

Code of Professional Conduct

1. Rationale

Recreational Aviation Australia (RAAus) is committed to following a Code of Professional Conduct which complies with relevant legislation and engenders in our organisation, the confidence that RAAus is managed in an ethical and appropriate manner.

It is designed to assist staff to understand their responsibilities and obligations and provide guidance on expected behaviour in the workplace, or if faced with an ethical dilemma or conflict of interest in their work involving colleagues and members as well as the local, national and international communities.

The Code of Professional Conduct does not seek to encompass all possible scenarios arising in employment with the organisation however, it provides a set of principles to guide staff on acceptable and unacceptable behaviour.

It should be read in conjunction with legislation, policies, procedures and workplace agreements.

2. Definitions

In the Code of Professional Conduct the following definitions apply:

Board	RAAus' governing body, elected from the membership.
CEO	The person occupying the position of Chief Executive Officer.
Conflict of Interest	Conflict of interest is assessed in terms of the likelihood that staff members possessing a particular interest could be improperly influenced, or might appear to be improperly influenced in the performance of their duties
Disciplinary Action:	Measures taken by RAAus in relation to unsatisfactory performance, misconduct or serious misconduct and includes but is not limited to: a) Formal counselling of an employee by an appropriate supervisor or internal or external counsellor; b) Giving an employee a written warning (including where appropriate, a final warning); c) Suspension with or without pay; d) Formal censure; e) Withholding of an increment; f) Demotion by one or more classification levels or increments; and g) (except in cases of misconduct) termination of employment.
Ethics	The guiding values, principles and standards that enable people determine how things should be done and how they should act. Ethics refers to the judgements that people make and the process that determines those judgements. It is the process by which people make value based decisions which ultimately guides their actions and behaviours.

Ethics Systems:	The policies, codes, management structures and processes an organisation devises to encourage appropriate behaviour, including values; codes of ethics/conduct, performance management and rewards systems, corporate governance systems including risk analysis, performance evaluation and reporting protocols, risk audits and fraud and corruption policies
Gifts, Benefits and Hospitality	<p>The term “gifts” should be used in its broadest context (for example, plaques, jewellery or an invitation to a corporate event).</p> <p>RAAus does not encourage the proffering of gifts in the workplace. However, subject to the RAAus <u>Conflict of Interest Policy</u>, a staff member may give or accept a gift that is offered as part of a social, cultural or ceremonial practice.</p> <p>If an acceptance of a gift in direct or indirect relation to performance of an employee or board member of the organisation may be regarded as acceptance of inducement to act in a certain way, thereby creating a real or perceived conflict of interest, an employee or board member of the organisation should not accept the gift.</p> <p>Does not include the receipt of:</p> <ul style="list-style-type: none"> • standard promotional material distributed by an organisation, or business, free of charge, equally to all, where its primary purpose is to promote the organisation or business; or • a small gift or gesture of goodwill given solely in the spirit of a festive celebratory event that could not be reasonably deemed as a conflict of interest.
Misconduct:	<p>Misconduct means dereliction of duty or unacceptable behaviour. This includes:</p> <ul style="list-style-type: none"> • conduct which is an impediment to the satisfactory performance of the work of the employee or other employees in RAAus; • failure to comply with a reasonable instruction given by a person in the line management of the employee; • behaviour that may be reasonably perceived as bullying, harassing, intimidating, overbearing or physically or emotionally threatening; • an action of the employee which is prejudicial to the health or safety of other employees, members or members of the public; • conduct of the employee that results in a conviction, sentence or other order imposed by a court which restricts the activities of an employee in a manner that constitutes an impediment to the employee carrying out their duties.
Policy	<p>A statement about what* is to occur in relation to the operations of RAAus, which has the corporate authority of the board or, by delegation, the CEO.</p> <p>* Policy statements are not normally concerned with how the policy will be implemented—this is a matter of processes, procedures and guidelines as used by those responsible for implementing the policy.</p>
RAAus	Recreational Aviation Australia Ltd
Serious Misconduct	<p>This is misconduct of such a nature that it would be unreasonable to require RAAus to continue the employment of a member of staff, and is conduct of a kind which constitutes:</p> <ul style="list-style-type: none"> • a recurrence or continuation of conduct which has been found to be misconduct on the part of the employees; and/or • serious misbehaviour, which may be a single occurrence, of a kind which constitutes:

- i. a serious impediment to the carrying out of an employee's duties, or to other employees carrying out their duties; a serious risk to the safety of employees, members or visitors to RAAus;
- ii. a serious risk to RAAus' property;
- iii. a serious dereliction of duties; or
- iv. a conviction by a court of an offence which constitutes a serious impediment to the carrying out of their duties.

