

CLAN Code of Ethics and Professional Conduct Policy

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1. Introduction

Organisations have a legal and moral responsibility to manage their business in the best interests of the communities they work with. This requires all staff, volunteers, others and stakeholders to demonstrate professional ethical behaviour at all times – in their responsibilities to the organisation, in their professional relationships with each other, and in their professional service to the community.

CLAN policies are listed on CLAN’s website and implemented as relevant for each activity as relevant to activities undertaken by CLAN. This includes all stages of a program including research, planning, organising, implementing and reviewing and assessing programs undertaken. CLAN will share relevant policies with partners and participants to obtain their support prior to implementing any activity. A policy may be adapted/updated to suit different situations or needs.

Codes of conduct and ethics provide guidance in this regard in the conduct of operations. Failure to comply with such codes may result in investigation and potential legal and financial penalty.

All staff and volunteers have a duty of care to others, treat each other with courtesy, respect and refrain from harassment and discrimination. Unacceptable behaviours include behaviours that may cause offence and/or a risk to another person’s health and safety.

2. Purpose

The purpose of this document is to identify CLAN’s position on ethics and proper professional practice and to document the standards expected in providing a service to international and local communities. It provides an ethical framework for all Committee Members, Staff and, Volunteers and Partner Organisations of CLAN. In particular, it covers ethical and professional behaviours expected in relation to sexual exploitation and abuse, transactional sex, anti-bullying and

sexual harassment; and an obligation on staff and volunteers to report wrongdoing.

This Code of Ethics is to be read in conjunction with CLAN's Professional Conduct Policy and other relevant policies addressing the safety needs of all participants involved in CLAN's activities.

3. Scope

This policy applies to the Committee, casual, permanent and contract staff, volunteers and representatives of CLAN.

5. Policy

CLAN's mission is to improve the quality of life of children living with chronic health conditions in resource-poor settings, and to work with partners and families to achieve positive outcomes.

CLAN's purpose and focus recognises the needs and rights of children with specific health needs and their families who live in situations where there may be resource inequalities, poverty, resource inequalities and/or crisis situations. In particular, CLAN activities endeavour to achieve outcomes to support and improve the lives of children with health challenges and their families in need. This may include crisis situations such as lack of resources to meet specific needs of children and/or their families.

CLAN is focussed on developing partnerships and positive relationships with relevant organisations, personnel and families in need prior to planning and implementing each program.

CLAN endeavours to address relevant factors such as inequalities, lack of resources, crisis, lack of education and facilities in order to improve and save the lives of children living with non-communicable diseases or disorders, particularly in resource poor countries. This may also require an understanding of different cultures, availability of resources and potential barriers that may impact on achieving improved health and education outcomes for children and positive outcomes for their parents.

CLAN undertakes relevant research including where relevant, consultation with relevant groups, personnel, families and children in each country or situation prior to planning programs to be implemented to achieve desired outcomes.

CLAN programs are planned and implemented with partners and participants to achieve strategic goals including both short and long-term outcomes.

CLAN conducts an assessment of potential partners, their potential contributions and/or challenges prior to planning and implementing each program. Research may also include relevant Government or community personnel, families and their children, and resources available in each community.

CLAN programs may include professionals, parents and their children.

At all times the safety and well-being of all participants including families and children is paramount. Long-term goals include building ongoing partnerships with relevant groups, communities, families and resources in order to achieve systemic changes.

CLAN is committed to complying with the ACFID Code of Conduct (2023), and when working with partners, will require partners to comply with, but not limited to, CLAN's Policies for child protection, separation of development and non-development activity, financial impropriety, and management of incidents and complaints. In all of its activities and particularly its communications to the public, CLAN will accord due respect to the dignity, values, history, religion, and culture of the people with whom it works consistent with principles of basic human rights.

CLAN will oppose and not be a willing party to wrongdoing, corruption, bribery, or other financial impropriety in any of its activities. CLAN will not be a willing party to the abuse or misuse of resources designated for the purposes of aid and development will be used only for those purposes and will not be used to promote a particular religious adherence or to support a political party, or to promote a candidate or organisation affiliated to a political party.

