



Code of Conduct

Purpose and scope

This ASC Code of Conduct Policy (the Code) is a public statement about organisational expectations in regard to the conduct of ASC employees, and is important in protecting the reputation of the ASC. It also establishes behavioural standards which are designed to ensure a positive, healthy and supportive working environment.

The Policy applies to all ongoing, fixed term and casual employees engaged under the *Australian Sports Commission Act 1989*, and all contractors and consultants working with or for the ASC in any capacity. They also apply to any employee working in the ASC on secondment from another agency, and ASC employees on secondment to other organisations.

Background

The ASC Chief Executive Officer has established this Policy, and accompanying Guidelines, in accordance with the provisions under section 41 of the *Australian Sports Commission Act 1989*.

Behaviours which do not comply with this policy could be detrimental to the health and welfare of ASC employees, and cause damage to the reputation of the ASC. Such behaviours will not be tolerated in the workplace.

Policy

1. As an ASC employee you must, in the performance of your duties, ensure that you:
 - a) behave professionally and in ways that uphold the **ASC Values** (Respect, Integrity, Teamwork and Excellence)
 - b) behave in a way that enhances and supports the good reputation of the ASC
 - c) act with care and diligence and perform work duties in a manner that is conducive to the health and safety of both yourself and others
 - d) do not engage in any forms of bullying or harassment; or physical, verbal or emotional abuse of others
 - e) do not engage in physical contact with athletes or children except where absolutely necessary for the development, maintenance or recovery of an athlete's or child's skill, health or athletic ability
 - f) implement all official decisions and comply with any lawful and reasonable direction given to you by anyone who has authority to give the direction
 - g) ensure information and documentation that you are provided with, work with or generate in the course of your duties, is kept confidential and at all times remains the property of the ASC

- h) do not give or disclose, directly or indirectly, any information to others about the ASC's business, unless required to do so in the course of your duties or unless you have been expressly authorised to do so
 - i) do not improperly use inside information, or your status, power or authority, to gain or seek to gain a benefit or advantage for yourself or any other person, nor to cause or seek to cause detriment to the ASC, the Commonwealth or any other person
 - j) disclose and take appropriate steps to avoid any conflict of interest (actual, perceived or potential) with your employment or engagement by the ASC, and disclose details of any material personal interest that may give rise to such a conflict
 - k) use ASC resources and facilities in a correct and responsible manner and for a proper purpose
 - l) adhere to all applicable ASC policies and guidelines
 - m) do not display or transmit, or cause to be displayed or transmitted, offensive and/or inappropriate material or messages in the workplace. This relates to any environment linked to the business and operations of the ASC, and includes the internet, our website, myausport, emails, internal bulletin boards, personal workstations or office areas, and
 - n) comply with applicable laws of Australia or other relevant jurisdictions.
2. All ASC employees have an obligation to uphold the Code, as well as report and respond to any observed behaviours which are not in line with this policy.
 3. Where an employee has allegedly engaged in conduct that may have potentially breached the ASC Code of Conduct, the CEO may, at any time prior to, or during, the process of determining whether the employee has breached the ASC Code of Conduct:
 - a) suspend the employee with or without pay
 - b) temporarily re-assign or modify duties, or
 - c) assign a new work location.
 4. In exercising suspension powers, the CEO must have due regard to procedural fairness, unless on reasonable grounds it would not be appropriate to do so in the particular circumstances.
 5. Public interest considerations will apply where the alleged conduct poses a risk to:
 - a) the safety of members of the public (including ASC customers or clients)
 - b) the integrity of data about members of the public held by the ASC
 - c) the public revenue
 - d) the confidence of the public in the ASC as a whole.
 6. The CEO may chose suspension from duty where:
 - a) there is a risk that an investigation of the allegation may be compromised by the employee's presence in the workplace
 - b) there is a risk that the suspected misconduct may be repeated
 - c) the allegations may have impaired the public's confidence in the ASC's capacity to perform its functions
 - d) there is a risk to the safety of other employees, or

- e) it would be inappropriate for the employee to continue to perform their usual duties until the allegations are resolved, and assignment of other duties is not appropriate or cannot be accommodated.
7. A period of suspension without pay longer than 30 days is permitted only where there are exceptional circumstances that include:
 - a) where a strong prima facie case of serious misconduct is apparent
 - b) where a finding has been made of a serious breach of the ASC Code of Conduct and a sanction is yet to be imposed – any delay between a determination and imposing a sanction should be minimised
 - c) where an employee has been charged with a criminal offence and is waiting to have the charge heard and determined, or
 - d) where an employee has appealed against a conviction and is waiting to have the appeal heard.
 8. An employee who is suspended without pay may be allowed to use annual leave and/or long service leave credits available to them and/or to undertake alternative employment in accordance with the ASC Conflict of Interest Policy.
 9. Where allegations against an employee who has been suspended without pay are not subsequently proven, the employee will be paid the ordinary salary not paid to them during the periods of suspension excluding any period of paid leave taken and less income from any other entity received during the suspension period. The employee will be re-credited leave taken during the suspension period.

ASC Values

The ASC Values are: **Respect, Integrity, Teamwork** and **Excellence**.

The ASC Values underpin the culture of the ASC and they are to be evident in the way all ASC employees perform their duties. The Values are integral to the way ASC employees conduct all business relationships and interactions with colleagues, sports partners and the general public.

Behaviours that typify adherence to the ASC Values are summarised in the [ASC Behaviours](#) document. A subset of these behaviours includes, but are not limited to:

- developing an understanding of others' needs and priorities
- creating an inclusive team environment
- creating an environment that encourages open, honest and frank discussion
- listening to and objectively assessing knowledge, opinions and experience of others regardless of their position
- accepting responsibility and being accountable for your actions, behaviours and outputs
- striving to improve all aspects of work and exceed expectations
- participating in and contributing to team activities
- encouraging pride and passion to enhance drive, commitment and motivation
- developing an understanding of and support for the diversity of people and cultures in the workplace
- being courteous and polite to others, and

- addressing any workplace issues immediately with tact and discretion.

Related employment policies

The Code should be read in conjunction with the ASC Code of Conduct Guidelines (the Guidelines). The Guidelines establish procedures for the management of Misconduct and identify when an investigation will be commenced.

The Guidelines also cover related matters that may arise before, during or after the application of these procedures, such as a manager's responsibilities, suspension of an employee, the imposition of Sanctions where a breach is found to have occurred, and what happens when no breach is established.

The Code requires employees to adhere all applicable ASC policies and procedures as amended from time to time. This includes but is not limited to the following policies:

- [Workplace Harassment and Bullying](#)
- [Child Safe](#)
- [Conflict of Interest](#)
- [ASC Use of Resources](#)
- [ASC Fraud Control Policy](#)
- [ASC Code of Conduct](#)
- [ASC Behaviours](#)

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Version	Created by	Originating programme	Approved by	Date	Revision date	TRIM reference
1.0	Director (HR)	Human Resources	CEO	24 September 2013	24 September 2015	2013/190989/D
1.1	Adviser (HR)	Human Resources	GM, Corporate Operations	22 February 2016	22 February 2018	2016/017192/D