

Purpose

The Hindu Council of Australia (HCA) Code of Conduct is a guide to identify and resolve issues of ethical conduct.

Overview

This document sets out the principles that apply to the conduct of all staff, volunteers and individuals who enter into a relationship with the HCA.

Policy statement

Principles

1. The Code of Conduct (the Code) applies to all staff members and to all individuals who enter into particular relationships with the HCA for a specified time period or time periods, for example members of board of directors, management and other committees, contractors, visiting fellows, adjunct appointees, visitors and volunteers (referred to as 'staff' for the purposes of the Code). The Code provides a broad framework for the identification and resolution of issues concerning the conduct of staff.
2. It is intended to guide staff in their dealings with colleagues, contractors, the HCA and the local, national and international communities.
3. It does not address all possible situations that may arise in employment/association with the HCA but provides a set of principles that provide guidance to staff on acceptable and unacceptable behaviour.
4. The Code stands beside but does not exclude or replace the rights and obligations of staff under common and statute law.

HCA responsibilities

1. The HCA is responsible to staff, students and the community to ensure that it fulfils its obligations under all applicable laws and recognises that it is through staff and volunteers that its goals and objectives are achieved.
2. The HCA strives to protect the health and welfare of its people by providing an environment which is safe and free from discrimination and harassment and one which enables both staff members and others to balance their HCA life with their family responsibilities and outside activities.

Responsibilities of staff

1. Responsibilities under the Code fall into four categories:
 - respect for the law and HCA governance;
 - fair treatment of people;
 - personal and professional behaviour; and
 - exercising care and diligence.

Respect for the law and HCA governance

1. All staff have an obligation to observe and comply with relevant State, Territory and

Commonwealth law.

2. They are also required to act in accordance with HCA goals, policies and procedures and to respond positively to any lawful and reasonable directions given by persons who are authorised to give such directions.
3. They should also uphold the good name of the HCA and exercise judgement in the best interests of the HCA.
4. This obligation does not detract from the notion of academic freedom where members of the HCA examine social values and criticise and challenge societal beliefs in the honest search for knowledge and its dissemination.
5. In meeting this obligation, staff should be aware of:
 - the HCA's goals, policies and procedures;
 - laws, regulations relevant to HCA work;
 - administrative and legal measures that are designed to enhance the accountability of the HCA and its staff; and
 - conditions of access to the HCA's communication facilities, including email

Duty of care and diligence

1. An official must exercise their powers, perform their functions and discharge their duties with a degree of care and diligence that a reasonable person would exercise in the same position.

Duty to act in good faith and for proper purpose

1. An official of the HCA must exercise their powers, perform their functions and discharge their duties in good faith and for proper purpose.

Duty in relation to use of position

1. An official of the HCA must not improperly use their position to gain an advantage for themselves or any other person; or cause detriment to the HCA, the Commonwealth or any other person.

Duty in relation to use of information

1. A person who obtains information because they are an official of the HCA must not improperly use the information to gain an advantage for themselves or any other person; or cause detriment to the HCA, the Commonwealth or any other person.

Duty to disclose interests

1. An official of the HCA who has a material personal interest that relates to the affairs of the HCA must disclose details of the interest.

Respect and fair treatment of people

1. This obligation covers the conduct of staff in their dealings with others including community, staff of the HCA and members of the community.
2. All staff are required to:
 - treat other staff and students with respect;

- treat other staff and students with courtesy, fairness and equity;
- engage in conduct that is respectful of differences and not discriminate on the basis of sex, race, sexuality, disability, cultural background, religion, marital status, age, union affiliation, political conviction or family responsibilities;
- avoid behaviour that may be reasonably perceived as harassing, intimidating, overbearing, bullying or physically or emotionally threatening;
- refrain from acting in a way that would unfairly harm the reputation and career prospects of other staff or students;
- be responsive, courteous and prompt in dealing with other staff, students and members of the community;
- refrain from insulting the personal beliefs of other staff and students and respect their legitimate right to practice their beliefs; and
- recognise that increased obligations apply when dealing with minors, including obligations to protect minors from harassment, discrimination and abuse

Personal and professional behaviour

1. Staff are placed in a position of trust and are expected to be honest in carrying out their duties.
2. This trust is placed at risk when the staff fail to recognise and avoid:
 - conflicts between their private interests and HCA responsibilities, and
 - situations where there is a reasonable basis for the perception of such a conflict.
1. Situations that may give rise to conflict of interest include:
 - financial interest in matters the HCA deals with - HCA staff may find themselves in a position in which fulfilment of their functions and duties may confer material benefits to themselves, their families, relatives or close associates;
 - personal relationships with contractors - staff should avoid and must disclose to the HCA any situations which may require them to supervise a contractor with whom they have or have had a personal, commercial, familial or other significant relationship;
 - personal relationships with other staff - staff should avoid and must disclose to the HCA any situations which may require them to supervise another member of staff with whom they have or have had a personal, commercial, familial or other significant relationship. It is also expected that staff will disclose to the HCA any personal relationships with current or prospective staff which may give rise to a conflict of interest;
 - personal relationships with people the HCA is dealing with e.g. contractors or tenderers;
 - nominating for and contesting political elections;
 - secondary employment that compromises the integrity of the HCA. (i.e. outside work must not be accepted where it may cause a conflict between the staff's private interests and duties to the HCA);
1. Staff should ensure that when expressing any views outside their field of expertise, that

these views are not attributed to the HCA.

2. Staff should discourage the receipt of any gift or benefit in connection with the performance of their duties (apart from in an official capacity). If individual staff are presented with a gift or benefit in connection with the performance of their duties in an official capacity, such gifts belong to the HCA. These gifts or benefits should be declared to their supervisor. If the value of the gift is equal to or less than \$299 and the gift has no obvious inscription/indication that it is a presentation to the HCA, the Delegate may re-gift the gift to the individual. The combined value of such gifts should not exceed \$299 within a fringe benefit tax year (otherwise fringe benefit liability will be incurred).

Exercising care and diligence in employment

1. Staff are expected to carry out their duties honestly, responsibly and impartially to the best of their ability.
2. For example, all staff should:
 - carry out their duties in a professional, responsible and conscientious manner;
 - carry out official directions and policies in a faithful, impartial and transparent manner;
 - ensure decisions can be seen to be reasonable, fair and appropriate to the circumstances based on consideration of all the relevant facts and supported by adequate documentation;
 - report genuinely suspected or known fraud or corrupt conduct to appropriate HCA staff/authorities through the appropriate channels;
 - refrain from any conduct including alcohol or substance abuse or misuse, which could adversely affect personal work performance or the safety and well-being of others;
 - take reasonable steps to ensure adequate protection of all confidential information;
 - take reasonable steps to ensure compliance with intellectual property policy;
 - maintain as appropriate the confidentiality of HCA dealings when interacting with outside organisations and others within the HCA;
 - ensure that any official HCA information is not used, without HCA authorisation, in order to gain a financial or other benefit for themselves or any other person or group;
 - be aware that occasional use HCA resources, such as a telephone call for private purposes is permitted, and endeavour to ensure that such use is kept to a minimum.
 - maintain adequate security over HCA property, facilities and resources and information;
 - ensure that HCA resources are managed effectively, efficiently and for their specified purpose;

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