CLAN will take prompt and firm corrective action whenever and wherever wrongdoing is found among its Governing Body, paid staff, contractors, volunteers and partner organisations. Any issues of misconduct will be dealt with confidentially.

CLAN will promote the safety and well-being of all children accessing their services and programs, particularly to prevent and minimise the risk of abuse, of children. CLAN's Child Protection Policy is consistent with the following principles: Zero tolerance of child abuse; recognition of children's interest; sharing responsibility for child protection and a risk management approach.

As the safety of children and their families who are involved in CLAN programs is a priority, there is an obligation on staff and volunteers to report wrongdoing in child safeguarding behaviours including sexual exploitation and abuse, transactional sex, bullying, sexual harassment and any other unacceptable behaviours.

CLAN will not tolerate the use of Internet and other soft and hardware for unlawful purposes. Any such crime will be reported immediately to the appropriate authority and CLAN will support any following investigation.

CLAN will not contravene any Acts of Australian and State Parliament (nor the laws of any country within which we are operating) in the conduct of its business, and in particular those relevant to the general business of CLAN, including the Sex Tourism Act, the Privacy and Personal Information Protection Act (PPIPA, 1998), Anti-Terrorism Act (2005), and the Work Health & Safety Act (WHS, 2011).

CLAN is committed to ethical practices in designing and implementing quality projects to fulfil its vision and mission. This is evidenced by compliance to the Code to:

- 1) Respect and protect human rights
- 2) Participate with communities to build capacity and sustain change
- 3) Undertake research to identify needs to plan projects
- 4) Effectively collaborate and coordinate projects with partners
- 5) Communicate truthfully and ethically
- 6) Be transparent and accountable
- 7) Acquire, manage and report on resources in an ethical and responsible way
- 8) Support and manage people fairly and effectively.

6. Guidelines/Procedures

6.1 The Committee shall:

- 1) Be diligent, attend Committee meetings (in person or via teleconference) and devote sufficient time to preparation for meetings to allow for full and appropriate participation in the Committee's decision- making
- 2) Observe confidentiality relating to non-public information acquired by them in their role as Committee Members and not disclose such information to any other person
- 3) Meet regularly to monitor the performance of management and the organisation as a whole. To do this the Committee will ensure that

appropriate monitoring and reporting systems are in place and that these are maintained and utilised to provide accurate and timely information to the Committee

- 4) Ensure that no individual has unfettered powers of decision-making
- 5) Ensure that the independent views of Committee members are given due consideration and weight
- 6) Ensure that stakeholders are provided with an accurate and balanced view of the organisation's performance, including both financial and service provision
- 7) Regularly review its own performance as the basis for its own development and quality assurance
- 8) Carry out its meetings in such a manner as to ensure fair and full participation of all Committee members
- 9) Ensure that the organisation's assets are protected via a suitable risk management strategy
- 10) Ensure that personal and financial interests do not conflict with the duty to the organization
- 11) Determine what information is to be made to primary and secondary shareholders, what is to be made public and when
- 12) Review information to be made public to ensure that it is suitable, transparent, and ethically presented.

The Committee places great importance on making clear any existing or potential conflicts of interest. All such conflicts of interest shall be declared by the member concerned and documented in the Committee

Conflicts of Interest Register. A Committee member who believes another Committee member has an undeclared conflict of interest should specify in writing the basis of this potential conflict. See CLAN Policy – Conflicts of Interest.

6.2 Individual Committee Members shall:

Review their own performance with a view to ensuring a suitable contribution to Committee deliberations and decision-making and, if found lacking, should either pursue training or assistance to improve their performance.

