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APPLIES TO Apply group names to define applicable areas of staff.					
GROUP 1	Trainers and Assessors	GROUP 2	Administration Staff	GROUP 3	Directors and Managers
GROUP 4	Students	GROUP 5		GROUP 6	

# CODE OF CONDUCT

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## DOCUMENT HISTORY

Version		Date	Description	Approved By
1.0		9.8.22	Initial publication	Sarah Brennan

## INTRODUCTION

All Onsite Training and Assessment (AOTA) is committed to preparing people for rewarding lives as engaged citizens in a complex and dynamic society.

As trainers, assessors and staff, we are committed to social justice by opposing prejudice, injustice and dishonesty, and behaving in ways that advance vibrant, sustainable, inclusive and responsible communities across NSW.

The Code of Conduct describes standards of professional conduct that promote adherence to the companies values.

All employees and contractors are expected to exercise sound judgement and live up to both the content and spirit of the Code.

## OUR VALUES

AOTA is a family run business with the mission to provide quality training and assessments services to all students through Australia. Our values within the organization are:

### Excellence

- ◆ We have high expectations and we continually seek to improve ourselves and our work.
- ◆ We strive to excel and invite the best ideas from everyone in and outside the AOTA.
- ◆ We use and share evidence, research and data to underpin policy and practice.
- ◆ We welcome collaboration and learning with others.

### Trust

- ◆ We build relationships based on transparency, honesty and mutual respect.
- ◆ We support each other.
- ◆ We respect each other's expertise, experience and points of view, and listen with an open mind.

### Equity

- ◆ We ensure that every student has access to high-quality public education.
- ◆ We respect diversity and the views and contributions of others.
- ◆ We treat people fairly.

### Integrity

- ◆ We act professionally with honesty and consistency.
- ◆ We communicate clear expectations.
- ◆ We are transparent with information and our decisions.

## **Accountability**

- ◆ We take responsibility for decisions and outcomes.
- ◆ We allocate and use resources efficiently and effectively.
- ◆ We monitor and review performance to drive improvement.

## **Service**

- ◆ We are flexible, innovative, responsive and reliable.
- ◆ We provide coordinated and aligned services to enhance teaching and learning.

## **APPLICATION**

The Code of Conduct applies to all staff of the AOTA. This includes:

- ◆ ongoing, temporary and casual employees
- ◆ contractors and agency staff engaged to perform work for, or on behalf of AOTA
- ◆ volunteers
- ◆ Work experience students
- ◆ consultants where their engagement requires adherence to the Code.

The Code obliges staff to be accountable for their professional and personal conduct. There are a range of consequences for breaching the Code depending on the nature and seriousness of a breach.

## **EMPLOYEE RESPONSIBILITIES**

As an employee or contractor you must:

- ◆ keep students safe and support their wellbeing
- ◆ treat everyone with respect, courtesy, fairness, and honesty
- ◆ act with the utmost care and diligence
- ◆ understand and apply the laws, policies, procedures and guidelines that underpin your work
- ◆ work collaboratively and comply with lawful and reasonable directions
- ◆ always uphold the values and good reputation of the AOTA whether on or off duty
- ◆ avoid conflicts of interest, report those that cannot be avoided and cooperate in their management
- ◆ only use official information for the work-related purpose it was intended
- ◆ only use your position and resources for a proper purpose
- ◆ report inappropriate conduct immediately.

## **SUPERVISOR/MANAGER RESPONSIBILITIES**

Workplace managers are employees who have a supervisory role for other employees.

As a workplace manager, in addition to complying with the responsibilities detailed above in this Code, you must:

- ◆ model the organisation's values and professional conduct
- ◆ promote a collaborative and collegial workplace
- ◆ foster performance and development processes with employees under your supervision
- ◆ provide ongoing support and feedback to employees under your supervision
- ◆ provide information about support services and resources available to employees under your supervision
- ◆ communicate to employees under your supervision their responsibilities under the Code
- ◆ establish systems for effective communication and consultation in decision-making
- ◆ utilise reporting systems when a breach of the Code may have occurred
- ◆ promptly address poor conduct and performance.

## **ETHICAL DECISION-MAKING**

Ethical decision-making involves evaluating and choosing alternatives consistent with ethical principles.

### **Conflict of interest**

A conflict of interest exists where your public duty conflicts, or may be perceived to conflict, with your personal interests.

