

Title	Code of Conduct
Version	1.0
Approved by	Board
Date	2 nd December 2025
Review Date	2 nd December 2027
Owner	MMSM Board
Type	Policy

Code of Conduct

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1. Introduction

The Mary MacKillop Spirituality Ministry (MMSM) is committed to maintaining the highest standards of professional and ethical conduct. We seek to promote a positive, mission-based workplace that fosters a culture of excellence and safety, upholding the dignity and rights of all people.

2. Scope

The Code applies to all MMSM workplace participants, including the Board, employees, Sisters in nominated roles, contractors and formal volunteers. This code always applies in all MMSM locations, sites or centres.

3. Purpose

The purpose of this code is to set the standards of conduct we require of all workplace participants working for or on behalf of the Spirituality Ministry.

This code builds on our shared values and is also guided by our Adult and Child Safeguarding Commitment Statement, which expresses our zero tolerance for abuse.

4. Definitions

4.1 Serious Misconduct

Serious misconduct involves an employee deliberately behaving in a way that is inconsistent with continuing their employment. Examples include causing serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business, theft, fraud, assault, sexual harassment, abuse of children and/or adults at risk or refusing to carry out a lawful and reasonable instruction that is part of the job.

5. Our values

We always behave in a way that reflects our values.

- Creative Courage
- Welcoming Hospitality
- Mutual Respect
- Conscious Compassion
- Intentional Inclusivity

6. Legislation Policies and Procedures

We will comply with and always act in accordance with:

- State and Commonwealth legislation and codes
- All organisational policies, frameworks, delegations, procedures and work instructions
- The rules of relevant professional associations which we belong to.

7. Our Behaviour

We will:

- always act in a manner that is consistent with the Purpose, Vision, Mission and values of the MMSM
- treat each other with dignity, respect and consideration
- contribute to a safe environment and supportive relationships that encourage collaboration and inclusion
- not harass, bully or discriminate against others
- avoid behaviour which could be perceived as harmful, abusive, harassing, bullying, intimidating, or offensive
- understand and maintain personal and professional boundaries.

8. Conducting Business, the Right Way

We will carry out our duties with integrity by:

- acting within our area of delegated authority
- ensuring the privacy of individuals is respected and maintained through the appropriate use of information and confidential material
- ensuring facilities and equipment are used for their proper organisational purposes and are protected and cared for.
- applying ethical business practices and adhering to financial management and accounting standards in the management of our funds
- ensuring an absence of fraud, facilitation payments, corruption or bribery.
- disclosing and taking reasonable steps to avoid any conflicts of interest in relation to employment (see *Disclosing Conflicts of Interest* later in this document)
- ensuring we do not use position or status within the organisation to seek financial or other personal advantage

- protecting confidential and proprietary business information
- using trust and courage to come forward and share ideas or concerns.

9. Contribute to a Safe and Healthy Workplace

We will contribute to a safe and healthy workplace by:

- taking reasonable care to protect the health, wellbeing and safety of ourselves and others
- following work health and safety policies, procedures and work instructions
- taking immediate action to ensure the safety of others regardless of our role, title or responsibility
- being free from any substance, including alcohol or drugs (illicit or prescribed) that could prevent us from doing our jobs properly, impair our judgement, our performance or the safety of those who work with us.

10. Value Diversity

We support the diversity of our people and provide a supportive work environment.

We will:

- treat all people with whom we interact fairly and equally regardless of race, gender, colour, national or social origin, marital status, religion, age, disability, sexual orientation, gender identification or expression, political opinion, or any other status protected by applicable law
- behave in a way that encourages an inclusive environment that promotes individual expression, creativity, innovation and achievement
- not discriminate against staff or others
- not tolerate racism of any kind.

11. Ensure the Safety of Children and Adults at Risk

We will:

- Uphold the safety of all people, especially children and adults at risk
- Support zero tolerance for abuse, including by applying the MMSM Commitment to Adult and Child safeguarding, and by always following the Safeguarding Policy.

- Follow the MMSM Safeguarding Code of Conduct, set out in appendix 1, which details the actions we must do to ensure the safety of children and adults at risk.

12. Prevent Abuse, Harassment, Sexual Exploitation and Bullying

We do not tolerate behaviours that reduce the wellbeing of another person or disrupt their work performance by means of verbal or physical abuse, harassment, sexual exploitation or the creation of a hostile or offensive work environment.