6.3 CLAN personnel – casual, permanent and contract staff, volunteers and partner organisations shall:

- 1) Take a professional approach and act with integrity, courtesy and respect at all times and refrain from harassment or discrimination. This includes

unacceptable behaviours that may cause offence. or create a risk to a staff member's health and safety

- 2) Act honestly and in good faith at all times in the interests of the organisation and its objects ensuring that in all interactions people are treated fairly according to their rights
- 3) Perform their duties as best they can, taking into account their skills, experience, qualifications and position
- 4) Act professionally in a safe and responsible manner, specifically in child safeguarding behaviours, the prevention of sexual exploitation and abuse or transactional sex, anti-bullying and sexual harassment, and including obligations to report wrongdoing
- 5) Unacceptable behaviours may include but are not limited to:
 - Emotional, psychological or physical violence or abuse
Coercion, harassment and discrimination
 - Unreasonable demands and undue persistence
 - Disruptive behaviour
 - Aggressive or abusive behaviour such as threatening gestures or actual violence or assault
 - Verbal abuse such as yelling, screaming, abusive or offensive language
 - Being under the influence of illicit drugs or impaired by alcohol
 - Unsafe work practices or behaviour which may harm the member or others
 - Bullying, harassment or intimidation
 - Stalking
 - Unwelcome physical contact including that of a sexual, intimate or threatening nature
 - Teasing, name calling, ridicule or making someone the brunt of pranks or practical jokes
 - Withholding approval for or denial or requests maliciously, discriminatory, unfairly or without basis
 - Excluding or isolating individuals
 - Undermining the performance reputation or professionalism of others by deliberately withholding information, resources of authorisation, or by supplying incorrect information
 - Malicious or mischievous gossip or complaints
 - Abusive or harassing communication (such as notes, emails, telephone calls and text messages) during or after working hours
 - Belittling opinions or unreasonable unconstructive criticism
 - Offensive gestures and behaviour
 - Stealing or misuse of organisational resources

- Viewing inappropriate images or pornography in hard copy or electronically
- 6) Exercise due diligence in the expenditure of CLAN funds
 - 7) Be punctual and reliable in their attendance and adhere to their prescribed and authorised hours of duty
 - 8) Comply with the prescribed terms and conditions of their employment/engagement
 - 9) Record their attendance for duty in the manner prescribed
 - 10) Notify the organisation of any inability to attend duty as early as possible so as not to inconvenience others or delay the work of the organization
 - 11) Carry out their duties in a lawful manner and ensure the organisation carries out its business in accordance with the law, and recognise both legal and moral duties of their role
 - 12) Respect and safeguard the property of the organisation, the public and colleagues; and observe safe work practices so as not to endanger themselves or others. Act in accordance with the NSW Work Health and Safety Act (2011) and Work Health and Safety Regulation (2011)
 - 13) Maintain confidentiality regarding any information gained through their work and not divulge personal information or the address or phone numbers of Staff, Committee or service users without the express permission of the individual
 - 14) Accurately and openly maintain records
 - 15) Ensure that CLAN will market services with integrity and accuracy
 - 16) Ensure that personal and financial interests do not conflict with the duty to the organisation and declare any conflict of interest at the earliest opportunity to a person of authority within the CLAN organization
 - 17) Not undertake personal or business activities for personal gain while on duty at the organisation or while conducting business of the organization
 - 18) Not use CLAN resources without open and express permission of a higher authority
 - 19) Work within the organisation's policies. Guidelines/procedures and principles
 - 20) Where there are any concerns about the ethical nature of a particular issue or course of action, discuss with other staff and Committee members at the earliest opportunity to determine whether or not a contemplated action is ethical.

7. Management of Misconduct

Performance and conduct management processes are based on legal requirements and CLAN's policies. This includes, where relevant, reporting to

local agencies and/or to relevant government areas, subject to the wishes and welfare of the complainant or survivor.

It is expected that staff and volunteers adhere to CLAN's Code of Conduct and other relevant codes and standards relevant to their work for CLAN.

In situations where a breach of policy or misconduct occurs, relevant performance management processes will be implemented, documented, and may involve termination of employment, reporting misconduct to legal authorities where relevant.

8. Policy review

This policy will be reviewed bi-annually.

9. Associated CLAN documents

- Child Protection Policy
- Complaint Management Policy
- Disability Inclusiveness Policy
- Gender Equality and Equity Policy
- Grievance and Dispute Resolution Policy
- Human Resources Policy
- Prevention of Sexual Exploitation, Abuse and Harassment Policy
- Whistleblower Policy