

<b>AVI Code of Conduct</b>	<b>Effective date</b>	12 April 2017
	<b>Next review date</b>	October 2020
	<b>Sponsor</b>	Human Resources Manager
	<b>Board committee</b>	Governance
<b>Level / Class</b>  <b>Corporate      Organisation</b>	<b>Approval / authorisation</b>	CEO

## 1. REVISION HISTORY

Date	Revision Number	Change(s)	Reference Section(s)
March 2017	2	<ul style="list-style-type: none"> <li>Applied new AVI policy format</li> <li>Additional content to reflect benchmark standard</li> </ul>	All
August 2018	3	<ul style="list-style-type: none"> <li>Inclusion of provisions relating to Child Protection, Prevention of Sexual Exploitation/Abuse &amp; Anti-Terrorism measures</li> </ul>	5, 6

## 2. PURPOSE

Fundamental to the operation of AVI is respect for the dignity and basic human rights of people within Australia and throughout the world. Every person who represents AVI is expected to reflect these values in their professional conduct, regardless of who they are dealing with, or where they are working.

While technical expertise is important in successfully carrying out tasks, appropriate behaviour and sound judgement are crucial for building and maintaining the partnerships through which AVI can achieve its mission of building a better world.

The AVI Code of Conduct is not intended to provide a detailed and exhaustive list of what to do in every aspect of work. Instead, it represents a broad framework that will help guide conduct and behaviour in the performance of duties and interactions in the workplace and externally.

## 3. SCOPE / PERSONS AFFECTED

The AVI Code of Conduct applies to all AVI workers (defined for the purposes of this policy as: employees, consultants, contractors, office volunteers, interns, the AVI Board, or anyone engaged to undertake work for the organisation). All of the aforementioned must comply with the standards of behaviour set out in this AVI Code of Conduct.

☒ **Appropriate consultation (tick for 'yes', otherwise leave blank)**

## 4. PRINCIPLES

The AVI Code of Conduct is based on the principles of honesty, transparency, fairness, professionalism and respect for human rights. It provides a set of principles which all AVI workers must abide by during the course of their engagement with AVI.

## 5. POLICY

The nature of the relationship between AVI and its stakeholders can be complex, and the nature of information we collect means that AVI workers may be in both a privileged and powerful position in relation to another person. AVI operates in a complex business environment, and workers must act appropriately in regards to the legal and ethical framework of the organisation.

The AVI Code of Conduct outlines the obligations generally expected of all AVI workers (as defined in Section 3 above).

### 5.1 Personal and Professional Behaviour

As an AVI worker you are expected to maintain a high standard of personal conduct and recognise that the organisation may be judged by the way you represent it. Whilst acknowledging the challenges of working with organisations and communities that may hold different values to our own, AVI workers must:

- Take a collaborative approach, seeking to understand different points of view and address tension and conflict promptly.

- Undertake all duties diligently, exercising care, responsibility and sound judgement.
- Operate with integrity, honesty and respect.
- Ensure that information provided in the course of work for AVI is not false or misleading.
- Ensure that decisions are made fairly, impartially and promptly, giving consideration to all available information, legislation and applicable policies and procedures.
- Acknowledge and respect the cultural norms of the communities that AVI works with.
- Uphold principles of equity and justice, ensuring that no person is disadvantaged on the basis of age, disability, ethnic origin, gender, race, political affiliation, workers' representative activities, religion, sexual orientation or any other attribute protected by law.
- Refrain from participating in behaviour that constitutes bullying, harassment, intimidation or is contradictory to maintaining constructive relationships.
- Comply with all applicable Australian laws, the laws of any other country as applicable and all AVI policies.
- Comply with any lawful and reasonable direction given by someone in the organisation who has authority to give that direction.
- At all times, behave in a way that upholds the integrity and good reputation of the organisation.

## 5.2 Sexual Exploitation and Abuse

Sexual exploitation and abuse (SEA) is a violation of basic human rights. AVI aims to provide a safe and trusted environment that safeguards everyone from SEA.

AVI is committed to safeguarding the people we help and who we work alongside. We recognise that AVI's work places our workers in positions of authority and trust in relation to the communities we work with, especially vulnerable adults and children. AVI workers have an obligation to uphold high standards of personal and professional conduct at all times and must not abuse this position in order to exploit or abuse another person.

