

Mpower Group Organisational Policy

GOVERNANCE

1.02 Code of Conduct Policy

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1. Purpose

Mpower Group is committed to ensuring ethical behaviour and the safeguarding of vulnerable individuals, including children, in all business activities.

This policy outlines the expected standards of behaviour of those working for and with Mpower Group and reaffirms its commitment to responsible, social, and ethical conduct. It provides a framework of principles for service provision and guides interactions with colleagues, clients, participants, and suppliers.

Mpower Group endorses that all employees, volunteers, students, and contractors of Mpower Group must respect the basic human rights of others, ensuring that their behaviour aligns with Mpower Group's values. Our Code of Conduct clearly defines acceptable and unacceptable behaviours to support a positive, respectful, and inclusive work environment.

It is essential to note that this policy complements, but does not replace, applicable legislation. In any situation where the policy conflicts with legal requirements, legislation takes precedence.

This policy is designed to ensure that Mpower Group fully complies with all relevant legislative, funding, and service delivery requirements.

2. Scope

This policy applies to all Mpower Group personnel inclusive of employees, volunteers, students and contractors, (hereafter referred to as Personnel) working with or on behalf of Mpower Group.

3. Policy Context

Standards, Guidelines, Acts, (Federal and Victorian)	<ul style="list-style-type: none"> • Australian Human Rights Commission Act 1986 • Child Safe Standards 2022 • Child Wellbeing and Safety Act 2005 (Vic) • Child Wellbeing and Safety Regulations 2017 (Vic) • ISO 9001:2015 Standards • National Disability Service Zero Tolerance Framework • NDIS Practice Standards 2021 • NDIS Code of Conduct • Occupational Health and Safety Act 2004 (Vic) • Equal Opportunity Act 2010 (Vic) • Privacy and Data Protection Act 2014 (Vic) • Disability Act 2006 (Vic) • Workplace Injury Rehabilitation and Compensation Act 2013 (Vic) • Health Records Act 2001 • Crimes Act 1958 • Fair Work Act 2009 • Worker Screening Act 2020 • Education and Care Services National Law Act 2010 • Education and Care Services National Regulations (2011 SI 653) • National Quality Framework
Organisation Policies	<ul style="list-style-type: none"> • 2.03 Incident Response and Reporting Policy • 2.04 Privacy Policy • 2.09 Quality and Standards Policy • 3.01 Financial Management Policy • 3.04 Financial Authority & Accountability Policy • 5.04 Diversity & Inclusion • 5.07 Performance Management & Disciplinary Action Policy • 5.11 Employee Feedback & Grievance Policy • 6.01 Code of Conduct – Child & Young Person Policy • 6.02 Child Safety & Wellbeing Policy • 3.04 Client Services Charter • 6.06 Cultural Safety for Aboriginal & Torres Strait Islander Polic • 6.12 Service Access and Eligibility, Intake & Service Charges
Forms, Record Keeping, Other Documents	<ul style="list-style-type: none"> • Mpower Group Code of Conduct Agreement • Vision and Values Statement • NDIS Code of Conduct • Employment Hero

4. Policy Statement

4.1. Adherence to Code of Conduct

4.1.1. Adherence to the following behaviours is always required of all personnel:

- i. Maintaining a high standard of professionalism in all interactions.
- ii. Maintain appropriate boundaries in all professional relationships.
- iii. Ensuring Mpower Group is a safe and supportive environment where employees, participants, children and young people feel safe, heard, and acknowledged.
- iv. Treating all children, young people, clients, and families, employees with respect and upholding human and cultural rights, particularly for Aboriginal and Torres Strait Islander communities.
- v. Using Mpower Group information, funds, equipment, and facilities responsibly, ethically and only for legitimate purposes.
- vi. Being considerate of the environment and others.
- vii. Acting with fairness, equality, courtesy, cultural appropriateness, and sensitivity in dealing with others.
- viii. Avoiding conflicts of interest and promptly disclosing any potential conflicts
- ix. Performing duties with skill, honesty, care and diligence in accordance with professional standards and organisational policies. Abiding by all relevant policies, procedures, and lawful directions related to personnel's responsibilities with Mpower Group
- x. Avoiding any perception of improper influence in business transactions by refraining from offering or accepting gifts (excludes low value gifts less than \$50).
- xi. Do not use your position for personal gain or advantage.
- xii. Promote an inclusive, non-discriminatory environment for people of all backgrounds, abilities and identities
- xiii. Maintain the confidentiality of all client, employee and organisational information.
- xiv. Share information only when required for work duties, in accordance with privacy laws and policies.
- xv. Do not discuss or disclose private information inappropriately, including outside of work.
- xvi. Prioritise the safety and wellbeing of clients, colleagues and the public.
- xvii. Report any concerns about risks, harm of abuse, immediately
- xviii. Follow all workplace health and safety procedures
- xix. Reporting any breaches of this code in the incident management system or to the relevant manager, relevant Management Team personnel and/or People & Culture representative.

