



## Code of Conduct

June 2018

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The Code of Conduct provides clear guidelines and standards for the appropriate behaviour expected of all personnel involved in the work at IJM Australia and globally.

The code of conduct provides a framework to strengthen the culture, mission and values of the organisation. IJM Australia is committed to the standards set out in the code of conduct.

### Application

The definition of personnel in this Code of Conduct applies to all employees, board members, interns, volunteers and anyone involved in the operation of IJM Australia. The Code of Conduct is made available to employees and volunteers as part of the induction process, and can be accessed via the online file sharing portal.

### Mission and vision

Our vision is to rescue millions, protect half a billion and make justice for the poor unstoppable.

Our mission is to protect the poor from violence by rescuing victims, bringing the criminals to justice, restoring survivors to safety and strength, and helping local law enforcement build a safe future that lasts.

**Our Values.** The values that guide all we do are the following:

(a) **IJM is Christian**

- (i) We are *inspired by Jesus Christ*, and aspire to live our lives and perform our work with grateful hearts, humble hearts and servant hearts.
- (ii) We are *submitted to the Father*, and seek ever-deepening knowledge of the Father, trusting love for the Father, and to be faithful stewards of the gifts He has entrusted to us.
- (iii) We are *dependent upon the Holy Spirit*, and we choose to be desperately and joyfully prayerful, seeking wisdom and peace through prayer.

- (iv) We are *incarnational* and in our engagement with the world we suffer with those who suffer.
- (v) We are *directed by the Scriptures*; we desire to be trained in the Word of God, corrected by the Word of God, and sustained by the Word of God.
- (vi) We are *in community with the Body of Christ*; we seek to be in communion both locally and globally, worshipping and serving the one true God in humble and respectful fellowship with all those who follow Him. We seek to be those of whom Jesus spoke: “By this shall all men know that you are my disciples, if you love one another.” We seek to bear faithful witness to God’s truth and holiness within the Church, while manifesting charity in all things, and seeking the unity of the body of Christ.
- (vii) We seek to *bear the Fruit of the Spirit*. Love, Joy, Peace, Patience, Kindness, Goodness, Faithfulness, Gentleness and Self-control.

(b) **IJM is Professional**

- (i) We seek to engender, earn and keep trust. We are committed to integrity. We will make commitments only carefully, and we will keep the commitments we make.
- (ii) We value knowledge and expertise.
- (iii) We demand accuracy and dependability.
- (iv) We invest in excellence.
- (v) We evaluate by outcomes.
- (vi) We exert extreme effort to achieve outcomes.
- (vii) We are disciplined.
- (viii) We love to learn.

(c) **IJM is a Bridge Builder**

- (i) We will pursue our work vigorously, boldly, and forcefully, but we will carry ourselves with humility.

- (ii) We will seek common ground—for example, with those in the Church who are not yet committed to the mission of justice and with those outside the Church who seek justice, but who do not yet know the author of their passion. Where it advances our mission of serving the victims of injustice, we actively strive to find common ground of cooperative endeavour with all people of good will, including, but not limited to those from a broad range of cultures, religions, social backgrounds, experiences, and passions.
- (iii) We value and will invest in building relationships with people – especially with people who are unfamiliar or outside our subculture.
- (iv) We will be thoughtful in our use of language, using language that will facilitate recognition of common ground and avoiding language that may hinder that recognition. We recognise the power of words both needlessly to alienate as well as strategically to enfold.
- (v) For all of this we pray for courage, and we honour boldness in each other as we seek to take the Good News of Jesus Christ to unfamiliar frontiers.

## **Personal Conduct**

### Attendance and Punctuality

To maintain our high practice standards, we expect all staff members to be punctual and regular in their attendance. Should you be unavoidably absent due to sickness or any other reason, please notify your supervisor or an appropriate delegate promptly and indicate your intended return date. If you have not made contact, your Supervisor may contact you directly, within a reasonable timeframe, to ascertain the reasons for your absence and an anticipated return to work date. All employees also must comply with the leave policy and obtain a medical certificate where required. It is also part of work, health and safety requirement for IJM Australia to know where their employees are during work hours.

