

	<b>CODE OF CONDUCT POLICY</b>	
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	<b>Administered by:</b>	Networker
	<b>Approved by Committee of Governance on:</b>	May 2018
	<b>Next Review:</b>	May 2021

## INTRODUCTION

This policy applies to all Committee members, contractors, staff and volunteers of Network West Inc.

## PURPOSE

The purpose of this document is to ensure that everyone working with Network West Inc. has an equal opportunity to participate and work in a supportive and friendly environment and to ensure that all staff and volunteers (including Committee of Governance members) are aware of behaviours that could amount to misconduct.

## POLICY

Network West expects all staff and volunteers to observe acceptable standards of behaviour. Staff and volunteers must not engage in behaviour that amounts to misconduct (including serious misconduct) at the workplace. This includes whether they are working on site or off-site, attending a work-related conference or function, or other work related activity.

### ***Misconduct***

Where a staff member or volunteer engages in misconduct or alleged misconduct, the processes in this policy will be followed.

Behaviour amounting to misconduct includes, but is not limited to, the following:

- failing to obey lawful and reasonable instructions of the Committee of Governance or Networker
- failing to follow defined policies, procedures and rules;
- failing to share relevant information with Network West Inc.
- unacceptable disruptive behaviour;
- unauthorised absence from the workplace; and
- repeatedly being late for work without reasonable excuse.

When proven, misconduct may provide a valid reason for termination of an employee's employment with notice.

### ***Serious misconduct***

Whether misconduct amounts to serious misconduct depends on the particular circumstances of a given case. Committee of Governance will consider the circumstances fully as they apply to the individual when determining whether or not there has conduct that could be considered serious misconduct.

Behaviour amounting to serious misconduct includes, but is not limited to:

- willful or deliberate behaviour that is inconsistent with the individual's contract of employment;
- theft;
- fraud;
- assault, bullying or harassment;
- intoxication at work;
- use of derogatory, violent or abusive language;
- fighting;
- failure to observe safety rules;
- concealment of a material fact on engagement;
- obscenity;
- dishonesty in the course of the employment; and
- criminal conduct.

## **RESPONSIBILITIES**

The Committee of Governance is responsible for ensuring that:

- the processes in this policy are followed in relation to all instances and allegations of misconduct;
- staff and volunteers who are the subject of any investigation are afforded procedural fairness; and
- confidentiality is maintained to the greatest extent possible.

The Networker is responsible for ensuring that:

- where appropriate, they try to informally resolve any instances or allegations of staff or volunteer misconduct with the individual involved in first instance (in consultation with the Chairperson of the Committee of Governance);
- instances or allegations of misconduct are reported to the Committee of Governance; and
- all necessary assistance is provided to the Committee of Governance or any other person investigating an instance or allegation of misconduct.

Staff and volunteers are responsible for ensuring that they:

- comply with this policy and related procedures; and
- report any instances or allegations of misconducts to the relevant Networker or the Committee of Governance, as appropriate.

## **PROCEDURE**

A breach of this policy or related procedures may lead to disciplinary action and possible dismissal. Where Network West considers that a staff member or volunteer has engaged in serious misconduct, it may dismiss the individual without notice. The disciplinary process will be guided by the NHACE Agreement 2016 and has been informed by Network West Complaints and Appeals Policy.

Each instance or allegation of misconduct will be considered by the organisation on its own merits, and any mitigating circumstances will be taken into account.

Where a staff member or volunteer is accused of engaging in misconduct, it is open to Network West to stand the individual down (on full pay if an employee) in order to further investigate the matter.

Investigations into instances or allegations of misconduct will be conducted in accordance with the principles of procedural fairness and the NHACE Agreement 2016. Individuals accused of misconduct will be given an opportunity to respond to the allegations against them and may have a support person present at any disciplinary meetings with Network West.

Any meetings relating to instances or allegations of misconduct or serious misconduct will be conducted by three members of the Committee of Governance, one of whom will act as a note taker.

If Network West decides that the appropriate action is to dismiss the individual, full reasons for the decision will be provided at the time of dismissal.

**Related Policies**

Access, Equity and Diversity

Complaints and Appeals

Conflict of Interest