Staff Member Any person who is an employee of RAAus. This includes full-time, part-time, casual staff and volunteers.

3. Scope and application

This policy applies to all RAAus staff, all aspects of RAAus' operations, all records (member and otherwise) created to support business activities and all business applications used to create records.

This policy also applies to Board members and should be read in conjunction with the Board Governance Policy Framework.

Volunteers, contractors and sub-contractors are expected to comply with the Code as a condition of their engagement with the organisation.

This policy does not apply to Flight Training Schools that fall under the auspice of RAAus. Flight Training Schools are expected to implement their own regimes.

4. Policy Statement

RAAus' corporate values of:

- Safety above all else;
- Integrity in all of our dealings and decisions;
- Respect for others;
- Self-responsibility;
- Organisational Unity;
- Professionalism;
- Enthusiasm for our movement; and
- Continuous Improvement

are the principles underpinning the Code of Professional Conduct.

This Code of Professional Conduct outlines the expectations of all staff members and Board members of RAAus and is designed to promote a culture of fair and ethical behaviour and to ensure the organisation meets its obligations under the constitution.

The Code of Professional Conduct will assist RAAus safeguard trust and confidence in the integrity and professionalism of its staff by ensuring that all staff: maintain appropriate standards of conduct; exhibit fairness, impartiality, honesty and equity in decision making; and foster and protect the reputation of the organisation.

Staff can expect that members of the Board and senior management will lead by example in actively promoting and complying with the Code of Professional Conduct.

All staff are expected to act with integrity, which includes being aware of and acting within the laws that apply to their conduct.

Essentially the Code is a public statement about how RAAus expects to be perceived and, ultimately, judged. All staff are required to comply with the Code of Professional Conduct.

4.1. Fair, Safe and Ethical Environment

A fair, safe and ethical environment relies upon individuals having responsibility for their own professional behaviour. RAAus has a responsibility to provide a safe, encouraging and supportive work environment that recognises and values staff diversity, abilities and contributions. All members of staff are entitled to be treated with respect and work in an environment free from discrimination, harassment, bullying or vilification. Equally, staff have a responsibility to act with integrity, honesty, transparency and impartiality in their dealings with colleagues, members and members of the wider community.

Staff members are required to perform their duties in a safe and competent manner in accordance with relevant Work Health and Safety legislation and RAAus policies and procedures. Staff must take care not to put themselves or other members at risk or reduce their ability to carry out their duties through unsafe practices, inappropriate behaviour or the misuse of alcohol or drugs. Every effort should be made to ensure that members and staff (particularly those under 18 years of age) are safe and secure in the workplace and during functions or activities.

4.2. Personal and Professional Behaviour

Staff members are to perform any duties associated with their position diligently, impartially and conscientiously, to the best of their ability.

In the performance of their duties, staff members are to:

- Treat members of the public, members and other staff members with courtesy and sensitivity to their rights;
- Provide all necessary and appropriate assistance;
- Keep up-to-date with advances and changes in the body of knowledge and the professional and ethical standards relevant to their area of expertise;
- Comply with any relevant legislative, industrial or administrative requirements, and all RAAus rules, policies and procedures;
- Maintain adequate records to support any decisions made;
- Maintain the confidentiality of official information in accordance with RAAus' Privacy Statement;
- Avoid undertaking any activity that could potentially compromise the performance of their duties; and
- Comply and adhere to this Code of Professional Conduct.

4.3. Equity, Diversity and Social Inclusion

Staff will be instrumental in creating a work environment where all members of the organisation are able to participate fully, find a sense of belonging, and have opportunity to engage meaningfully with the RAAus broader community.

Staff will act to create a fair, inclusive and safe workplace environment, where diversity is valued and where unlawful discrimination, bullying, harassment and victimisation in any form are considered unacceptable.

Staff will seek to understand their rights and responsibilities in relation to State and Federal anti-discrimination legislation and integrate the principles of equality of opportunity, natural justice and inclusivity into their day-to-day practices and behaviours.