### Personal Behaviour

IJM Australia value respect, ethics, and integrity. We strive to perform our activities with professionalism, excellence and act in the best interests of the organisation. We require all personnel to act honestly in all aspects of their engagement at IJM Australia. The term 'behaviour' includes how a member of the IJM Australia workforce behaves when performing their duties. Behaviour is unacceptable if it is not in accordance with standards of behaviour at work or in connection with work, as reasonably determined or expected by IJM Australia. Examples include:

- breaching policies, procedures, guidelines, delegations or instructions by a supervisor or senior staff member (whether provided in written or verbal form)
- ignoring or not complying with Work Health and Safety policies and procedures
- absenteeism when there is no entitlement or appropriate explanation and/or poor punctuality in attendance for work
- harassing, discriminating against or bullying other workforce members or any other person (See Bullying and Harassment Policy)
- not meeting the required personal presentation standards

‘disciplinary action’ includes:

- counselling and/or coaching designed to address a performance or behavioural concern
- the provision of a formal written warning
- termination of employment
- summary dismissal

‘performance’ includes the conduct of the staff member’s duties and the output and outcomes of a staff member’s role. Conduct at work is unacceptable if it does not accord with standards or work performance as reasonably determined or expected by IJM Australia. Examples include:

- not performing, or inadequately performing, tasks that are required in the role
- not carrying out tasks or duties of the role in a timely way without reasonable cause
- not following established or instructed procedures
- not acting in accordance with IJM Australia policies or delegations

‘principles of natural justice’ the principles which underpin procedures used when making a decision. Often the term ‘procedural fairness’ is used interchangeably with the term ‘principles of natural justice’. Principles include:

- the respondent is to be treated as innocent until such time as unacceptable behaviour or unacceptable performance is established
- any concerns about unacceptable behaviour or unacceptable conduct should be dealt with promptly
- the substance of the concerns about unacceptable behaviour or unacceptable conduct must be put to the respondent
- the respondent must be given the opportunity to provide a response to the concerns about unacceptable behaviour or unacceptable conduct

‘serious misconduct’ includes:

- wilful or deliberate behaviour which is inconsistent with a continuation of the employment or of the volunteer relationship
- conduct which causes serious and imminent risk to the health or safety of a person

- conduct which causes serious and imminent risk to the reputation, or commercial or other viability of IJM Australia
- theft
- fraud
- assault or bullying
- intoxication at work (as defined in the Fair Work Regulations)
- refusal to carry out a reasonable and lawful order or instruction
- other conduct including conduct specified in the Fair Work Regulations

'summary dismissal' dismissal without notice, as may occur in the case of serious or wilful misconduct

'support person' a person who, being reasonably available for the purpose, is selected by the respondent to provide support to him or her during a meeting in connection with matters raised regarding conduct and/or performance. the support person does not act as an advocate on behalf of the respondent during the meeting and is not permitted to speak on behalf of the respondent.

### **Conflicts of Interest and gift acceptance**

All employees are expected to act with integrity when dealing with other stakeholders such as government agencies, non-government organisations, donors, suppliers, fellow employees and volunteers. IJM Australia will conduct its affairs decently and above reproach, and will operate with the highest level of integrity and avoid conflicts of interest.

You must not accept any gift or favour from any person with whom you have had dealings with on behalf of IJM. You may accept gifts of small value such as infrequent and reasonable entertainment which are provided as part of the business relationship.

### **Areas in which conflicts may arise**

The duty to avoid conflicts of interest may arise in any number of situations, including in the context of relationships with the following persons:

- (b) Persons or entities supplying good or services, or seeking to supply goods or services to IJM Australia;
- (c) Persons or entities from whom IJM Australia leases property or equipment;
- (d) Persons or entities with whom IJM Australia is dealing or planning to deal in connection with a gift, purchase or sale of securities, real estate or other property;
- (e) Persons or entities paying honoraria, royalties, or other value for products or services delivered by IJM Australia or its agents or employees;

- (d) Other not-for-profit organizations, whether in the capacity of actual or potential donor or actual or potential recipient of a donation or grant, ministry partner or co-labourer, or other capacity;
- (e) Donors and others supporting the organisation;
- (f) Media carrying IJM Australia advertising or content;
- (g) Governmental and non-governmental agencies, organisations and associations that affect or can affect the operations of IJM Australia;
- (h) Persons who are in a position to exercise substantial influence over the affairs and actions of IJM Australia, or who have been in such a position at any time in the past five years; and
- (i) IJM Australia itself.

