



# VIVID

## Code of Ethics

### POLICY:

Vivid has an expectation that all people will conduct themselves in a reasonable manner at all times.

### SCOPE:

This Code applies to all Vivid employees (which includes supported employees) and volunteers (collectively referred to in this policy as Employees).

### PROCEDURES:

#### 1. Introduction

- 1.1 As an Employee you are in a position of trust, requiring standards of ethical behaviour that reflect community expectations.
- 1.2 Vivid's expectations of ethical behaviour on the part of its Employees have three underpinning principles:
  - 1.2.1 Integrity;
  - 1.2.2 Respect; and
  - 1.2.3 Accountability.
- 1.3 This Code of Ethics outlines the meaning of these principles and provides you with examples of relevant work situations. These examples provide a starting point only and do not limit the scope of application of this Code.
- 1.4 This Code applies to all Employees regardless of:
  - 1.4.1 The type of Employee (e.g. manager, staff member or volunteer);
  - 1.4.2 How you are employed (e.g. ongoing, temporary, casual, fixed- term or traineeship).

#### 2. Underpinning principles

The underpinning principles are defined as follows:

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Approved by: Chief Executive Officer

Code of Ethics

Approved: February 2016

Next Review Date

February 2025

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## 2.1 Integrity

- 2.1.1 Behave in ways consistent with the values of Vivid.
- 2.1.2 Act honestly when performing your duties.
- 2.1.3 Ensure you declare and appropriately manage interests that may conflict with the way you carry out your duties.
- 2.1.4 Do not accept gifts, benefits or favours that may influence or be reasonably seen to influence your decision making.
- 2.1.5 Prevent nepotism and patronage.
- 2.1.6 Ensure all selection decisions are based on merit.
- 2.1.7 Conduct yourself in public in a manner that will not reflect adversely on other Employees or Vivid.

## 2.2 Respect

- 2.2.1 Treat other Employees, our clients, children, their parents, families and carers, our business partners and customers and the broader community with respect and courtesy, having regard for the dignity of the people with whom you interact.
- 2.2.2 Promote equity and Vivid values and utilise diversity in the work environment and in the community.
- 2.2.3 Prevent unlawful discrimination against Employees or persons seeking employment or using our services.
- 2.2.4 Take reasonable care to ensure your own health and safety at work and avoid adversely affecting the health and safety of others.
- 2.2.5 Do not engage in bullying or other forms of discrimination or harassment, including sexual harassment in or outside the workplace.

## 2.3 Accountability

- 2.3.1 Manage people and utilise the resources, information and authority at your disposal in an efficient, responsible and justifiable manner (treat others as you would like to be treated).
- 2.3.2 Ensure all decisions are transparent and in keeping with confidentiality requirements.
- 2.3.3 Act with honesty, integrity and transparency in all dealings with your work colleagues, external contacts and the community.

- 2.3.4 Deal with all information gained through your work as confidential and abide by any organisational directions and guidelines having regard for confidentiality.
- 2.3.5 Observe all legislative requirements, policies, procedures, and lawful and reasonable instructions from people with authority to give such instructions.
- 2.3.6 Endeavour to ensure you, and those for whom you are responsible, perform well in order to meet or exceed performance standards and other organisational requirements.
- 2.3.7 Ensure accountability throughout Vivid by reporting inappropriate conduct to the appropriate person where that conduct might reasonably be considered to be a breach of organisational policies, procedures or this Code of Ethics and/or an illegal activity.

### 3. Integrity in practice

Integrity is about the intent or meaning behind your actions. As an Employee you are required to behave with integrity.

### 4. Service to the community

The service and advice you provide must be free from political influence, based on comprehensive research or professional opinion and allow for objective decision making based on honest and impartial presentation of available options.

### 5. Behaving honestly

As an Employee you are required to act honestly while performing your duties at all times.

### 6. Conflict of interest

- 6.1 A conflict of interest is where your financial or other interests or those of an associate are, or may reasonably be seen to be, in opposition to your duties as an Employee. "Associate" is a spouse, parent, child, more distant relative, friend or business associate.
- 6.2 A conflict of interest may come in many forms and must be managed at the earliest possible opportunity. For example, becoming involved in decision making where you, a family member or a friend has a financial or personal interest in the outcome, such as making a decision about the recipient of business from Vivid, is a conflict of interest.
- 6.3 In this and other cases, you must disclose, using the [Conflict of Interest Notification](#) form, any conflict of interest or possible potential conflict of interest immediately and in writing to the Human Resources Manager and take whatever action that Manager decides is necessary to avoid a conflict of interest.