4.1.2. As a NDIS provider, Mpower Inc. personnel are required to comply with the NDIS Code of Conduct, which includes:

- i. Act with respect for individual rights to freedom of expression, self determination and decision-making in accordance with applicable laws and conventions.
- ii. Respecting the privacy of people with disabilities.
- iii. Providing services and supports in a safe and competent manner with care and skill.

- iv. Acting with integrity, honesty and transparency.
- v. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability.
- vi. Taking all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability.
- vii. Taking all reasonable steps to prevent and respond to sexual misconduct.

4.1.3. Comply with the Child Safe Standards, ensuring:

- i. The safety, participation, and empowerment of all children.
- ii. Prevention of child abuse through early identification of risks and swift response to concerns.
- iii. Implementation of strategies to ensure the safety of children from culturally diverse backgrounds, including those with disabilities.

4.2. Bullying, Harassment & Discrimination

4.2.1. Mpower Group is committed to ensuring a workplace free from bullying, harassment, and discrimination. Bullying and harassment are defined as any repeated, unreasonable behaviour directed towards an individual or group that creates a risk to health and safety. This includes, but is not limited to, verbal abuse, exclusion from activities, and unwelcome conduct of a sexual nature. Discrimination involves treating someone unfavourably because of personal characteristics protected by law, such as race, gender, disability, or age.

4.2.2. It is expected that all personnel engaged with Mpower Group will:

- i. Refrain from engaging in any behaviour that could be considered bullying, harassment, or discrimination, including but not limited to physical, verbal, or psychological abuse, sexual harassment, and exclusionary practices.
- ii. Report any incidents of bullying, harassment, or discrimination through the appropriate channels, ensuring confidentiality and prompt action.
- iii. Cooperate fully in any investigations related to bullying, harassment, or discrimination, respecting the rights and dignity of all parties involved.
- iv. Contribute to the maintenance of a positive workplace culture

4.2.3. Mpower Group will:

- i. Take all reports of bullying, harassment or discrimination seriously, conducting thorough investigations and taking appropriate action, which may include disciplinary action such as corrective action, education, warnings, or termination.
- ii. Provide support to all involved in or affected by bullying, harassment, or discrimination, including access to counselling services and other relevant resources.
- iii. Ensure that this policy complies with the Fair Work Act and other relevant legislation, and regularly review and update it as necessary.

4.3. Responsibilities

4.3.1. **Mpower Group personnel:** Must understand and adhere to this Code of Conduct, the NDIS Code of Conduct, and the Child Safe Standards always, and report any suspected breaches or concerns.

- 4.3.2. **Primary Manager & Manager:** Responsible for ensuring that their teams understand the requirements of this policy and processes for addressing any violations promptly.
- 4.3.3. **People & Culture:** Responsible for disseminating the Code and Agreement, conducting training, monitoring compliance, and investigating reported breaches.

4.4. Education & Information

4.4.1. Personnel will be oriented on the Code of Conduct, the NDIS Code of Conduct, and the Child Safe Standards during onboarding and at regular intervals thereafter. Mpower Group will ensure that all employees understand their obligations under these Codes and Standards and how to apply their principles in their daily work.

4.5. Reporting Breaches

- 4.5.1. Reports of any suspected breach of the Code of Conduct, the NDIS Code of Conduct, Child Safe Standards, or the Fair Work Act should be made through the appropriate channels, including Mpower Group’s Incident Management System.
- 4.5.2. Mpower Group will take all reports of breaches seriously and conduct thorough investigations as needed. Breaches of the Code of Conduct may result in disciplinary action, including corrective action, education, warnings, or termination of employment. In cases where breaches are deemed to be criminal in nature, or involve reportable activities, these will be reported to the appropriate authorities.