In order to prevent sexual exploitation and abuse, AVI workers must:

- Ensure personal conduct towards all persons is not exploitative or be such that it could be reasonably seen as exploitative by a neutral observer.
- Comply with all policies and processes developed by the organisation for the purpose of preventing sexual exploitation and abuse.
- Immediately report to AVI any concerns or allegations of sexual exploitation/abuse through the relevant channels (see section 6 below).
- Not sexually exploit or abuse or sexually harass a child or adult.
- Not engage in sexual activity with a child under any circumstance. Even in a country where the age of majority or the age of consent is lower than 18 years.
- Not use their position of trust and authority to request any service or sexual favour from beneficiaries of AVI programs, adults, children or others in the communities in which AVI works, in return for protection or assistance, or coerce a person to engage in sexual intercourse or any sexual activity.
- Not withhold or threaten to withhold money, food, employment, goods, services or assistance from beneficiaries of AVI programs, adults, children or others in the communities in which AVI works in order to procure sex or sexual favours.
- Not engage in or solicit transactional sex (i.e. giving money, gifts or other services in exchange for sexual favours).
- Not have sex with sex workers when working or volunteering overseas, even when it is legal in the country.

- Not use, or be required to use, AVI or partner organisation facilities, personnel or resources for the purpose of arranging or facilitating access to sex workers by any person, including visitors to AVI offices or programs.
- Not procure sex for others, or use a third party to do so.

### 5.3 Child Protection & Safeguarding

AVI has a strong commitment to the safety, wellbeing and protection of children (defined as being less than 18 years of age). We aim to safeguard children in the course of our work by promoting circumstances that are consistent with safe and effective care. This enables children to develop with optimum chances in life.

AVI encourages a culture of open discussion of issues regarding safeguarding and protecting children and the AVI Child Protection Policy guides our discussions and our decision making. We promote a rights based approach to child protection and have expected standards of behaviour for all AVI board members, staff, and program participants. These measures empower our people to be alert to risks, abuse and exploitation of children and to seek guidance and support to respond appropriately. AVI assesses and manages risk to children in all areas of our business.

AVI will do everything in our power to prevent child abuse and exploitation

In order to safeguard and protect children from abuse and exploitation, AVI workers must:

- Treat children with respect, regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, status, disability, or other status or identity.
- Not use language or behaviour towards children that is abusive, including language or behaviour that is harassing, sexually provocative, shaming, demeaning or culturally inappropriate.
- Not engage a child in any form of sexual intercourse or sexual activity, including paying for sexual services or acts.
- Wherever possible, ensure that another adult is present when working with children
- Use computers, mobile phones, video cameras, cameras or other technology appropriately, and never exploit or harass children, or access or disseminate child exploitative material through any medium, including social media.
- Not use physical punishment or humiliating punishment on children.
- Not hire children for domestic or other labour: which is inappropriate given their age or developmental stage; which interferes with their time available for education and recreational activities; or which places them at significant risk of injury.
- When engaged in work activities or travel, not offer private transportation to children, unless a child is at risk of injury or in physical danger.
- When engaged in work activities or travel, not invite unaccompanied children into the worker's hotel/place of residence, unless they are at immediate risk of injury or in physical danger.
- When engaged in work activities or travel, not rest or sleep close to unsupervised children, unless a supervisor's permission has been obtained and where possible, another adult is present.
- Comply with all policies and processes developed by the organisation for the purpose of preventing the exploitation and abuse of children.
- Seek the support of AVI in any matter where mandatory reporting is required by Australian or international legislation.
- Immediately disclose all charges, convictions and other outcomes of an offence that relates to child exploitation and abuse, including those under traditional law, which occurred before or occurs during any association with AVI.

- Be aware of behaviour and avoid actions or behaviours that could be perceived by others as child exploitation and abuse.
- Comply with all relevant Australian and local legislation, including labour laws in relation to child labour.
- Immediately report to AVI any concerns or allegations of child exploitation, abuse or breach of the AVI Child Protection policy through the relevant channels (see section 6 below).

In addition, when photographing or filming a child or using children's images for work-related purposes, AVI workers must:

- Take care to ensure local traditions or restrictions for reproducing personal images are adhered to before photographing or filming a child.
- Obtain informed consent from the child and/or parent or guardian of the child before photographing, recording or filming a child.
- Provide an explanation of how the photograph or film will be used to the child and their parent or guardian.
- Not offer or give remuneration or in-kind gifts for taking a photograph or film.
- Ensure photographs, films, videos, DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
- Ensure that children are adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels, meta-data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing images in any form.

