



# MODEL CODE OF CONDUCT

This Model Code of Conduct reflects the requirements contained in the National Catholic Safeguarding Standards (NCSS) Edition 2, Self-Report Pathway.

January 2024

## 1. Introduction

[Name of Church Authority] expects personnel to maintain the highest standards of ethical conduct. This includes conduct that upholds the human rights, dignity and well-being of all people and safeguards children and adults at risk from abuse and harm.

## 2. Purpose

The Code of Conduct establishes principles for ethical conduct and provides clear information about conduct by personnel towards children and adults at risk that is not acceptable.

Personnel have a responsibility to promote the Standards embodied in the Code in addition to the teachings and values of the Catholic Church more broadly.

The Code should be read alongside [name of Church Authority]'s Safeguarding Policy and Complaint Handling Policy. The Code also complements other documents of [name of Church Authority] and the Catholic Church.

## 3. Scope

The Code of Conduct applies to all personnel of [Church Authority], including religious brothers, sisters and clergy, employees and volunteers engaged by [Church Authority]. It also includes contractors engaged by [Church Authority] to provide services to children and adults at risk. Before commencing any role, personnel must sign an acknowledgement that they have reviewed the Code of Conduct, agree to comply with it, and understand the consequences of breaching the Code. Personnel are required to review and sign the Code of Conduct regularly and not less than every two years to reaffirm their understanding of their obligations. The [relevant position] is responsible for ensuring that this occurs and maintaining appropriate records.

## 4. Ethical Conduct

[Name of Church Authority] promotes the following principles:

- reflecting the beliefs and gospel values of the Catholic faith
- respecting the dignity, rights and views of others
- acting honestly and with integrity at all times
- being courteous, fair, sensitive and considerate to the needs of others
- listening and seeking to understand different points of view (this does not necessarily mean agreeing with the point of view)
- acting respectfully at all times, including respecting cultural, ethnic, political and religious differences
- taking an inclusive approach that does not discriminate against or harass any person because of their gender, sex, marital status, pregnancy, age, race, ethnic or national origin, physical

or intellectual impairment or sexual orientation or gender identity. Such harassment or discrimination may constitute an offence under the *Anti-Discrimination Act 1977*.

## 5. Professional and Personal Behaviour and Development

5.1. In performing their duties, personnel must:

- a) maintain a high standard and quality of work
- b) demonstrate a duty of care
- c) maintain and develop knowledge and understanding of their area of expertise
- d) continuously seek to improve work performance and bring about improvements in the workplace
- e) complete their duties in accordance with the directions provided by the relevant supervisor, exercising care, responsibility and sound judgement
- f) take reasonable care of their health and safety
- g) comply and cooperate with legislative and industrial requirements and any reasonable instruction, policy or procedure
- h) use appropriate language
- i) maintain adequate records to support any decisions made

5.2. In performing their duties, personnel must not:

- a) act in ways that adversely affect the health and safety of others
- b) come to work or stay at work while affected by any substance which impairs work performance or poses a safety risk to themselves or others
- c) bring alcohol onto work premises without permission
- d) smoke/vape in the workplace, before, during and after normal office hours
- e) ignore work duties or waste time during working hours
- f) take or seek to take improper advantage of any information gained in the course of employment
- g) take improper advantage of their position to benefit themselves or others
- h) allow personal political views/affiliations or other personal interests to influence the performance of duties or exercise of responsibilities
- j) use information and communication technologies to engage in behaviour that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe
- k) make unfounded, malicious, frivolous or vexatious complaints against other personnel.

## 6. Conduct Towards Children and Adults at Risk

6.1 'Child' means any individual under the age of 18 years.