### **Nature of potential conflicts**

A material conflicting interest may be defined as an interest, direct or indirect, between any person or entity mentioned above and a director, officer, management employee, employee or influential agent (or any person who has served as a director, officer, management employee, employee or influential agent of the corporation at any time in the past five years), which might affect, *or might reasonably be thought by others* to affect, the judgment or conduct of a director, officer, management employee, employee or influential agent of IJM Australia.

Such an interest might arise, for instance, through:

- (j) Owning stock or holding debt or other proprietary interests in any third party dealing with IJM Australia;
- (k) Holding office, serving on the Board of Directors, participating in management or being otherwise employed (or formerly employed) by any third party dealing with IJM Australia;
- (l) Receiving remuneration for services with respect to individual transactions involving IJM Australia;
- (m) Using IJM Australia personnel, equipment, supplies, or good will for other than organization-approved activities, programs and purposes;
- (n) Receiving personal gifts or loans from third parties dealing with IJM Australia, other than gifts of clearly nominal value. No personal gift of money should be accepted from such sources. As stated above, for the purposes of this policy,

reasonable and customary gifts of memento advertising, or an occasional meal shall not be deemed to be an item of material value;

- (o) Obtaining an interest in real estate, securities or other property that IJM Australia might consider buying or leasing;
- (p) Expending staff time during normal business hours for personal affairs or for other organisations, civic or otherwise, to the detriment of work performance for IJM Australia; and
- (q) Providing excessive or unreasonable benefits to third parties, on behalf of IJM Australia, or receiving excessive or unreasonable personal benefits from third parties while acting as a director, officer, employee, or agent of IJM Australia.

Conflicts or potential conflicts may be direct or indirect. Indirect conflicts may arise if any of the following have an interest:

- (r) A family member of a director, officer, management employee or employee. (Family member is defined broadly, includes all persons related by whole or half-blood or by marriage, including but not limited to siblings, siblings' spouses, ancestors, children, grandchildren, great-grandchildren, and all their spouses);
- (s) An estate or trust of which the director, officer, manager, employee, influential agent, or member of such person's family is a beneficiary, personal representative, or trustee; and
- (t) A company of which a member of the family of the director, officer, manager, employee or influential agent is an officer, director or employee, or in which such person has ownership or other proprietary interests.

### **Use of IJM's Facilities and Property**

IJM may provide you with access to certain facilities, including mail and internet services, computer systems, telephone services (mobile and landline) and facsimile and photocopying machines. Use of these facilities must be in accordance with applicable policies.

### **Privacy**

IJM Australia is committed to protecting the privacy of all personnel and is guided by the Privacy Act 1988 (CTH) and the Australian Privacy Principles. IJM may collect personal and sensitive information from you from time to time, such as banking details, and health information, for the purpose of your employment. You consent to IJM providing this information to third parties, whether domestically or abroad, including, but not limited to its Related Bodies Corporate, its payroll provider, workers compensation insurers and other third parties where it is necessary for the proper conduct and administration of IJM's business and

for the purposes of the employment. You acknowledge that IJM retains the unfettered right to select its third-party contractors.

### **Intellectual property**

Works means any invention, discovery, design, improvement, formula, process, technique, literary or artistic work, or any other item in which Intellectual Property Rights subsist or are capable of subsisting and is wholly or partly created, made or discovered by you either:

- (a) in the course of your employment with IJM; or
- (b) otherwise using the facilities, resources, time or any other opportunity provided by IJM or its Related Bodies Corporate.

**Intellectual Property Rights** means all existing and future rights which are capable of protection by copyright, patent, design, trademark or other registration or other forms of protection available in Australia or elsewhere.

Moral Rights includes the right to be identified as the author of a Work, the right not to have any other person identified as the author of a Work and the right not to have the Work subjected to any derogatory treatment.

You:

- (a) agree that the Works and all Intellectual Property Rights in the Works belong to IJM;
- (b) agree to do all things necessary and execute any documents reasonably required to give effect to this ownership;
- (c) agree to communicate immediately and fully to IJM any Works created, made or discovered by you;
- (d) consent to the use of all existing and future Works made by you in the course of your employment;
- (e) agree to waive any Moral Rights you may have in any Works;
- (f) consent to any act which amounts to an infringement of any such Moral Rights, in favour of IJM or its Related Bodies Corporate;
- (g) agree that this consent and waiver extends to any licensees and successors in title to IJM or its Related Bodies Corporate in respect of such Works, as well as to any persons who are authorised by IJM, its Related Bodies Corporate or by their licensees and successors in title to do acts compromising the copyright of such Works;
- (h) agree to execute any further document necessary to give effect to this Moral Rights waiver and consent; and
- (i) agree that your obligations under this clause survive the termination of this Agreement.