Personal interests refer to a wide range of interests that arise from your private or non-work life. They include:

- ◆ activities that directly benefit you
- ◆ favours benefiting personal relationships or associates
- ◆ animosity towards another person,
- ◆ business, social and professional activities
- ◆ financial or non-financial interests.

Conflicts of interests can arise in educational settings where personal interests exist between an employee and a student or their family.

All conflicts of interest, whether perceived or actual must be declared, managed and documented.

This ensures we provide fair and impartial services, maintain public confidence, prevent corruption and manage allegations of misconduct.

The public interest must come first on all occasions.

## **Avoiding conflicts of interest**

As an AOTA employee/contractor, you must:

- ◆ take all steps to avoid actual and perceived conflicts of interests. This may include declining social invitations from individuals or organisations.

## **Disclosing conflicts of interests**

As an AOTA employee/contractor, you must:

- ◆ proactively disclose in writing any conflicts of interest you have, or may be perceived to have, as soon as you become aware of it to your workplace manager (or their manager where appropriate)
- ◆ report situations where a colleague or workplace manager attempts to influence a decision where there is a perceived or actual conflict.

## **Managing conflicts of interests**

A workplace manager taking steps to manage an actual or perceived conflict of interest, must:

- ◆ assess the risks related to the conflict of interest
- ◆ determine the best management options that uphold the integrity of the AOTA and public trust, prevent the impression of improper influence and is in the public interest
- ◆ document the management action plan
- ◆ implement and monitor a management action plan.

As an AOTA employee/contractor, you must cooperate fully with any management action implemented to deal with actual or perceived conflicts of interest.

## **Fraud, corruption and maladministration**

**Corrupt conduct** is the conduct of any individual, whether a public official or not, that adversely affects (or could adversely affect), either directly or indirectly, the honest and impartial exercise of public official functions.

**Fraud** involves dishonestly obtaining a benefit, or causing a loss, by deception or other means. Fraud is established as an offence in section 192E of the Crimes Act 1900.

**Maladministration** is conduct that involves action or inaction of a serious nature that is contrary to law, unreasonable, unjust, oppressive, improperly discriminatory and based wholly or partly on improper motives.

AOTA does not tolerate any form of fraud, corruption or maladministration and is vigilant in its prevention, deterrence, detection and investigation.

All employees/contractors are required to act ethically, with integrity and in accordance with the law, this Code and related policy and procedures.

All employees/contractors must be aware of the risks of fraud, corruption and maladministration in the workplace.

They must take practical steps to avoid or manage risks and report all suspected cases of fraud, corruption or maladministration.

As an employee/contractor, you must:

- ◆ act lawfully, ethically and honestly always
- ◆ act within your delegated authority
- ◆ comply with AOTA policies, procedures and guidelines
- ◆ not seek to circumvent financial, fraud or corruption controls.

### **Gifts, benefits, hospitality and bribes**

A gift, benefit or hospitality is any item, service, prize, ticket, meal, travel, upgrade, discount, job or promotion, preferential treatment or access to information that has an intrinsic value and/or value to you, a member of your family, relation, friend or associate. The gift, benefit or hospitality may be provided by a student, colleague, parent, community member, supplier, potential supplier or organisation.

Bribery is soliciting, receiving or offering any undue reward to or by a person to influence the way that person acts. A reward can encompass anything of value and is not limited to money or tangible goods. The provision of services may amount to a reward.

Accepting gifts and other benefits has the potential to compromise employees by creating a sense of obligation and potentially undermining their impartiality. It may also affect the reputation of the AOTA and its employees.

### **Managing gifts, benefits and hospitality**

As an employee or contractor, you must:

- ◆ not accept a bribe
- ◆ not solicit any gift, benefit or hospitality
- ◆ not create the impression that any person or organisation is or can improperly influence the organization or its decisions
- ◆ refuse any gift, benefit or hospitality that is not token in nature or that may compromise your position
- ◆ refuse and report a bribe, gift, benefit or hospitality if it is, or could be perceived to be, an attempt to persuade you to make a certain decision or act in a certain manner.

### **Recruitment**

Recruitment of employees or contractors is carried out in accordance with relevant legislation, industrial instruments, policies and procedures.



Recruitment and employee selection processes must meet the principles and standards of merit selection. It must be ethical and fair.