4.4. Conflict of Interest

The potential for a conflict of interest arises when a staff member has private interests that could influence or appear to influence judgements made during the course of their professional duty. Staff members must ensure that there are no real or apparent conflicts of interest with respect to:

The misuse of influence to further personal, sexual and financial relationships, whether with other staff or members of the organisation;

- Making decisions and providing advice;
- External, private work including board memberships;
- Use of confidential information.

Staff must not solicit gifts or benefits that might in any way compromise or influence them in their capacity as employees of RAAus. In accordance with the Conflict of Interest Policy, a staff member may give or receive a gift which is offered as part of a social, cultural or ceremonial practice.

Should a staff member have a financial interest in a company that is in a position to influence a contract for business between that company and RAAus, this interest should be declared to their supervisor before acting for the organisation in matters with the company.

Where staff are working with family members or with persons with whom they develop a close personal relationships or such relationships exist with prospective staff they must be aware that this has the potential to create a conflict of interest if one staff member is:

- Involved in a decision relating to the selection, appointment or promotion of another;
- In a supervisory relationship to another and is responsible for employment related decisions. These decisions may include but are not limited to provision of opportunities and resource allocation for research, conferences and staff training and development, referee report or annual performance development review.
- A personal or family relationship between a staff member and a member for whom they have direct assessing responsibility will compromise the member's obligation to assess all employees fairly. Such responsibility may include but is not limited to supervision and/or assessment of staff, selection of new staff, the awarding of scholarships or the provision of referee reports.

In such cases the staff member must bring the matter to the attention of their supervisor and take immediate steps to resolve the conflict.

Any staff member who is unsure if a conflict of interest exists must seek advice from a more senior member of staff.

In some cases, only the individual staff member will be aware of the potential for conflict of interest. If so, or if in doubt, the onus is on the staff member to declare any possible conflict to their supervisor in writing. Where there is a potential or real conflict of interest, staff must act in accordance with the Conflict of Interest Policy.

Staff members found to be in breach of the Conflict of Interest Policy may face disciplinary action.

4.5. Gifts, Benefits and Hospitality

Staff members have a responsibility to behave with integrity and impartiality. This includes responding appropriately to offers of gifts, benefits and hospitality, including when travelling overseas on RAAus business.

Staff must not seek or accept gifts that could be reasonably perceived as influencing them, particularly from people or organisations about whom they are likely to make decisions involving:

- tender processes;

- procurement;
- enforcement;
- licensing;
- regulation; or
- member application.

Gifts of money may not be accepted in any circumstances. If a staff member is offered a bribe, the incident must be reported to the relevant manager immediately. If a staff member is unsure how to respond to an offer of a gift, benefit or hospitality, they should seek advice from their manager/supervisor.

The RAAus' Conflict of Interest Policy, stipulates that a staff member may give or receive a gift that is offered as part of a social, cultural or ceremonial practice. Such gifts will remain the property of the organisation (not the individual staff member). If the gift could be construed as an inducement to act in a certain way, the staff member should not accept the gift.

4.6. Outside Activities, Employment and Private Practice

RAAus encourages staff to contribute and engage with the community by providing assistance to government, community agencies, the professions and industry through a range of activities including consulting work and participation on committees. In undertaking these activities, staff must observe the following requirements:

- Staff members must have approval from their supervisor for activities undertaken during normal working hours and/or if these activities could conflict with their employment at RAAus; and
- Outside activities must not involve the use of RAAus resources without prior permission and reimbursement to the organisation where appropriate.

4.7. Intellectual Property and Copyright

Staff members are required to comply with all relevant laws and the RAAus Policy on Use of Information and Communication Technology and relevant agreements in relation to Intellectual Property and Copyright.

4.8. Confidential Information and Privacy

Members and staff are entitled to confidentiality and privacy with respect to information relating to them. Staff should ensure they are aware of the legal and ethical requirements relating to Information Privacy including RAAus' policy on Information Privacy and the use of commercially sensitive and confidential information.

4.9. Records Management

All documents that form part of RAAus' public record must be placed on official files, usually digital in nature (SharePoint, RecordPoint, DropBox or other secure digital media). Employees must not damage, dispose of, or in any other manner interfere with official documents or files. The destruction of records may only take place in accordance with a disposal and retention policy statement set out in RAAus' Policy on Records Management.

For further information staff should refer to the Records Management Policy and associated guidelines.