6.4 If you are unsure whether a situation is a potential conflict of interest, seek advice from your supervisor.

7. Accepting gifts, benefits or favours

You must not accept gifts, benefits or favours where these may influence, or may reasonably be seen to influence, your decision making. For example, accepting gifts from a client's parents would normally be perceived as inappropriate regardless of the cost of the gift. "Gift" may, for example, include meals, a place in a corporate box at a sporting event or acceptance of a bottle of wine.

8. Preventing nepotism and patronage

It is unacceptable to favour your relatives (nepotism) or people you know (patronage) in your decision making and provision of service. For example, if your relatives or friends are the subject in a work matter for which you are a responsible decision maker (such as job selection or a tender process) you must ensure that you are not improperly involved.

9. Ensuring merit and equity

You must ensure that merit principles are applied in any selection process in order to select the most suitable applicants with abilities, aptitudes, skills, qualifications, knowledge, experience (including community experience) and personal qualities relevant to the position. If you are unsure how to apply merit principles, please contact the Human Resources Manager for guidance.

10. Conduct in public

As an Employee you must consider the impact of your actions in public whether you are on duty or not. For example, you should still behave to the same standard if you are at an office social function after work hours. If you work at another job, you must ensure that the work you do and your conduct upholds the principles expressed in this Code of Ethics and does not adversely affect your work at Vivid.

11. Respect in practice

Respect is about how you treat other people. You are required to show consideration for other people in your advice, decision making and service delivery.

12. Respect and courtesy

Members of the community and your work colleagues are entitled to receive personal respect and courtesy and to maintain their dignity in their interaction with you. Employees can reasonably expect to work in an environment that promotes their ability to work with one another and shows regard to the sensitivities of people within the workplace.

### 13. Equity

Equity is about being fair and just to all people, but does not necessarily mean treating everyone in the same way. You may need to treat a person differently according to their circumstances and needs, in order to give them an equal chance in comparison with others. The programs and services that you are involved in developing and delivering must be made inclusive and responsive to all groups. For example, a service that can only be accessed through the internet may inadvertently disadvantage people who are unable to access the internet or who are sight impaired.

### 14. Diversity

An important part of respecting others is valuing their diversity. By valuing the differences that all Employees bring to the workplace, we can better meet the needs of the community. For example, a person from a different cultural background or experience may bring insight and knowledge to the work environment that may assist in providing more effective services to the community.

### 15. No discrimination

Discrimination, directly or indirectly, in your treatment of individuals or groups on the grounds of age, gender, race, disability, sexuality, marital status, pregnancy, or any other ground covered by equal opportunity or other anti-discrimination legislation is unlawful, as is sexual harassment.

Discrimination includes treating a candidate in a job selection process less favourably because of a characteristic or circumstance that has no bearing on their capacity to perform the job for which they are competing.

### 16. Health and safety

You must take reasonable care to protect the health and safety of yourself and of others while at work. You are required to use any equipment provided for health and safety purposes and obey any reasonable instruction Vivid gives in relation to health and safety.

### 17. Workplace bullying/harassment

17.1 Employees must not bully or otherwise harass other Employees, clients or anyone else. Behaviours that characterise bullying may include victimisation and unwelcome, offensive, abusive, belittling or threatening behaviour directed at another person or a group of people. Bullying may lead to the person or group of people subjected to the behaviour feeling victimised, offended, demeaned, humiliated, intimidated, or suffering detriment or disadvantage.

17.2 Behaviour that amounts to bullying or harassment may be an offence under the Occupational Health, Safety and Welfare Act 1986, and, in some circumstances, can also be the subject of criminal and/or disciplinary proceedings. Refer to the [Workplace Behaviour Policy](#).

## 18. Accountability in practice

Accountability is about fulfilling your responsibility as an Employee to the people Vivid supports, their parents, families and carers, your work colleagues, Vivid itself and the broader community of people and organisations with whom Vivid interacts.

## 19. Utilising and managing resources

Use of all resources must be both sustainable and justifiable and you must not waste or misuse any resource. For example, misuse may include inappropriate use of electricity, water or materials such as paper. Care should be taken with technological resources, including the internet and email system, the use of which should be in line with the [Information Technology Policy](#).

## 20. Managing people

If you manage staff, it is expected that you effectively manage people to support them in executing their duties to the best of their abilities. This means providing clarification of their role and responsibilities and their accountabilities; ensuring they have the resources to do their jobs effectively, that their workplace is healthy and safe, that they receive regular feedback about their performance and the opportunity to grow and develop their skills, knowledge and abilities.

## 21. Decision making

21.1 Effective decision making takes into account the needs of people both now and into the future, integrating social, environmental and economic factors.

