

Policy	Code of Conduct
Review Period:	3 years or as required
Last Reviewed:	24 th August 2018
This Version:	8 th December 2023
Purpose:	<p>The aim of this Code of Conduct (the code) is to provide an ethical framework for decisions and actions, and to provide a common understanding of the standards of behaviour that are required to demonstrate and maintain the high standing and effectiveness of M&G NSW as a service organisation.</p> <p>It also demonstrates the commitment of the organisation to provide a work place that is effective, safe and provides dignity and respect for all.</p>

Statement of ethics:

All work undertaken by Museums and Galleries of NSW (M&G NSW) is underpinned by an alignment with our organisational Values:

- RESPECT** We value Aboriginal people and their right to cultural ownership and their need for cultural self-determination.
- RELEVANT** We remain relevant to contemporary cultures, government policy, industry, community and sector needs.
- COLLABORATIVE** We embrace a spirit of sharing, partnering and learning.
- INCLUSIVE** We believe that diversity across cultures, people, ability and geography represents a strong sector and organisation.
- ETHICAL** We are trustworthy, accountable and transparent, and work consciously to increase diversity and environmental sustainability.

Who is the Code for?:

The code applies to all staff, management and board members. It also applies to those who work with the organisation in a voluntary capacity such as reference committees, members of the peer register, volunteers and interns.

THE CODE OF CONDUCT

Workplace culture

The workplace culture at M&G NSW is one of fairness and transparency where any form of discrimination, vilification or harassment is not condoned or tolerated. Harassing, discriminatory or bullying behaviour can be; spoken, written, visual, physical, and/or psychological.

Behaving with empathy, dignity and respect focuses and builds positive, proactive, preventative behaviours. Actions should promote the interests and welfare of M&G NSW.

Duty of care

M&G NSW has a legal obligation to provide and maintain a safe working environment. Staff is responsible for taking reasonable care while performing tasks and providing adequate supervision and training.

Safe and healthy workplace

Behaviour such as violence, discrimination, harassment and bullying undermine safety and health in the workplace.

Incidents or series of incidents that involve physical, emotional or psychological threats, real or perceived, to a person in the workplace will be deemed as workplace violence. Such incidents will be treated as a criminal offence and may be referred to the NSW Police.

It is unlawful to discriminate on the basis of any of the following and such behaviour will not be tolerated by MGNSW: age, criminal record, disability or impairment, political opinion, race, religious faith, gender, sexual orientation, Trade Union activity, (except where legislation allows) and/or personal association with a person having any of the above attributes occurs.

Harassment is any behaviour that is unwelcome, unsolicited, and/or is perceived as being offensive, intimidating, humiliating or threatening.

The following situations should not be confused with bullying or harassment: differences of opinion or minor workplace conflict; constructive, courteous feedback, counselling and/or advice about work-related behaviour and performance; or reasonable managerial actions taken in a fair and equitable way.

All employers have a legal right to direct and control how work is completed. The Board, CEO and managers, have a responsibility to monitor and direct workflow and provide feedback on performance. Such feedback should be given in a respectful, constructive and courteous way.

All staff, management and board members must ensure their capacity to perform their duties is never impaired by the use of drugs or alcohol. Staff should notify the CEO before taking prescription drugs that could affect work performance or behaviour. M&G NSW is a smoke free workplace.

Complaints

M&G NSW encourages all employees to settle concerns and complaints directly through a process of discussion and negotiation. In the first instance employees are encouraged to seek to

resolve the matter directly with the person or persons involved. The next step is to seek the support of your manager, the CEO or Chair.

Interpersonal concerns, minor conflicts and performance matters are management responsibilities and are clearly distinguished from grievances.

All complaints and grievances shall be confidential, fair to all or impartial, timely and free of repercussions. Details will only be available to the person or persons directly involved in the complaint or grievance, or those involved in resolving the issue such as the relevant manager, CEO or Chair.

Reporting concerns

M&G NSW is committed to supporting anyone who has genuine and demonstrable concerns about the conduct of another member of the organisation. Such conduct includes a criminal offence, the breach of a legal obligation, a miscarriage of justice, financial impropriety, endangering the health or safety of any individual, damage to the environment, deliberate covering up of information, corruption, maladministration, serious and substantial waste and information abuse.

In the first instance such conduct should be reported to your manager and/or the CEO. These concerns will be treated in a confidential manner.

M&G NSW recognises that such concerns are raised after a great deal of thought. Provided the concern is raised in good faith, no one will be at risk of losing their position or suffering any form of reprisal for coming forward, regardless of whether the suspicion proves to be unfounded or real. In all cases the matter will be dealt with in accordance with the provisions of the NSW Protected Disclosures Act (1994) or any other related Legislation.

Conflict of interest

Personal views, professional and personal connections and private advantage can or may influence a person's capacity to perform their duties and in turn compromise their integrity and the good standing of M&G NSW.

Any conflict of interest, either real or perceived, should be entered into the Conflict of Interest Register. When such a conflict is declared, the person must remove themselves from the decision-making process.

Gifts and benefits

A member of the organisation, whether staff, management or board, may be offered a gift or benefit at any time. Gifts that are of little or no commercial value such as a calendar, a low-priced pen or diary or if the gift is of a personal nature such to mark a birthday, may be retained for personal use without declaration.

All other gifts must be declared to the CEO and be entered into a Register of Gifts and Benefits. It is important that the acceptance of such a gift does not influence, or can be seen to influence, any decisions made by M&G NSW. If there is any doubt about the need to declare a gift then its acceptance must be discussed with senior management.

Electronic communication

There is an expectation that all electronic communication and social networking sites will be used appropriately. M&G NSW provides these facilities for its staff and management in goodwill. These facilities must be used in a manner that reflects the good standing of the organisation.

Fair use of M&G NSW resources

It is understood that volunteers, staff, management and board may use the resources of M&G NSW such as phones, internet and computers for personal purposes.

Such behaviour should be balanced against the following considerations, ensuring that usage does not: interfere with the efficient business operations of M&G NSW; negatively impact on the users work or performance; hinder the work of others; contravene any M&G NSW policies; damage the reputation, image or operations of the organisation; or impose any noticeable additional cost to M&G NSW.

Confidentiality

In the course of working with M&G NSW, it is possible that information that is confidential in nature and of commercial value to M&G NSW will become known to staff and those who conduct M&G NSW business.

Such information such as trade knowledge or information relating to M&G NSW's financial or business affairs should not be divulged to any person or entity either during, or at the completion of any engagement with the company, except when required to do so by law.

Other relevant policies and standards

The following policies and documents are useful to consider in relation to the Code of Conduct:

- M&G NSW Principles of Universal Access
- M&G NSW 2023-2026 Strategic Plan
- M&G NSW Reconciliation Action Plan
- Protocols for using First Nations Cultural and Intellectual Property in the Arts
- Create NSW Aboriginal Arts & Culture Protocols

Consequences

Depending on the circumstances, non-compliance with this code may constitute a breach of employment or contractual obligations, misconduct, sexual harassment, discrimination, or some other contravention of the law.

Those who fail to comply with this policy may face disciplinary action and, in serious cases, termination of their employment or engagement.