We will:

- treat others with respect and consideration
- place thought into how our actions or comments might be received by others before we act or speak
- never make or tolerate comments, insults, jokes, or slurs with sexual, racial or ethnic innuendo
- apologise if something we do or say causes offence
- avoid abusive conduct, including verbal abuse and physical conduct that another person would find threatening or humiliating
- speak up to report harassment and help others to act without fear of reprisal
- never make unwelcome sexual advances, requests for sexual favours and other unwelcome verbal or physical conduct of a sexual nature.

13. Conflicts of interest

We will disclose and manage any actual, perceived, or potential conflicts of interest to ensure we conduct business and deliver services without bias or benefit to our personal or financial interests or relationships.

We must:

- avoid conflicts of interest where possible
- report any personal, social, political or private business activities that arise; have the potential to arise; or could be perceived as a conflict with our obligations.

We disclose and manage conflicts of interest by:

- discussing the conflict immediately with our manager
- reviewing the conflict in a collaborative manner and developing processes to remove or reduce the conflict
- declaring it to the Finance & Corporate Services Manager for entry into a centralised Conflicts of Interest Register.

14. Gifts and Hospitality

We will:

- ensure our relationships with stakeholders are legal and, in every way, transparent
- make business decisions impartially and fairly
- exercise care when offering or accepting gifts or hospitality, always bearing in mind the potential impact on the MMSM's reputation and first consulting with their manager regarding appropriateness.

15. Media

We must:

- not make any public statements about or on behalf of the MMSM unless we have been authorised to do so by the Chief Executive Officer
- not access, use or disclose any internal company documents, confidential information or privileged information unless authorised
- always use our best judgement and exercise personal responsibility to avoid actions having unintended consequences.

16. Social Media

We will:

- recognise that our behaviour online should be consistent with this Code of Conduct and Safeguarding Policies.
- not engage in conduct online that would not be acceptable in the workplace or that is unlawful. This includes derogatory remarks, comments or images that bully, intimidate or harass other users.

- obtain informed consent before referring to or posting images or names of current or former Sisters and employees, funders, partners, suppliers or customers.
- obtain appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.

17. Reporting of Suspected Breaches (Misconduct)

In most cases it will be appropriate for a staff member to bring suspected misconduct to the attention of their manager in the first instance. If the manager is involved in the matter, the report can be made to the Chief Executive Officer or through the Whistle-blower Policy and Procedure.

A staff member who reports suspected misconduct may ask MMSM to keep their identity confidential. This request shall be met as far as the law and the process allows. Staff must have the confidence to report suspected misconduct in good faith to an authorised person, secure in the knowledge that their actions will not result in later victimisation. Disciplinary action may be taken against an employee who makes an allegation in bad faith. This includes making allegations that the discloser knows to be false, misleading, vexatious, or without substance.

18. Breaching the Code of Conduct

Failure to comply with the Code will be taken seriously. Breaches of the Code are considered serious and performance management and/or disciplinary action may be initiated in accordance with the MMSM's Ministry's Performance Management and Misconduct Policy performance management process and/or the appropriate industrial instrument.

Depending on the nature and impact of the breach this process could, in turn, result in:

- increased supervision and/or additional training
- suspension
- termination of employment or, in the instance of contractors/consultants/volunteers, contract termination
- referral/reporting the breach to an appropriate authority, such as child protection authorities, the police or reportable conduct regulators, for further investigation.

19. Code of Conduct Review

The Code of Conduct, and its safeguarding appendix, will be reviewed at least every two years. The Code will also be reviewed following any critical breaches or following changes in relevant legislation.

20. Related policies, procedures and documents

- Safeguarding Commitment Statement
- Safeguarding Policy
- Safeguarding Complaints Handling and Reporting Procedure
- Work Health & Safety Policy
- Recruitment Policy
- Recruitment Procedure
- Induction and Training Policy
- Discrimination, Harassment & Bullying Policy
- Delegations of Authority Policy
- Media and Communications Policy
- Social and Digital Media Policy
- Whistle Blower Policy
- Performance Management and Misconduct Policy
- IT Policy

21. Workplace participant acknowledgement

All workplace participants are required to sign an acknowledgement (BELOW) that they have read and agree to uphold this Code of Conduct, inclusive of the Safeguarding Appendix.