## **Confidential Information**

By virtue of your employment, you may become aware of information relating to the business or affairs of IJM or its Related Bodies Corporate, including, but not limited to, its client lists, trade secrets, client details, sales and marketing information, intellectual property, Works and financial information between IJM and/or its Related Bodies Corporate and/or its clients (Confidential Information).

Confidential Information will not include information which is or becomes readily available in the public domain otherwise than as a result of the breach of your employment obligations.

Without limiting the terms of any additional agreement or undertaking you are required to enter during the course of your employment with respect to Confidential Information:

- (a) Confidential Information remains the sole property of IJM or its Related Bodies Corporate;
- (b) you must not, either during (except in the proper course of your duties) or after the termination of your employment, without the prior written consent of IJM, directly or indirectly, divulge, use or otherwise disclose to any person whatsoever, the Confidential Information, either for your own or for another's benefit; and
- (c) you must immediately notify IJM should you suspect misuse of Confidential Information and assist IJM in any proceedings taken by IJM for alleged misuse of Confidential Information.

You agree to and execute all agreements and undertakings which IJM asks you to execute in respect of Confidential Information or other business sensitive information.

## **Workplace Health and Safety**

You must attend to your work safely and notify your supervisor if you become aware of any workplace risks. You must comply with all workplace health and safety policies of IJM.

## **Anti-Discrimination and Harassment and bullying**

IJM is an equal opportunity employer. You must comply at all times with IJM's policies in respect of anti-discrimination, bullying and harassment. IJM Australia expects:

All Directors/Managers are expected to:

- model correct behaviour;
- ensure team members understand this policy and their responsibilities
- monitor the workplace for inappropriate behaviours;
- not tolerate behaviours that breach the intent of this policy;
- handle any complaints about discrimination, harassment and bullying in a timely and confidential manner in keeping with this policy.

Employees and volunteers are expected to:

- not engage in discrimination, harassment, bullying or victimisation of any other person at any time in the course of their employment or engagement;
- respect the rights of others;
- report any observed violation of this policy in keeping with the procedures listed below;
- participate in any complaint and resolution process in a cooperative and confidential way.

### **Definition of discrimination, harassment and bullying**

**Discrimination** occurs when a person is treated less favourably than another person because of that person's individual characteristics or because that person belongs to a particular group. Discrimination can be unlawful on many bases including:

- race (including colour, nationality, religion or ethnic origin)
- sex (including marital/relationship status, pregnancy and breastfeeding);
- sexual orientation;
- disability;
- age;
- illness or injury
- parental status or carer's responsibilities; and
- membership or non-membership of a trade union.

The bases of discrimination are set out in federal and state legislation including:

- *Age Discrimination Act 2004*;
- *Australian Human Rights Commission Act 1986*;
- *Disability Discrimination Act 1992*;
- *Racial Discrimination Act 1975*;
- *Sex Discrimination Act 1984*
- *New South Wales Anti-Discrimination Act 1977* and other state and territory legislation.

Discrimination can be direct or indirect:

- Direct discrimination is where a person is treated less favourably because a particular attribute (like those set out above).
- Indirect discrimination is where a condition, policy or requirement is imposed that a person with a specific attribute cannot comply with.

**Harassment** is any form of behaviour that:

- you do not want;
- offends, humiliates or intimidates you (or is likely to do so).

Examples include, but are not limited to:

- threats of dismissal or punishment for no reason
- leaving offensive messages on email or voicemail
- spreading gossip or false rumours with the intent to cause harm.

**Sexual harassment** is defined under the *Sex Discrimination Act 1984* as:

- unwanted sexual advances, or unwelcome requests for sexual favours; or other unwelcome conduct of a sexual nature; and
- a reasonable person having regard to all the circumstances would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Examples of sexual harassment include:

- staring or leering
- unnecessary familiarity, such as someone deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- intrusive questions about your private life
- displaying posters, magazines or screen savers of a sexual nature.

**Bullying** is repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety.

Examples of bullying behaviours include, but are not limited to:

- verbal abuse
- spreading rumours or innuendo about someone
- interfering with someone's personal property or work equipment.
- deliberately excluding someone from workplace activities
- deliberately denying access to information or other resources
- setting tasks that are unreasonably above or below a worker's ability.

