conduct is designed to act as a reference point for all members and volunteers of the Society and those with whom the Society has dealing from time to time. It reflects the behaviour expected of all members and volunteers and is designed to encourage integrity and professionalism within the Society.

All members of the Society are expected to carry out their activities in an ethical, non-discriminatory and collegial environment and conduct their duties with efficiency, fairness, impartiality, integrity and honesty.

Compliance with this Code will foster and maintain public trust and confidence in the integrity of the Society and all members and volunteers will strive at all times to maintain and enhance the reputation of the Society.

**1.2 Purpose of the Policy**

The purpose of this policy is to:

1. Ensure that members and volunteers are treated in a manner that reflects the Constitution’s mission, objectives and the legal obligations of the Society.
2. Provide guidelines on the high standards of conduct that the Society expects from those who carry out the activities for, or on behalf of the Society.

**1.3 Scope**

To apply to any situation or activity where members and volunteers are representing the Society.

**1.4 Key legislation**

**State legislation:**

*Anti-Discrimination Act 1991*

*Associations Incorporation Act 1981*

*Associations Incorporation and Other Legislation Amendment Act 2020*

*Work Health and Safety Act 2011*

**1.5 Definitions**

**Code of Conduct**

A document that outlines a set of guidelines which members and volunteers are expected to observe related to their personal and professional conduct while engaging in activities within the Society or representing it in any form.

**Misconduct**

Conduct by a member or volunteer that involves carrying out duties or exercising powers in a manner that is dishonest, offensive or lacks impartiality; and/or a breach of trust placed in the person by reason of his/her holding office, and/or a breach of confidentiality.

Conduct is regarded as official misconduct if it could be defined as a criminal offence or a disciplinary breach that provides reasonable grounds for termination of membership. For example, engaging in fraudulent actions with Society funds.

**1.6 Application**

1.6.1 Compliance

All members and volunteers are expected to:

* Observe and adhere to the Society’s Constitution, policies, procedures, rules and regulations at all times.
* Comply with all Federal, State and local laws and regulations.
* Comply with all reasonable, lawful instructions and decisions related to their volunteering activities.
* Maintain a high degree of ethics, integrity, honesty and professionalism in dealing with Society members, community volunteers, young people who perform in the Society’s choirs and/or productions, and the general public.
* Take reasonable steps to ensure their own health, safety and welfare while conducting activities, as well as that of other members, community members and the general public.

**2.0 Implementation**

**2.1 Behaviour and personal conduct**

2.1.1 Members and volunteers must:

* Treat other members, volunteers, and members of the public fairly, with dignity and respect, acknowledging that they come from a wide range of backgrounds with a variety of views and expectations that may differ from your own.

2.1.2 Examples of showing respect may include:

* using appropriate and courteous language and terms of address that do not promote unfair stereotypes
* ensuring behaviour is professional and not improperly discriminatory, offensive, abusive, belittling or threatening
* using appropriate conflict management skills when dealing with upset or agitated members, volunteers, young people or parents.

2.1.3 Members and volunteers must not:

* discriminate against another member or volunteer as per the *Anti-Discrimination Act 1991*
* engage in fighting, bullying or disorderly conduct
* sexually harass other members or volunteers
* steal, damage or destroy property belonging to the Society, its members or volunteers
* work in, or represent the Society intoxicated or under the influence of controlled or illegal substances
* bring controlled or illegal substances to the premises or to any performing venue
* accept benefits or gifts which give rise to a real or apparent conflict of interest.

2.1.4 Members and volunteers must ensure that the use of alcohol and prescribed or other drugs does not:

* result in behaviour which demonstrates impaired judgement or unacceptable actions
* endanger the health and safety of other members and volunteers or members of the public
* adversely affect the reputation of the Society.

2.1.5 Members and volunteers are expected to demonstrate high standards of behaviour at all times and the Society does not accept any form of aggressive, threatening or abusive behaviour towards its members or volunteers. Members who do engage in such behaviour may have their membership terminated under Section 13(d) of the Constitution. Bullying is an element of psychological health which falls under the *Work Health and Safety Act 2011.*

**2.2 Breaches**

2.2.1 If an alleged breach of these guidelines occurs, any person may make a written complaint to the Secretary of the management committee. The alleged breach will be discussed at the next management committee meeting following notification by the Secretary of the complaint.

2.2.2 If the alleged breach of conduct is of a legal nature, it will be addressed in accordance with relevant Federal, State or local government laws.