## 5.4 Counter-Terrorism

In order to ensure that AVI is not affiliated or associated with any terrorism or terrorism related activities AVI workers must agree to the following:

- AVI will conduct checks to ensure that works are not listed on a World Bank List or Relevant List or subject to any proceedings, or an informal process, which could lead to being listed or subject to an investigation whether formal or informal by the World Bank or another donor of development funding
- AVI may terminate my employment at any time prior to the end date if a worker is found to be listed on a World Bank List or Relevant List or subject to any proceedings, or an informal process, which could lead to being listed or subject to an investigation whether formal or informal by the World Bank or another donor of development funding
- AVI may terminate a worker's employment at any time prior to the end date if AVI forms a reasonable belief that he/she is associated or in any way connected with or providing funds or resources either directly or indirectly to organisations and/or individuals associated with terrorism.

## 5.5 Conflict of Interest

Conflicts of interest arise when an individual's other interests conflict, or could be seen to conflict with duties or obligations to AVI. A conflict of interest may affect or may appear to influence our judgment and our capacity to do our job independently. If undisclosed they may cause us to act unlawfully.

AVI workers are responsible for openly declaring any matters of private interest that may be in conflict with the performance of work duties. In order to avoid a conflict of interest scenario, either real or perceived, AVI workers must:

- Use inside information, resources, status, power or authority properly, and not in order to gain, or seek to gain, a benefit or advantage for themselves or others.
- Always be objective and impartial, and demonstrate this objectivity and impartiality in all matters and dealings.
- Refrain from undertaking any activities (including employment) outside working hours that might, in any way, compete either directly or indirectly with the activities of AVI or which restrict a worker's ability to fulfil the duties of their position at AVI.
- As soon as practicable, declare to a line manager or Executive Manager any situation which could reasonably constitute a conflict of interest.

## 5.6 Gifts

AVI recognises that from time to time, workers will be given small gifts as a cultural gesture or as a token of appreciation for services/business provided. It can be difficult to clearly distinguish between gifts of appreciation and those which may compromise the integrity or be seen as creating a conflict of interest for the recipient. Thus, in adhering to ethical practice regarding the giving/receiving of gifts, AVI workers must:

- Refrain from using the advantages of their position to solicit or accept gifts, rewards, payments or benefits which may compromise or be seen to compromise their integrity.
- Refuse or return and notify a line manager or Executive Manager of any gifts, rewards, payments, hospitality or benefits offered that could reasonably be perceived as influencing decisions or representations made by the worker on behalf of AVI.
- Disclose to your line manager all gifts, hospitality and/or benefits offered or received which have a monetary value; plus disclose any non-token gifts via the Gifts Register maintained by the Executive Assistant to the CEO in accordance with the AVI Fraud and Corruption Control policy.
- Obtain approval from the appropriate manager before exchanging gifts with external organisations, vendors and stakeholders and ensure the gift is token in nature.
- Ensure gifts of consumable items are placed in a common area, to be shared among all workers in the applicable office.

## 5.7 Confidentiality

Other than as required by law, AVI workers must not divulge to any person or entity any confidential information obtained in the course of their engagement except in the proper course of performing duties and responsibilities or as permitted by AVI. If workers are unsure whether or not information is confidential in nature, this should be discussed with a line manager (or equivalent). These obligations apply during the engagement, and after it ends. In order to uphold the highest standards of confidentiality, AVI workers must:

- Maintain appropriate confidentiality about dealings with AVI's stakeholders.
- Maintain appropriate confidentiality about AVI's data, programs, volunteer files and other information gained through their engagement.
- Refrain from discussing confidential matters in public, or in situations where members of the public may overhear.
- Take necessary steps to ensure that confidential documents are stored securely, and cannot be viewed by unauthorised parties both within and outside of the office environment.

## 6. REPORTING A SUSPECTED BREACH

If you believe that a potential breach of the AVI Code of Conduct has occurred, you should report this to your line manager, a member of the Organisational Leadership Team or to a member of the Human Resources team.

Managers and People and Organisational Development staff have the responsibility to thoroughly investigate all reports with respect and sensitivity to all involved. Reports of potential breaches of the AVI Code of Conduct will be investigated thoroughly, impartially and where practicable, confidentially (noting that maintaining complete confidentiality is not always possible).