21.2 Your decisions as an Employee affect other staff, clients and the community and, therefore, must be fair and consistent. This requires that all your decisions be honest, based on relevant information, justifiable and understandable both by those who are affected by the decisions and those who may need to review the decision.

## 22. Confidentiality, use of information and public comment

22.1 Be scrupulous in using information gained through your work, that is, for the purpose for which it was gathered. You must comply with any applicable directions and guidelines on the use of information.

22.2 The privacy of individuals must be maintained and personal information must only be released in accordance with the [Privacy Policy](#).

## 23. Observe all legislative requirements and lawful and reasonable instructions

You must observe all legislative requirements and lawful and reasonable instructions from people with authority to give such instructions (including requirements under this Code of Ethics). This includes regulations, procedures, guidelines and policies directly relevant to your work and the organisation.

## 24. Performance

The community expects an Employee to provide responsive, effective and efficient services. Performance management plays a key role in helping you to achieve these expectations and the requirements of this Code of Ethics. Performance management supports fair and equitable management of staff and aims to build a competent and high performing organisation that is continuously improving its performance in delivering services.

## 25. Child Wellbeing and Safety

Vivid is committed to ensuring the wellbeing and safety of children in accordance with the [Child Safe Standards](#).

Employees must:

- 25.1 provide a safe environment for children and young people engaging with Vivid;
- 25.2 act in the best interests of all children and young people; and
- 25.3 act to protect children and other vulnerable persons from physical abuse, emotional abuse, sexual abuse, neglect and witnessing family and other violence.

## 26. Reporting of misconduct, corruption or illegal activity

- 26.1 The community expects Vivid to have a high standard of integrity and be free from misconduct, corruption or other illegal activity.
- 26.2 Everyone has a role in ensuring that Employees are held accountable for inappropriate conduct where it results in detriment to the organisation or another person.
- 26.3 This includes reporting to the relevant person instances of conduct that may reasonably be considered to be a breach of organisational policies, procedures, guidelines and/or illegal activity. Inappropriate conduct encompasses deliberate acts, a failure to act or a refusal to act, and includes conduct in public or private that reflects adversely on Vivid or other Employees.
- 26.4 If you do make a report of misconduct, you must have a reasonable belief that the reported conduct is a breach of organisational policy, procedure and guideline or is illegal, or both. You must not knowingly make a false disclosure.
- 26.5 Prior to making a report you may wish to seek advice. Advice may be obtained from your supervisor or the Human Resources Manager.

## 27. Ethical decision making model

This decision making model can assist you to determine an appropriate course of action when faced with an ethical dilemma. The model will help to ensure that your behaviour meets the standards required by Vivid and this Code of Ethics.

1. *Define the problem*

- *What is difficult about the situation?*
- *What other factors are involved?*
- *Who else is involved and what are their points of view on the matter? Is there a need to work cooperatively?*
- *What effect does your behaviour or the resulting outcome have on them?*

2. *Identify the underlying issues*

- *Do your personal interests conflict, or reasonably appear to conflict, with the decision?*
- *What are your duties as an Employee of Vivid?*
- *Does the Code of Conduct and/or the Code of Ethics require you to behave in a certain way?*
- *Is there a relevant guideline, determination or policy?*
- *Are there any other implications?*

3. *Identify and consider the options*

- *List all alternative options. For each option apply risk management principles to identify the impact on different stakeholders, the implications and the relevant principles of the Code of Ethics.*
- *For decisions that could have a large impact, or if you are still unsure as to the preferred action, get a second opinion from an independent, trusted person.*
- *Where necessary, seek advice from your manager.*

4. *Sunlight test—ask yourself the following questions:*

- *What would your family or Chief Executive Officer say if your actions were reported on the front page of a newspaper?*
- *How will this decision be viewed by future generations?*
- *Would you be happy if this action was performed on you or the situation was reversed and the outcome applied to you?*



5. *Choose your course of action:*

- *Your choice of action must have regard for the policies and guidelines of the organisation.*
- *Your behaviour must reflect the Code of Ethics.*
- *Your course of action must be defensible.*

28. Failure to comply

Failure to comply with this policy may result in disciplinary action in accordance with the [Disciplinary Policy](#). This may include informal counselling, warnings or termination of employment.

29. Related Policies and Documents

Other policies and documents which are relevant to this Code of Ethics include:

29.1 [Victoria's Charter of Human Rights & Responsibilities](#)

29.2 [Code of Conduct](#)

29.3 [Workplace Behaviour Policy](#)

29.4 [Conflict of Interest Notification](#)

Version Control

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