6.2 'Adult at Risk' means any individual aged 18 years and over at increased risk of abuse.<sup>1</sup>

6.3 Personnel must not engage in the following conduct:

- a) any form of physical or sexual abuse
- b) any form of financial abuse or exploitation
- c) grooming for sexual abuse
- d) using sexually suggestive or explicit language or gestures
- e) engaging in conversations about sexual experiences or sharing sexual images
- f) being alone with a child away from the presence of other adults, without express permission
- g) being alone with an adult at risk unless in an open or visible space, or within the clear line of sight of another adult.<sup>2</sup>
- h) showering/using the toilet with an open door in the presence of others
- i) helping with intimate care if the person is capable of doing it on their own
- j) not respecting privacy
- k) physically disciplining
- l) making excessive and/or degrading demands
- m) any misuse of authority or power that coerces a person to engage in any activity, or which disrespects their human rights and dignity
- n) making any kind of drug, alcohol or cigarettes available to children
- o) engaging in private electronic or online contact with a child
- p) engaging with a person in a way that is overly intimate or could be seen as involving favouritism or any form of special treatment, and
- q) taking or publishing photos of a child who is in the care of the organisation outside of official duties or without parental/guardian consent.

6.4 Personnel must:

- a) report to the [relevant leader or supervisor] any concerning conduct that is brought to your attention or of which you become aware, and any circumstance where you suspect that a child or adult at risk is currently at risk of harm (see Complaint Handling Policy)

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<sup>1</sup> Please see the Safeguarding Policy for further details about 'adults at risk.'

<sup>2</sup> This includes ministries and/or services such as counselling, one-to-one tuition, the sacrament of reconciliation, coaching, spiritual direction and mentoring. However, this will depend on the individual's circumstances, preferences and right to privacy. Prudent judgement is required on a case-by-case basis.

- b) take reasonable steps to protect children and adults at risk from foreseeable risk of injury
- c) ensure that physical contact with children and adults at risk is reasonable for the purpose of their management or care, and is appropriate given their age, maturity, health or other characteristics

## 7. Reporting Requirements

[Name of Church Authority] will comply with all requirements to report concerns about the safety of children or adults at risk to police and other relevant regulatory authorities, as required by legislation. To ensure [name of Church Authority] can fulfil these reporting requirements, Personnel must report any concerns about the safety of children or adults at risk to [relevant position] as soon as practical, as detailed in [Church Authority]'s Complaint Handling Policy.

## 8. Equity and Inclusion

Personnel are expected to create a fair, inclusive and safe working environment, where diversity is valued and where unlawful discrimination, bullying, harassment and victimisation in any form are considered unacceptable. Personnel must not discriminate against any person on the basis of cultural or linguistic diversity, disability, gender identity or sexuality, or any other aspect of their identity.

## 9. Gifts, Benefits and Hospitality

Personnel have a responsibility to behave with integrity and impartiality. Personnel must not solicit gifts, benefits or hospitality that might in any way compromise or influence them directly or indirectly in their capacity as personnel. Personnel must declare any gifts, benefits or hospitality valued at \$50 or more.

## 10. Conflicts of Interest

10.1 Personnel have an obligation to ensure that conflicts of interest (whether financial or otherwise) are managed in a fair, ethical and transparent manner. The potential for a conflict of interest arises when personnel have private interests that could influence or appear to influence judgements made during the course of their professional duties. They also arise when there is a reasonable expectation of a personal benefit, direct or indirect, that could influence the performance of personnel's duties. This benefit may be financial or non-financial.

10.2 Personnel must:

- a) conduct themselves in a manner which is consistent with Catholic values

- b) be objective, open and honest, making recommendations or decisions with integrity and accountability and in a way that best serves the interests of [name of Church Authority]
- c) declare all private interests (including pecuniary and non-pecuniary) that conflict or may conflict with the discharge of their responsibilities to [relevant position]
- d) use their own judgement in determining the appropriateness of non-cash gifts and hospitality
- e) ensure all decisions are free of bias or apparent bias
- f) behave with integrity and impartiality
- g) ensure all processes are transparent and documented.

## 11. Fit and Proper Assessment

Personnel responsible for the management and oversight of [name of Church Authority] must be able to demonstrate they have relevant qualifications, training or experience in order to undertake their duties in the management of finances and resources and be considered 'fit and proper' for this role. This could include maintaining relevant memberships with professional bodies, registrations, qualifications and certifications.

## 12. Secondary Employment

Personnel are required to undertake their duties with the highest degree of integrity and free from any safety risks, conflicts of interest or contractual breaches resulting from other paid employment.