## RESPECTFUL AND SAFE RELATIONSHIPS

### Dignity and respect

Our daily interaction with others reflects on the AOTA's reputation.

All employees and contractors are expected to be **approachable, courteous, polite, respectful and prompt** in dealing with students, their families and carers, colleagues and members of the public, irrespective of their position or seniority. Any breach of this expected behaviour could lead to suspension or cancellation of employment/contract.

Everyone has a right to expect that they will be spoken to in a respectful manner. In dealing with other people, employees should consider and tolerate different opinions and perspectives, sorting out disagreements through rational and open discussion.

As an AOTA employee/contractor, you must:

- ◆ treat everyone with dignity and respect
- ◆ not use coarse, obscene or sexually suggestive, racist, misogynistic, misandrist or discriminatory language in the workplace
- ◆ present yourself as an appropriate role model to students
- ◆ actively engage in processes aimed at building positive work relationships and resolving complaints.

As a workplace manager you must also:

- ◆ lead by example and take all necessary steps to ensure that the workplace and classrooms reflect the AOTA's values.

## BULLYING, HARASSMENT AND DISCRIMINATION

**Bullying** is repeated and unreasonable behaviour directed towards an person or group of employees that creates a risk to health and safety. Bullying is not part of reasonable management action carried out in a reasonable manner to effectively direct and control the way work is carried out, which can include allocating work, giving feedback and addressing conduct or performance issues.

**Harassment** is any unwelcome behaviour that an employee finds offensive or which makes them feel intimidated or humiliated. Sexual harassment is behaviour of a sexual nature that makes an employee feel offended, humiliated or intimidated. This could include sexual advances, requests for sexual favours, sexual gestures, jokes or comments.

**Discrimination** is treating someone unfairly because of a characteristic they have,

or they are assumed to have, that is protected by law. These characteristics include gender, marital status, pregnancy, breastfeeding, age, race, ethnic or national origin, disability, carer responsibilities, transgender, sexual orientation, medical conditions or political or trade union affiliations.

AOTA is committed to creating a workforce that is diverse, inclusive and reflective of the community.

AOTA does not tolerate bullying, harassment or discrimination.

As an AOTA employee/contractor, you must:

- ◆ treat students, colleagues and members of the public with respect
- ◆ not use information, communication technologies or social media to engage in conduct that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe
- ◆ take all necessary steps to prevent, address and report harassment, bullying and discrimination in the workplace.

As a workplace manager, you must also:

- ◆ clarify and address allegations of bullying, harassment and discrimination promptly.

## **PROFESSIONAL CONDUCT**

### **Reasonable instruction and direction**

A workplace manager is expected to maintain the good order and functioning of the workplace. This includes providing instruction and giving feedback to employees and contractors.

Workplace managers should be open to constructive questions, feedback or concerns regarding their instructions. They have a responsibility to respond appropriately.

If an employee or contractor considers an instruction unreasonable, they should tell the person issuing the instruction while also ensuring their response is delivered respectfully. They should provide reasons for their concerns and allow the person an opportunity to respond. If they remain concerned, the employee may seek advice at the next management level.

Employees and contractors can obtain advice from their union and/or professional association at any time.

### **Direct management action**

A workplace manager should apply a fair process when taking direct management action to address employee conduct concerns. This includes:

- ◆ informing the subject of a concern/complaint about the substance of the

matter

- ◆ providing a reasonable opportunity for people with a direct interest in the situation to respond to or comment on the issues, whether in writing, in person or otherwise
- ◆ making reasonable inquiries and considering relevant information before making a decision
- ◆ acting fairly and without bias, including not managing a complaint in which they have a direct interest
- ◆ conducting any inquiries without undue delay.

## **Directions**

A workplace manager can provide an employee with a written direction, requiring them to comply with an instruction. Issuing a direction is a significant undertaking with potentially serious consequences for employees. Employees/contractors or their representative may request a review of a direction. The request must be made in writing to the person issuing the direction. The supervisor of the person issuing the direction will complete the review.

The employee/contractor must continue to comply with the direction, as far as is reasonably practicable, until the supervisor has made the review decision.

As an AOTA employee/contractor you must:

- ◆ undertake your duties in a timely and professional manner and follow the reasonable instructions of your workplace manager
- ◆ not breach a lawful direction
- ◆ comply with a lawful direction until the direction lapses or is revoked.