Workers will not be disadvantaged in the terms of their engagement as a result of lodging a genuinely held concern regarding a suspected breach. Any attempt to victimise a person who raises a legitimate concern regarding a suspected breach of the AVI Code of Conduct will be treated seriously and may lead to disciplinary action.

Please note, if you are reporting an incident of Sexual Exploitation or Abuse (SEA) or a Child Protection Concern and you wish to remain anonymous, you can use the confidential Child Protection/SEA Reporting Tool located at the link below:

<https://app.whispli.com/CPandSEAreportingformAVI>

## 7. CODE OF CONDUCT BREACH

Investigations of Code of Conduct Breaches will be carried out in a manner that is fair, objective and as far as is practicable, confidential. Where AVI confirms that a breach of the AVI Code of Conduct has occurred, the claim will be taken seriously and a thorough and impartial investigation will be carried out, ensuring the principles of natural justice are upheld.

All information and documented evidence will be held securely and in the strictest confidence as far as is appropriate. All reports received reference to this policy will be assigned to an **Investigation Officer (IO)**.

The Investigation Officer will be someone who is able to act with total independence and is not in any way implicated (directly or indirectly) in the allegation. The WIO may be an AVI staff member or an external stakeholder as appropriate to the circumstances, and may be one of the following:

- A member of the Human Resources team
- A member of the Organisational Leadership team
- A member of the AVI Board of Directors
- An external investigator appointed by AVI

If it is found that a breach of the AVI Code of Conduct has occurred, disciplinary action may be taken in line with the Section 35 of the AVI Enterprise Agreement. Breaches of the AVI Code of Conduct determined to be serious in nature, may result in termination of the engagement (including employment) and/or prosecution by relevant authorities depending on the nature of the breach.

## 8. SUMMARY

In summary, workers should act, and be seen to act, honestly, fairly and professionally in the interests of AVI, while in the course of their work both in Australia and overseas.

Where a worker is in doubt as to the applicability and scope of the provisions in the AVI Code of Conduct, or as to the appropriate course of action to be adopted in a given circumstance, the matter should be discussed with the appropriate Executive Manager or the Chief Executive Officer.

AVI is a signatory to the Australian Council for International Development (ACFID) Code of Conduct which defines organisational standards of governance, management, financial control and reporting. This document is available through the People and Organisational Development team and on the ACFID website (<https://acfid.asn.au/code-of-conduct>) and should also be adhered to by AVI workers.

From time to time, AVI may also be required to meet standards of conduct over and above those specifically articulated in this policy. In these circumstances, workers will be made aware of these requirements and will be required to act accordingly.

## **9. RESPONSIBILITIES**

All AVI workers must ensure they uphold and abide by the AVI Code of Conduct. AVI Management (including the CEO and Executive) are responsible for ensuring that direct reports and workers whom they are responsible for are aware of, and understand their responsibilities under the AVI Code of Conduct.

Managers and People and Organisational Development staff are responsible for ensuring employees have access to the AVI Code of Conduct and are provided with adequate induction and training in regard to its content. People and Organisational Development, together with relevant managers are responsible for ensuring suspected and confirmed breaches of the AVI Code of Conduct are dealt with in an appropriate manner, ensuring correct processes are followed.

## **10. RELATED POLICIES**

- Equal Opportunity/Diversity Management (anti-discrimination, harassment and bullying) Policy
- Social Media Policy
- Information and Records Management Policy
- Fraud and Corruption Control Policy
- Child Protection Policy including the 'Expected Behaviours for Working with Children'
- Disability Inclusion Policy
- Gender Equality Policy
- Guidelines for Expenses and Credit Card usage
- Performance & Professional Development Planning process
- Prevention of Sexual Exploitation and Abuse Policy

## **11. REFERENCES**

- AVI 2014 Enterprise Agreement
- ACFID Code of Conduct



**12. DECLARATION**

I, \_\_\_\_\_, acknowledge that I have read and understood the AVI Code of Conduct. I understand that any breach of the Code of Conduct may result in the termination of my employment according to AVI's disciplinary procedures or dismissal and, depending on the nature of the breach, may involve prosecution by the relevant authorities.

Signature: \_\_\_\_\_

Name in full: \_\_\_\_\_

Date: \_\_\_\_\_