In some cases, secondary employment will not have any impact on a person's role with the [name of Church Authority]. However, at other times, secondary employment could lead to a real or potential conflict of interest. Personnel should seek and obtain approval in writing from [relevant position] prior to engaging in any secondary employment or business activity, including during periods of paid or unpaid leave with [name of Church Authority] unless there is some other requirement in place governing an employment arrangement which prevents this from being necessary.]

Where an employee is already involved in secondary employment, they must immediately obtain approval. Personnel may engage in voluntary work without seeking permission, as long as this work does not present a potential or actual conflict of interest.

## 13. Management of Resources

Personnel must be careful, ethical, efficient and economical in their use and management of [name of Church Authority] resources, including work time. Resources include (but are not limited to) money, facilities, equipment, vehicles, services (eg internet). Resources should be used only for their intended purpose, well maintained and secured against theft or misuse.

Personnel are accountable for the appropriate use of working hours and resources. Employees should not use [name of Church Authority] working hours or resources for an outside interest, secondary employment or personal gain.

Personnel have a duty to report any improper use, waste or abuse of resources, corrupt or fraudulent conduct or inadequate administration or accountability to [relevant position].

## 14. Social Media

Personnel must exercise caution when using social media platforms for personal purposes outside their work hours. Personnel are expected not to make disparaging or offensive comments on social media about [name of Church Authority], the Catholic Church, recipients of our ministry and service or colleagues.

## 15. Confidentiality

Personnel must not divulge, either during employment or after, the confidential information of [the name of Church Authority].

Personnel must respect the privacy and confidentiality of any person who reports safety concerns about a child or adult at risk except where legislative or statutory requirements over-ride this as outlined in the Safeguarding Policy.

## 16. Protected Disclosures

In reporting any suspected improper use, fraud, waste or abuse of resources, corrupt conduct, inadequate administration or accountability, personnel will be protected as far as reasonably practicable against victimisation and retaliation as result of a disclosure. Personnel are not entitled to protection for disclosures which, on investigation, are found to be vexatious or malicious allegations, and may be liable for disciplinary action as a result.

## 17. Consequences of Breaching the Code

Breaching the Code of Conduct may constitute misconduct and result in disciplinary proceedings up to and including dismissal (with or without notice) and possible criminal proceedings. This may impact on the individual's ability to work with children and/or adults at risk in the future. In relation to religious brothers, sisters and clergy, breaching the Code of Conduct may lead to them being removed from ministry and dispensed from his or her vows or dismissed from the clerical state, as applicable.

Note: Where a complaint about the sexual abuse of a child or adult by clergy or religious is substantiated under a civil standard, [the name of Church Authority] will undertake a risk management process to determine the appropriate action, in keeping with Church protocols. Where a cleric or religious is convicted of a canonical offence relating to sexual abuse, they will

be prohibited from exercising ministry until the process for imposing a penalty is completed by the relevant dicastery.

## 18. Reviewing the Code

The content of the Code of Conduct will be reviewed whenever a breach is identified and at least every three years. The [relevant position] is responsible for ensuring the review is completed.

<b>Code of Conduct approval</b>	[Insert name and position of person approving policy]	[Insert month and year]
<b>Code of Conduct review</b>	[Insert name and position of person approving policy]	[Insert month and year]

## 19. Related documents of the [Church Authority]

- Safeguarding Commitment Statement
- Safeguarding Policy
- Complaint Handling Policy



Signed acknowledgement of acceptance of the Code of Conduct<sup>3</sup> of [name of Church Authority]

I agree to abide by this Code of Conduct during my employment with [name of Church Authority].	
I understand that breaches of this Code of Conduct may lead to disciplinary action, including dismissal, and/or criminal proceedings.	
Signed:	
Name:	
Role:	
Organisation:	[name of Church Authority]
Supervisor:	
Date:	

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<sup>3</sup> Adapted from Australian Human Rights Commission, *Child safe organisations: Example Code of Conduct*  
<https://childsafe.humanrights.gov.au/sites/default/files/inlinefiles/CSO%20Example%20Code%20of%20Conduct.pdf>