All workplace participants are required to re-sign this Code of Conduct every three years, as the code is reviewed and updated.

Signed copies of the Code of Conduct are stored and retained by MMSM on relevant human resource records for 50 years, in accordance with the MMSM Safeguarding Record Keeping and Information Sharing Procedure.

Acknowledgement Form

I acknowledge that I have read and understood the Mary MacKillop Spirituality Ministry's Code of Conduct, inclusive of the annexed Safeguarding Code of Conduct, and agree to abide by it.



Name of staff member

X

Signature

X

Date

X

Appendix 1 Adult and Child Safeguarding: expected and prohibited conduct

This Adult and Child Safeguarding Expected Conduct is to be read, understood and acknowledged as part of the MMSM Code of Conduct. This appendix may never be removed from the Code of Conduct, which outlines general behavioural requirements for MMSM workplace participants. MMSM will create a child friendly version of the Appendix, which can be a stand-alone document.

Definitions for all terms are outlined in the MMSM Safeguarding Policy.

Our Behaviour

All workplace participants must always:

- Adhere to the MMSM's Safeguarding Policy, MMSM Code of Conduct, and any associated procedures and guidelines.
- Be a positive role model, acknowledging their own vulnerability and power when interacting with adults at risk and children.
- Use respectful, age and developmentally appropriate language when their work or ministry involves engaging with adults at risk and/or children.
- Comply with their legal obligations in relation to the safety of adults at risk and/or children.

All workplace participants must never:

- Exploit, abuse, corrupt, groom or manipulate any person.
- Behave or act in a manner which may be physically, sexually, emotionally, or psychologically harmful towards any person, or constitute abuse.
- Engage in unnecessary physical contact with an adult at risk or child or use any form of physical discipline.
- Engage in bullying or harassing behaviour towards any person.
- Use language towards any person which is abusive, harassing, sexual, shameful, demeaning, inappropriate, culturally inappropriate, discriminating, racist or sexist, or intended to threaten or be harmful.
- Show or provide any person access to inappropriate and / or pornographic images or material.
- Access, download, distribute, store or create child sexual abuse material through any medium.

Professional Boundaries

All workplace participants must always:

- Listen respectfully to all people. Identify themselves by name, position, and role when their work or ministry involves engaging with adults at risk and/or children.
- Recognise and accept the existence of power imbalances when working or ministering one-to one, especially when providing counselling, spiritual direction, pastoral care, and home visiting.
- Maintain personal and professional physical, sexual, emotional, and psychological boundaries in their interactions with all people, especially adults at risk and/or children.
- Make every effort to ensure that they are not alone with a child or adult at risk. If this occurs, document and retain a record.
- Behave in a respectful manner which is consistent with the Code if conducting one-to-one contact with an adult at risk.
- Protect the privacy of adults at risk and children by only sharing confidential information as absolutely required in accordance with their role at the MMSM (or in accordance with legal obligations).

All workplace participants must never:

- Initiate physical touch with an adult at risk or child unless it is a legitimate occupational requirement.
- Behave in a manner with an adult at risk or child, which may be considered to be a violation of professional boundaries.
- Develop a 'special relationship' with an adult at risk or child, and/or their parent or carer which could be seen as favouritism or grooming.
- Persistently criticise or denigrate a child or adult at risk or use other hurtful, discriminatory or offensive language.
- Initiate 'secrets' with an adult at risk or child.
- Be alone with a child, unless in an emergency or without a clear and defensible purpose related to their role, without the child's parent or guardian informed consent, or without the interaction being supervised, observed, or otherwise risk managed.
- Be alone with an adult at risk without the purpose of the interaction being clear and open to explanation, without clear supervision or observation in place or other risk management.

- Visit a child's home without their parent or guardian being home.
- Invite children into their own home or accommodation without the child's parent and / or guardian unless they are at immediate risk of injury or in physical danger.
- Transport children alone without parental approval, unless in the event of an emergency. Wherever possible, Workplace Participants shall obtain written parental approval prior to transporting children.
- Share a tent or bed with an adult at risk or child.
- Sleep in a room with an adult at risk or child without anyone else present.