As a workplace manager you must also:

- ◆ address workplace issues and poor conduct promptly and fairly.

## **DRUGS, ALCOHOL AND SMOKING**

AOTA is committed to a workplace being professional settings where students are learning or being supported to learn, where everyone present can be safe, productive, and healthy. The use of drugs (illicit or recreational), alcohol and tobacco in the workplace is not acceptable.

Employees and contractors must ensure their capacity to perform their duties is not impaired by the use of alcohol or drugs and that the use of any substance does not put them, another person or a student at risk.

Employees or contractors experiencing difficulties in relation to physical, social and psychological wellbeing are encouraged to seek support from an external provider. AOTA will provide support where appropriate.

## **Drugs and non-prescribed substances**

As an AOTA employee or contractor, you must:

- ◆ not work under the influence of drugs or non-prescribed substances
- ◆ not attend work if you have in your possession, or are in control of, any illegal drugs or nonprescribed substances
- ◆ not give or supply any person drugs or non-prescribed substances
- ◆ not supply or administer medication to students except in line with policy and procedures
- ◆ notify your supervisor if you become aware that your work performance or conduct is, or could be, affected by drugs or non-prescribed substances
- ◆ take steps to address any substance use or abuse issues that may impact on your work performance or the reputation of the AOTA
- ◆ immediately report any concerns about an employee or student who appears to be affected by drugs or other substances.

As a workplace manager you must also:

- ◆ not permit employees to use, possess or supply drugs or non-prescribed substances.

## **Alcohol**

As an AOTA employee/contractor employee, you must:

- ◆ not work under the influence of alcohol
- ◆ not take alcohol to a school or consume it during school hours or at any school function any time students are present

As a workplace manager you must also:

- ◆ not permit employees or community users to use alcohol

## **Smoking or using electronic smoking devices**

As an AOTA employee or contractor, you must not:

- smoke or permit smoking (including e-cigarettes and 'vaping' devices) on AOTA premises, except in the designated smoking areas.

As a workplace manager you must also:

- ◆ not permit any person to smoke on AOTA premises

## **ACCURATE RECORDING AND SIGNATURES**

To maintain integrity and trust, it is important that information is reported accurately and with appropriate authority.

As an AOTA employee or contractor employee, you must:

- ◆ proactively report to supervisors or workplace managers when you have made a mistake or been involved in an incident
- ◆ provide information truthfully and candidly when giving an account of events
- ◆ be accountable for any documents that you sign. You should carefully read all documents you are asked to sign and must not sign or submit a document that you know is not true or is misleading
- ◆ not give the impression that you have the authority of another person without their permission
- ◆ only sign your own name and never permit or encourage anyone to sign a name other than their own.

As a workplace manager you must also:

- ◆ not encourage or coerce an employee to sign a document or approve purchases for which they do not have delegation, disagree or are not satisfied

## **Recordkeeping and academic dishonesty**

A record serves an essential administrative, legal and historical purpose.

Conduct that undermines assessment and testing processes also undermines the efficacy and reliability of these processes.

As an AOTA employee or contractor employee, you must:

- ◆ properly capture and store information in the AOTA's records management systems
- ◆ store documents securely and confidentially
- ◆ not destroy records without appropriate authority
- ◆ assess and record marks for students' work accurately, fairly and in a manner that is consistent with relevant policy and the requirements AOTA.

As a workplace manager, you must also:

- ◆ ensure that employees reporting to you understand their records management obligations
- ◆ act on any apparent record management breaches.

## **CYBER SECURITY AND PROFESSIONAL USE OF DEVICES**

### **Cyber security hygiene**

As an AOTA employee or contractor, you must:

- ◆ use robust cyber security hygiene practices to reduce the risk of security threats and unauthorised access
- ◆ •maintain an up-to-date knowledge of AOTA cyber security alerts and safety measures
- ◆ never share your username and password with others or use the access credentials of others

- ◆ take care when using third party services, systems, infrastructure or devices and when in doubt seek authorisation.

## **Personal devices**

When using a personal device for work, you must:

- ◆ use robust cyber security hygiene practices to reduce the risk of security threats and unauthorised access
- ◆ use the most up to date security and software on the device
- ◆ ensure AOTA-related content cannot be accessed by others including family members who may have access to the device
- ◆ ensure students cannot view or access personal content
- ◆ not store unauthorised images of students.