4.10. RAAus Resources

All members of RAAus are accountable for the efficient and effective use of funds and must only act within delegated authority and in accordance with RAAus' Delegations Policy and Policy on Use of Resources. Staff are expected to maintain proper documentation and records of financial transactions, report instances of misuse or misappropriation of RAAus funds, and not use funds or credit cards for personal use or benefit. If there is any confusion about delegation or expenditure, staff should seek clarification from their supervisor.

All RAAus facilities and equipment must be used efficiently and in accordance with RAAus policy. Staff must report damaged or defective equipment and facilities to the Administration and Financial Manager and ensure that where the damage or defect is a danger to health and safety, action is taken to protect the staff member and others from danger.

All staff are required to observe RAAus policies and procedures for the use of information technology, including the RAAus Policy on Use of Information and Communication Technology. Staff must not allow any unauthorised access to RAAus information systems.

Failure to comply may result in disciplinary action being taken in accordance with the RAAus Disciplinary Policy.

4.11. Demonstrating Leadership

RAAus staff members should model their behaviour based on the organisation's values and this code of professional conduct and at all times act in an ethical manner. Leadership is about positive influence, inspiring and empowering others.

4.12. Breaches/Complaints Provision

Any person, whether or not a member of RAAus, who on reasonable grounds believes that the organisation has breached this Policy may complain in writing to the CEO, specifying details of the alleged breach.

Breaches of the Code of Professional Conduct may result in disciplinary action. Complaints will be dealt with in accordance with relevant RAAus policy and procedure.

Failure to behave in the ways described in the Code of Professional Conduct may lead to action under the organisations disciplinary policy.

5. Legislation

Commonwealth Human Rights and Equal Opportunity Commission Act 1986

Commonwealth Equal Opportunity for Women in the Workplace Act 1999

Commonwealth Disability Discrimination Act 1992

Commonwealth Crimes Act 1914

Commonwealth Fair Work Act 2009

Commonwealth Racial Hatred Act 1995

Commonwealth Copyright Act 1968

Commonwealth Age Discrimination Act 2004

ACT Equal Opportunity Act 2010 (from 1 August 2011)

ACT Financial Management Act 1994

ACT Freedom of Information Act 1982

ACT Information Privacy Act 2000

ACT Work Health and Safety Act 2004

ACT Health Records Act 2001

6. Code of Professional Conduct

All RAAus employees have the responsibility to understand, implement and conform to RAAus' Code of Professional Conduct.

7. Responsibilities

Policy Approval:	CEO
Implementation:	CEO and leadership team
Review:	Administration and Financial Manager and CEO
Improvement:	All staff

8. Resources

No additional resources are required.

9. Review Schedule

This policy supersedes all previous versions of the Code of Professional Conduct Policy. RAAus reserves the right to review, vary or revoke this policy. This policy will be reviewed every two years.

10. Lapse Date

This policy does not have a lapse date.

11. Meta Data

ID	POL-2017-16 ¹
Version	1.0
Version date	1 May 2017
Type	Management
Approval date	1 May 2017

¹ Nomenclature: year edited, policy number of year edited, check master policy list

Availability	All staff, Board, members on request
Keywords	Conduct, staff, performance, behaviour, professional
Responsible officer	Administration and Financial Manager
History	This is the first time this policy has been established at organisational level. Has applicability with regard to the Code of Conduct and other performance based policies
Review date	Autumn 2019
Related documents	<p>RAAus Staff Working with Vulnerable People Policy (POL-2017-01)</p> <p>RAAus Staff Anti-Bullying Policy (POL-2017-02)</p> <p>RAAus Staff Disciplinary Policy (POL-2017-04)</p> <p>RAAus Staff Discrimination and Harassment Policy (POL-2017-05)</p> <p>RAAus Grievance and Dispute Resolution Policy (POL-2017-06)</p> <p>RAAus Conflict of Interest Policy (POL-2017-07)</p> <p>RAAus Policy on Employment of Close Relatives (POL-2017-08)</p> <p>RAAus Policy on Managing Threatening or Inappropriate Behaviour (POL-2017-09)</p> <p>RAAus Policy on Use of Corporate Credit Cards (POL-2017-10)</p> <p>RAAus Use of Resources Policy (POL-2017-11)</p> <p>RAAus Information Privacy Policy (POL-2017-12)</p> <p>RAAus Use of Computing and Communication Facilities Policy (POL-2017-13)</p> <p>RAAus Records and Document Management Policy (POL-2017-14)</p> <p>RAAus Delegations Policy (POL-2017-15)</p>
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