Creating a Safe Environment

All workplace participants must always:

- Create a supportive, safe, and caring environment which promotes and empowers adults at risk, children, their carers' and / or families' participation in decisions which affect them.
- Ensure they have a valid state-based working with children check, working with vulnerable person or NDIS check as needed and notify the Manager, Finance and Corporate Services Manager, immediately if this has been or is likely to be suspended, banned or revoked.
- Participate in all safeguarding training required of their role.
- Participate in all discussions about their safeguarding performance as required of their role.
- Seek to increase their cultural awareness especially when working with people who identify as First Nations Peoples, or who are from a different country of origin.
- Plan, organise and review all activities with adults at risk and/or children, be committed to identifying and mitigating risk to safety, and comply with MMSM's Risk Management Policy and Framework.

All workplace participants must never:

- Condone or ignore unsafe, harmful or abusive behaviour towards children or adults at risk.
- Knowingly expose an adult at risk or child to person/s whom they know to be unsafe, or situations which they assess to be unsafe and have not implemented safeguarding measures to reduce the identified risk.

Value Diversity

All workplace participants must always:

- Behave respectfully, justly, honestly and with integrity towards adults at risk, children, their carers' and / or families, regardless of ethnicity, language, religion, disability, or diverse sexuality.
- Be inclusive of all adults at risk, children, their carers' and / or families, regardless of ethnicity, language, religion, disability, or diverse sexuality.

All workplace participants must never:

- Discriminate against any person on any basis including (however not limited to) that of disability, culture, religion, ethnicity, or sexual diversity.

Gifts and Hospitality

All workplace participants must never:

- Give personal gifts or favour adults at risk or children.
- Be negatively affected by the influence of alcohol or drug/s, or over the legal alcohol limit, when in the presence of an adult at risk or child.
- Supply alcohol or illicit drug/s to an adult at risk or child.

Communications, Events, Media and Social Media

All workplace participants must always:

- Obtain informed consent from the child and the parent or guardian of the child before photographing or filming a child or obtaining their story. Informed consent means ensuring a full explanation of how the photograph, film or story will be used and for how long it will be retained.
- Be responsible with alcohol at any MMSM organised event and ensure there is a nominated adult who is not consuming alcohol, who shall be responsible for adults at risk and/or children, in the event of an emergency.

All workplace participants must never:

- Use personal devices to take photos or videos. Official MMSM devices must be used.
- Take photos of children without informed consent, unless asked to take a group photo by an accompanying teacher using the school's device. Ideally

verify with the teacher/school that they have existing consent from the children's parent/guardian.

- Communicate with children via email, text messages, phone calls, social networking, gaming, or instant messaging sites, unless with the consent and knowledge of their parent or guardian, and for the purpose of issues directly associated with their representation of MMSM and in adherence with the Communications Policy.
- Become 'friends' or 'follow' an adult at risk or child on social media platforms unless they have a relationship that is external to MMSM.

Complaints, Reports or Investigations

All workplace participants must always:

- Immediately speak up and advise their Centre Host, Safeguarding Coordinator, and mandatory State or Territory reporting agency, if they observe any concerns of exploitation, abuse, harassment, or breach of this Code or any MMSM safeguarding policy or procedure or legal obligation.
- Respond to any disclosures, concerns or complaints of harm or abuse, promptly and in accordance with national and state or territory legislation and our Safeguarding Complaints Handling and Reporting Procedure.
- Hold information and records related to safeguarding complaints, reports, and investigations confidentially, except where the sharing of information is required by MMSM Safeguarding Complaints Handling and Reporting Procedure or statutory requirements.
- Inform their supervisor, and/or the Finance and Corporate Services Manager, if they are (or have previously been) the subject of a Police or Statutory Child Protection agency investigation, including in relation to the alleged abuse or sexual misconduct of a child.
- Comply with any direction provided to them because of an allegation and / or investigation and cooperate with any internal or external investigation.

All workplace participants must never:

- Ignore or disregard any concerns, suspicions or disclosures of harm or abuse or breaches of the Safeguarding Policy or the MMSM Code of Conduct.
- Fail to report or protect a child in need of protection. Most states in Australia have introduced laws that make it a criminal offence for not acting to protect children from child abuse. If a MMSM workplace participant knows or has

formed a reasonable belief that a child abuse offence has been committed, they must report it to the Police.

- Knowingly make a false or vexatious report.
- Retaliate in any way against anyone who, in good faith, reports a safeguarding breach.