## **AOTA supplied devices**

When using AOTA devices, you must:

- ◆ collect, use and store data in compliance with applicable laws, privacy principles and AOTA policies
- ◆ only use information and information resources for responsible and authorised purposes
- ◆ exercise good judgment when using electronic communication, following the principles of ethical behaviour
- ◆ communicate in a professional manner that will withstand public scrutiny
- ◆ never seek to bypass security or access measures
- ◆ never populate AOTA data in systems, programs or applications without proper authorisation, data protection, appropriate controls and commercial terms.

## **Prohibited conduct**

You must never use AOTA's networks or devices to create access, store or transmit information that is:

- ◆ subversive, illegal or unlawful
- ◆ sexually related, pornographic or offensive
- ◆ violent or hate-related
- ◆ racist or offensive towards a particular group or individual
- ◆ malicious or defamatory
- ◆ used for generating private income or gambling
- ◆ inconsistent with child protection policy, privacy laws or copyright.

## **KNOWLEDGE, TRAINING AND ACCREDITATION**

All employees and contractors have a responsibility to have an up-to-date

understanding of their role and related legislation, policies and procedures.

As a AOTA employee or contractor, you:

- ◆ should regularly engage in ongoing learning to update and develop professional skills
- ◆ should actively engage in and maintain a professional development plan
- ◆ must maintain the required credentials to fulfil your role, including Working with Children Check Clearances, accreditation and mandatory training as required by law and/or AOTA policy
- ◆ must be proactive and ensure that you keep well-informed about changing legislation, policies and procedures that apply to your work.

As a workplace manager, you must also:

- ◆ actively assist your employees to engage in and maintain a professional development plan
- ◆ have effective systems to keep employees informed of legislation, policies and procedures that apply to their work including induction processes, mandatory training and ongoing learning.

## **COMPLAINTS**

The AOTA is committed to continuously improving the way we work and resolving complaints promptly at a local level.

As an AOTA employee or contractor, you must:

- ◆ manage complaints promptly, fairly and objectively
- ◆ be aware of, and comply with, the AOTA's complaints handling policy and procedures.

## **COPYRIGHT AND INTELLECTUAL PROPERTY**

All employees play an important role in ensuring intellectual property is correctly identified, protected and used.

Anything employees develop, invent or create, either alone or in collaboration with others, in the course of their work with the AOTA remains the AOTA's intellectual property. This may apply even if employees develop material in their own time or at home.

As a AOTA employee, you must:

- ◆ respect the AOTA's intellectual property rights (including copyright) over material it produces, even after you have left the AOTA
- ◆ not use the AOTA's intellectual property for private purposes without obtaining written permission from the directorate or unit that created the material

- ◆ ensure the intellectual property rights of others are not infringed and the copyright/other rights of any third-party information included in AOTA materials is correctly identified
- ◆ ensure you secure the intellectual property rights for the AOTA to any material you commission from external parties, including students and parents

## **CONFIDENTIAL INFORMATION AND PRIVACY**

Protecting information maintains trust and confidence in the AOTA.

AOTA is committed to protecting personal and health information in accordance with the law.

As a AOTA employee, you must:

- ◆ not disclose confidential information in any form to any party without official approval, or as otherwise permitted by legislation or court order only disclose information when it is authorised, seeking advice if you are uncertain
- ◆ protect confidential information from unauthorised access.

As a workplace manager you must also:

- ◆ take steps to inform employees reporting to you or working with you of their information security responsibilities and relevant AOTA policy and procedures.

## **DRESS AND PRESENTATION**

Employees and contractors have an obligation in the workplace to dress appropriately and in a manner that maintains respect, establishes credibility and upholds the good reputation of AOTA.

As a AOTA employee/contractor:

- ◆ your dress and presentation must project an image that is consistent with accepted community standards and your work context
- ◆ your clothing must always be appropriate to the workplace, the nature of the activity, consistent with work health and safety standards and enable you to respond in an emergency.

As a workplace manager, you should also:

- ◆ consult with employees to define acceptable standards of clothing balancing their needs and the requirements for professional attire.

## **ACKNOWLEDGEMENT AND SIGN OFF**



I, \_\_\_\_\_ do hereby acknowledge receipt of  
  
the AOTA Code of Conduct Version 1 dated 9.8.2022. I have read the  
  
document and understand my duties and responsibilities whilst working  
  
with All Onsite Training and Assessment.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_