**Victimisation** means being placed at a disadvantage or being penalised for making a complaint or because you have supported someone who has made a complaint.

Examples include:

- being told to withdraw a complaint or else you will miss out on future opportunities at work (raises, promotions etc.)
- being excluded from workplace activities because you made a complaint.
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### **What is not discrimination, harassment and bullying**

Supervisors have the legal right and responsibility to undertake reasonable management actions in a reasonable way. This includes a range of actions such as the right to control and direct how work is done, monitor productivity and give feedback on performance. Where these actions are not ill-founded and comply with organizational policy, they do not constitute bullying and harassment.

### **What should you do if you are being bullied, harassed or discriminated**

Any employee who believes that he or she has been the subject of harassment, bullying or discrimination or who observes an incident of harassment, bullying or discrimination involving another employee, must report the information immediately to the supervisor the Director of Operations, or the Chief Executive. If the supervisor receives the report, he or she is obligated to report to the Director of Operations or the Chief Executive. The Director of Operations or the Chief Executive will conduct a preliminary review of the complaint and recommend appropriate action. If a complaint is upheld, IJM Australia may take appropriate disciplinary steps against any person or persons found to have contravened this policy, up to and including termination of employment. Where a situation involves the Chief Executive, the personnel is to follow the whistle-blower policy and report the incident to IJM Australia's Chairperson and will have a preliminary review of complaint by the Chairperson and the governance, risk and compliance committee (GRCC).

The Chief Executive and the GRCC needs to be informed of the outcome of this investigation.

IJM Australia will not tolerate any form of victimization or retaliation against victims of or witnesses to harassment. Any confirmed incident of victimization or retaliation may be the subject of disciplinary action, up to and including termination of employment.

### **Child Protection**

IJM Australia is committed to the protection of children. All IJM Australia personnel will be provided with a copy of the IJM Australia Child Protection Policy and all personnel who have contact with children are required to sign a commitment stating their agreement to abide by the policies in the document. The signed copy will be kept on file for IJM. All staff members are to undergo a working with children and criminal check to ensure they are clear from potential risks to children, other people and the organisation.

## **Stewarding Resources**

Stewardship is not only a biblical concept, but it is also in line with good financial practice. IJM Australia is mainly funded by generous donors and so it is committed to stewarding its resources efficiently, effectively and within its intended purpose. All personnel are encouraged to minimise wastage and expenses where possible so that the organisation can maximise its resources.

## **Fraud and financial risk management**

All personnel at IJM Australia are expected to identify and prevent fraudulent and corrupt activity in relation to the organisation's resources. IJM Australia is committed to ensuring that all employees, board members, volunteers and partners are above reproach when stewarding IJM Australia's resources. IJM Australia has a zero-tolerance approach to activities that are fraudulent, corrupt, and illegal.

All procedures in any IJM Australia sphere of operation must be able to withstand scrutiny for transparency, integrity and honesty.

Fraud committed against IJM Australia at any level is a serious betrayal of trust which cannot be overlooked. It is a criminal act. Fraud and suspected fraud perpetrated by employees, board members, volunteers or partners will be referred for investigation. Any failure by staff to comply with the fraud and financial risk management policy may result in disciplinary action.

## **Breaches of the Code**

IJM Australia take breaches of the Code of Conduct seriously. We all have a responsibility to act consistently with this Code. If you believe a breach has occurred, you are encouraged to speak to the Director of Operations/Chief Executive or raise it with the Chairperson and the GRCC members. This Code is to be read in conjunction with all IJM Australia's policy.

Breaches of the Code may result in counselling, disciplinary action, or termination of engagement/employment.

If you are unsure whether your actions or actions of others breach this Code, please seek advice from the Director of Operations of your Supervisor.

**Acknowledgement and acceptance**

I confirm that:

- I have received and read my copy of the Code of Conduct
- I have had the opportunity to ask questions or discuss any issues of concern in relation to the Code of Conduct with my Supervisor, prior to signing this document

I understand that the examples provided in each section are designed to give context only and are not an exhaustive list. I understand this Code is supplementary to the various policies and legal obligations I have as an employee, volunteer, intern or board member at IJM Australia.

Name: \_\_\_\_\_

Position Title: \_\_\_\_\_

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

Manager Signature: \_\_\_\_\_ Date: \_\_\_\_\_