* + 1. Following the management committee discussion of the alleged breach, the person responsible will be offered an opportunity to provide an explanation to a three-person independent review committee. This committee will review the findings and provide advice to the management committee regarding follow up action.
    2. The membership of the independent committee may include a current member of the management committee not involved in the alleged breach, the patron of the Society and an independent third person who may include a sponsor, a councillor or other respected community person.
    3. Actions that may be taken by the management committee following a review may include but are not limited to: revising existing policies, procedures and codes to make them clearer; improving member’s awareness of the Code of Conduct and what the Society deems acceptable behaviour, and/or a recommendation to terminate membership.
  1. **Termination of membership**
     1. Serious breaches of the Code of Conduct may result in termination of membership under Constitution Rule 13 Termination of Membership. The Constitution’s guidelines provide the process for termination and are to be followed in this event.

**2.4 Use of authority by management committee**

2.4.1 Management committee members must not use their official position, status or authority to seek to improperly influence a decision or action that requires the exercise of independence and impartiality.

2.4.2 When providing services to members and the broader community, management committee members are expected to provide honest, impartial and comprehensive advice when requested, regardless of their personal views on the matter. They are expected to make decisions within the limits of their delegation and act with independence and impartiality when this is a feature of the volunteer work performed.

2.4.3 Decisions made must be made responsibly, taking actions and providing resources consistent with funding or other guidelines.

2.4.4 Examples of improper use of authority include:

* Using your status or position to improperly influence another person to obtain paid work for yourself or a family member.
* Falsifying or improperly editing or destroying official documents in breach of legislation.

**2.5 Conflict of interest**

2.5.1 Members and volunteers must be aware that they are responsible for identifying a potential or actual conflict between private interests and public duties. Where a conflict occurs, the conflict must be resolved in favour of the public interest, and be analysed, declared and registered in the minutes of a management committee meeting.

2.5.2 Examples of a conflict of interest may include:

* employing relatives or friends to provide a service for the Society
* using your relationship with a government official to win favours
* liaising with a supplier who employs one of your close relatives to purchase goods or services.

2.5.3 Management committee members must not ask for or encourage the giving or receiving of personal gifts, cash or benefits for themselves or other management committee members and must not accept gifts that may give rise to a potential or actual conflict of interest.

2.5.4 When a member’s duty requires the acceptance of a benefit, and the benefit is accepted, notification of this acceptance should be referred to the management committee to determine whether the benefit should be returned or accepted on a permanent basis. Where permanently accepted, the executive may specify the conditions of such an acceptance.

2.5.5 Members and volunteers must not solicit their own business enterprise, political agenda or religious beliefs while performing the duties of the Society. Solicitation for a private charity is also prohibited.

**2.6 Use of social media**

2.6.1 Members and volunteers who use social media to promote or discuss the Society in any form, including but not limited to the use of Facebook for private groups or public posts, Instagram, Twitter or the Society’s website, must ensure that all information and comments posted on social media meet the high standards outlined in this Code of Conduct.

2.6.2 Unacceptable use of social media includes the use of inflammatory, insulting or derogatory language used against persons within the Society or about activities of the Society, or regarding decisions made by the management committee or any sub-committee of the Society.

**2.7 Privacy and confidentiality**

2.7.1 All personal information collected by a member or volunteer must only be collected if it relates to activities provided under the Constitution. The subcommittee or individual collecting the information must explain why the information is being collected, what it will be used for and to whom the information will be disclosed.

2.7.2 All members and volunteers responsible for collecting information must protect personal information provided by any member or volunteer and ensure that it is securely stored against:

* loss
* unauthorised access or use
* modification or disclosure
* misuse

Access to the membership database must be limited to identified members of the Management Committee.

2.7.3 If personal information is stored on a server located outside of Australia, the individual must be informed of this in a privacy statement on the website, on the membership form or data collection instrument.

2.7.4 Personal information must only be used for the purposes for which it was collected unless the person consents to another use, or it is permitted by law.

2.7.5 Personal information must not be disclosed to another party unless the individual is aware of, or has consented to, the disclosure.

**2.8 Process to review policy**

2.8.1 This policy will be reviewed every twelve (12) months unless circumstances deem it necessary to review earlier. A review process consists of a discussion by the management committee on the usefulness of the policy over the period of implementation and to note any ways to improve the policy.

2.8.2 Questions which may be considered during the review include:

* Have there been any significant changes to relevant legislation?
* Is the policy being implemented?
* Are procedures being followed?
* Is the policy clear?
* What has changed that may prompt a change to the policy?

2.8.3 The timeframe for conducting the review will be one month from the time of discussion to inputting changes and passing the policy to the management committee for endorsement. The review and subsequent endorsement of the policy will be noted in the minutes of the management committee meeting.

2.8.4 Minor policy changes in wording or to clarify the intent will be indicated by adding a ‘point’ i.e. version 1.1. A significant change to the wording or intent of the policy will be indicated by a new whole number i.e. version 2.0.