4.6. Monitoring and Compliance

4.6.1. Mpower will monitor compliance with the Code of Conduct through regular audits, feedback mechanisms, and employee engagement. Breaches will be investigated and may result in disciplinary action, including termination and reporting to regulatory bodies and legal action if necessary.

4.7. Clarification and Review

- 4.7.1. If there are any doubts about any aspect of the Code of Conduct, clarification must be sought from their Primary Manager. Personnel are encouraged to seek guidance if they require any clarification regarding the Code of Conduct. Primary Managers and People & Culture representatives are available to provide necessary support and ensure understanding.
- 4.7.2. This policy will be reviewed regularly to ensure it remains aligned with organisational values, the NDIS Code of Conduct, the Child Safe Standards, and any legal obligations. Any updates to these documents will be communicated promptly, and employees will be required to re-acknowledge their understanding.

5. Responsibilities and Delegations	
Compliance Oversight	Mpower Management Group
Policy approval	Mpower Board

6. Definitions (in the context of this policy)	
Mpower Group	Includes both Mpower inc and Mpower Communities entities.
Bullying	<p>Bullying involves repeated, unwelcome and aggressive behaviour intended to intimidate or undermine individuals, posing a risk to health and safety. It can manifest in various form, such as verbal abuse, intimidation, exclusion, spreading rumours or work sabotage. This behaviour can have emotional, psychological and physical consequences affecting wellbeing, productivity and job satisfaction. Examples of bullying include constant criticism, public humiliation, exclusion, creating a hostile environment. Bullying is not:</p> <ul style="list-style-type: none"> • Constructive Feedback – aimed at improving performance or behaviour, not demeaning • Reasonable Management Action – legitimate actions by managers to address performance issues • Expressing Differences – respectful expression of differing opinions • Performance Management – fairly setting expectations and addressing underperformance. • Personality conflicts – clashes due to differing personal styles, unless intentionally harmful.
Conflict of Interest	A conflict of interest is when a person's personal interests conflict with their responsibility to act in the best interests of the organisation.
Contractors	Refers to third party agent engaged to either work directly with employees, clients of participant. An example of contractor may be On Call agency personnel engaged to work with clients but not maintenance.
Discrimination	<p>Discrimination is unlawful conduct against protected attributes like age, gender identity, disability, race, religion, and sexual orientation. This includes actions such as requesting, instructing, or encouraging others to discriminate, whether individually or collectively.</p> <p>Discrimination can be direct and indirect:</p> <ol style="list-style-type: none"> i. Direct Discrimination: Treating someone unfavourably due to a protected attribute. ii. Indirect Discrimination: Neutral practices that disadvantage someone with a protected attribute. iii.
Disciplinary Action	Responding to an employee's misconduct, unsatisfactory performance or breach of policies.

Harassment	Harassment involves unwanted actions or behaviours that create a hostile environment based on an individual's protected characteristics, such as race, gender, religion, or sexual orientation. It can be verbal, physical, or visual and often degrades or offends the targeted person, affecting their mental and emotional wellbeing and job satisfaction. Examples of Harassment include offensive comments or jokes, discriminatory behaviour creating a hostile environment.
Inappropriate Behaviours	Inappropriate behaviour includes actions that, while not classified as bullying, harassment, sexual harassment, or workplace violence, are still considered unprofessional or contrary to workplace norms. This behaviour can be disrespectful, disruptive, or harmful to individuals or the overall work environment. Bullying, harassment, and discrimination are determined by how the receiver perceives these behaviours, rather than the perpetrator's intentions.
Incident Management System	Incident Management System (IMS) is the area in MYP where all incidents are to be recorded regardless of where they occur.
Occupational Violence & Aggression	Occupational violence and aggression include any incident where an employee is abused, threatened or assaulted in circumstances arising out of or during their employment. It can occur anywhere that employees work with others including colleagues or management, or with people outside of the workplace including clients, their family members and members of the public.
Primary Manager	Refers to an employee's direct line manager; a Primary Manager maybe a Team Leader or Coordinator.
Sexual Harassment	Sexual harassment refers to unwelcome conduct of a sexual nature, including sexual advances, requests for sexual favours, and other verbal, non-verbal, or physical actions. It does not involve mutual attraction or consensual relationships unless they create a conflict of interest at work. While sexual harassment can occur as a single incident, it is still considered serious misconduct and can lead to disciplinary action and termination. Non-sexual behaviour may also be classified as bullying or discrimination.

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